

**PARLIAMENT OF VICTORIA**

**PARLIAMENTARY DEBATES  
(HANSARD)**

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

**Thursday, 24 March 2016**

**(Extract from book 4)**

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# HANSARD<sup>150</sup>



1866–2016

Following a select committee investigation, Victorian Hansard was conceived when the following amended motion was passed by the Legislative Assembly on 23 June 1865:

That in the opinion of this house, provision should be made to secure a more accurate report of the debates in Parliament, in the form of *Hansard*.

The sessional volume for the first sitting period of the Fifth Parliament, from 12 February to 10 April 1866, contains the following preface dated 11 April:

As a preface to the first volume of “Parliamentary Debates” (new series), it is not inappropriate to state that prior to the Fifth Parliament of Victoria the newspapers of the day virtually supplied the only records of the debates of the Legislature.

With the commencement of the Fifth Parliament, however, an independent report was furnished by a special staff of reporters, and issued in weekly parts.

This volume contains the complete reports of the proceedings of both Houses during the past session.

In 2016 the Hansard Unit of the Department of Parliamentary Services continues the work begun 150 years ago of providing an accurate and complete report of the proceedings of both houses of the Victorian Parliament.



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The Honourable LINDA DESSAU, AM

## **The Lieutenant-Governor**

The Honourable Justice MARILYN WARREN, AC, QC

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Minister for Small Business, Innovation and Trade . . . . .	The Hon. P. Dalidakis, MLC
Minister for Industry, and Minister for Energy and Resources . . . . .	The Hon. L. D’Ambrosio, MP
Minister for Roads and Road Safety, and Minister for Ports . . . . .	The Hon. L. A. Donnellan, MP
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Minister for Health and Minister for Ambulance Services . . . . .	The Hon. J. Hennessy, MP
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Minister for Local Government, Minister for Aboriginal Affairs and Minister for Industrial Relations . . . . .	The Hon. N. M. Hutchins, MP
Special Minister of State . . . . .	The Hon. G. Jennings, MLC
Minister for Families and Children, and Minister for Youth Affairs . . . . .	The Hon. J. Mikakos, MLC
Minister for Environment, Climate Change and Water . . . . .	The Hon. L. M. Neville, MP
Minister for Police and Minister for Corrections . . . . .	The Hon. W. M. Noonan, MP
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 (Acting Minister for Police and Acting Minister for Corrections from 9 February) . . . . .	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**

<b>Member</b>	<b>District</b>	<b>Party</b>	<b>Member</b>	<b>District</b>	<b>Party</b>
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 <sup>2</sup>	Polwarth	LP
Battin, Mr Bradley William	Gembrook	LP	Naphine, Dr Denis Vincent <sup>3</sup>	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
Britnell, Ms Roma <sup>1</sup>	South-West Coast	LP	Noonan, Mr Wade Matthew	Williamstown	ALP
Brooks, Mr Colin William	Bundoora	ALP	Northe, Mr Russell John	Morwell	Nats
Bull, Mr Joshua Michael	Sunbury	ALP	O'Brien, Mr Daniel David <sup>4</sup>	Gippsland South	Nats
Bull, Mr Timothy Owen	Gippsland East	Nats	O'Brien, Mr Michael Anthony	Malvern	LP
Burgess, Mr Neale Ronald	Hastings	LP	Pakula, Mr Martin Philip	Keysborough	ALP
Carbines, Mr Anthony Richard	Ivanhoe	ALP	Pallas, Mr Timothy Hugh	Werribee	ALP
Carroll, Mr Benjamin Alan	Niddrie	ALP	Paynter, Mr Brian Francis	Bass	LP
Clark, Mr Robert William	Box Hill	LP	Pearson, Mr Daniel James	Essendon	ALP
Couzens, Ms Christine Anne	Geelong	ALP	Perera, Mr Jude	Cranbourne	ALP
Crisp, Mr Peter Laurence	Mildura	Nats	Pesutto, Mr John	Hawthorn	LP
D' Ambrosio, Ms Liliana	Mill Park	ALP	Richardson, Mr Timothy Noel	Mordialloc	ALP
Dimopoulos, Mr Stephen	Oakleigh	ALP	Richardson, Ms Fiona Catherine Alison	Northcote	ALP
Dixon, Mr Martin Francis	Nepean	LP	Riordan, Mr Richard <sup>5</sup>	Polwarth	LP
Donnellan, Mr Luke Anthony	Narre Warren North	ALP	Ryall, Ms Deanne Sharon	Ringwood	LP
Edbrooke, Mr Paul Andrew	Frankston	ALP	Ryan, Mr Peter Julian <sup>6</sup>	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	Kororoit	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

<sup>1</sup>Elected 31 October 2015

<sup>2</sup>Resigned 3 September 2015

<sup>3</sup>Resigned 3 September 2015

<sup>4</sup>Elected 14 March 2015

<sup>5</sup>Elected 31 October 2015

<sup>6</sup>Resigned 2 February 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, 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 Bourman, Mr Elasmr and Mr Melhem.

**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 Kilkenny and Mr Pesutto. (*Council*): Ms Bath and Mr Dalla-Riva.



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## Thursday, 24 March 2016

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

### BUSINESS OF THE HOUSE

#### Notices of motion

**The SPEAKER** — Order! Notice of motion 1 will be removed from the notice paper unless member wishing their notice to remain advise the Clerk in writing before 2.00 p.m. today.

### REVIEW OF THE WITNESS PROTECTION ACT 1991

#### Report

**Mr SCOTT (Acting Minister for Police), by leave, presented report.**

**Tabled.**

### DOCUMENTS

**Tabled by Clerk:**

*Subordinate Legislation Act 1994* — Documents under s 15 in relation to Statutory Rule 13

### BUSINESS OF THE HOUSE

#### Adjournment

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

That the house, at its rising, adjourns until Tuesday, 12 April 2016.

**Motion agreed to.**

### MEMBERS STATEMENTS

#### Caroline Springs scouts

**Ms HUTCHINS (Minister for Local Government)** — It was with great pleasure that I joined the local scouts group in my electorate last Friday for a groundbreaking ceremony to celebrate the new scouts adventure centre in Caroline Springs. I also had the pleasure of meeting the world scout patron, Carl XVI Gustaf of Sweden, the King of Sweden. It was a real pleasure to meet him as the head scout and to have him in the western suburbs.

The event was initially to be held at the new hall, but unfortunately weather from the night before meant we had to relocate the event to the Catholic Regional College in the seat of Sydenham. As usual the scouts were prepared and saved the day. Under the guidance of Clair Mouser and Brendan Watson the event was relocated, and it was a great ceremony which really honoured the role of scouts in the western suburbs and focused on the volunteer-based nature of the organisation and the fantastic leadership that scouts provide to our local community and to our kids. Scouts encompasses great values and encourages kids to challenge themselves physically, intellectually, emotionally and socially in their local communities. I thank all our local scout volunteers for the great work that they do.

#### Police resources

**Mr M. O'BRIEN (Malvern)** — Crime is skyrocketing in Stonnington under Labor. Crime Statistics Agency data shows that between 2014 and 2015 offences in Stonnington jumped by 9.5 per cent. In my electorate of Malvern the increase was even higher — 11.7 per cent. In this month alone my electorate has seen a woman robbed at gunpoint in a Malvern park at 7.30 in the morning, on 7 March. Just two days later an Armadale family with two young children experienced a horrifying home invasion at 3 o'clock in the morning when, according to Victoria Police, four men of African appearance armed with baseball bats tried to smash their way inside their home.

While the coalition increased sworn police numbers by 1900, Labor is cutting police numbers and closing police stations. Nearby Burwood police station has been closed by Labor. Ashburton station is now closed five days a week. Malvern police station had over \$1.5 million invested in it by the former coalition government, but with Labor's cuts, how long will it continue to provide around-the-clock protection to the people of my electorate? With crime rates spiralling out of control, the Andrews Labor government must immediately commit to keeping Malvern's police station open 24 hours a day, seven days a week. Anything less will be an abandonment of the hardworking people of my community, a slap in the face to the brave police officers who protect them and a victory for the crooks and the thugs.

#### Barwon Heads Village Park community playground

**Ms NEVILLE (Minister for Environment, Climate Change and Water)** — Last Friday I had the honour of opening the Barwon Heads Village Park community

playground. The playground has a seaside theme, with a terrific timber pirate ship being the centrepiece surrounded by modern and accessible play equipment. The playground was funded by the state government in partnership with the City of Greater Geelong, together with \$30 000 from the Barwon Heads Kindergarten. The kids absolutely loved it on Friday.

### **Barwon Heads Festival of the Sea**

**Ms NEVILLE** — On Sunday I once again had the pleasure of being in Barwon Heads for the annual Festival of the Sea to speak about the importance of sustainability and the role the community can play. This is a great event celebrating the community's links to the sea through the diversity of the local environment, history, arts, culture and lifestyle. My congratulations to all those locals involved. Many dozens of locals volunteered their time to make the 2016 festival a great success.

### **Rotary Club of Drysdale**

**Ms NEVILLE** — On Monday night as always it was a pleasure to meet with members of the Rotary Club of Drysdale at their weekly meeting and dinner and to be their guest speaker. The club has been operating since 1975 and has contributed enormously not only to Drysdale but to communities right across the north Bellarine. As we move into Easter the members of the Drysdale Rotary Club are exceptionally busy with the final preparations for their Easter art show. I am looking forward to opening the show on Saturday and celebrating the young people's art project that I sponsor each year.

### **Black Dog Ride**

**Mr McCURDY** (Ovens Valley) — Well done to Jim Redmond and all involved in organising the third annual Wangaratta Black Dog Ride. I was pleased to join the ride along with some 300 other participants to raise awareness of depression and suicide prevention. The one-day event, which took in some beautiful Ovens Valley scenery, helped to start a conversation about suicide prevention and depression, which has such a significant impact on our local communities. Everyone who rode had a different reason and motivation, but the most important thing was bringing people together and raising funds to support those in need.

### **Trevor Parker**

**Mr McCURDY** — More than 1000 people attended the funeral of livestock industry stalwart Trevor Parker in Wodonga on Friday. Mr Parker was born in

Wangaratta and lived in the north-east for his entire life. As the director of Corcoran Parker he was known by many in our local towns and communities. Mr Parker was laid to rest in Wangaratta following his death as a result of a farming accident. My sincere condolences to his wife, Bernadette, and children, Gerard, Damian and Bridget.

### **Lions Club of Wangaratta**

**Mr McCURDY** — Congratulations to the Lions Club of Wangaratta on celebrating its 60th anniversary on the weekend. To mark its charter anniversary the club undertook a project to refurbish the youth space at the Wangaratta Library, which was officially opened on Sunday. Since the club started 60 years ago with 25 members, more than 250 have joined over the years. The club has made a significant contribution to Wangaratta, with members giving much time and effort to a wide variety of community projects which have made the town a better place for all.

### **Wangaratta Harness Racing Club**

**Mr McCURDY** — Harness racing returned to Wangaratta's Avian Park Raceway for another successful night over the recent long weekend. The one meeting a year, which was reinstated by the coalition government, continues to be a success. Bernadette Constantino and her team again showed that they can run a successful meeting. Well done to all.

### **Willmott Park Primary School**

**Ms SPENCE** (Yuroke) — I rise to congratulate students and teachers on another successful Prime Minister for a day initiative at Willmott Park Primary School in my electorate. PM for a day is an outstanding program that gives grade 6 students the opportunity to learn about our important democratic processes, from nominating candidates to electing class prime ministers. Each chosen leader had the opportunity to run activities, eat in the 'grand staffroom', make election commitments and deliver speeches. These grade 6 students also visited our national capital, where students no doubt gained a valuable insight into the practical operation of our democratic processes while meeting some of their federal representatives, including Rob Mitchell, the federal member for McEwen. I hope that these students also get the opportunity, either through school or with their families, to visit us in their state Parliament.

Congratulations to Adam Sayers, the grade 6 team leader at Willmott Park Primary, and all the students, teachers and parents who make this valuable program

possible. I would encourage other schools in my electorate and across the state to consider running similar programs. One day we may even see a member for Yuroke who went through the PM for a day program! Active participation in and knowledge of our democracy is something that every member in this place would encourage, and by teaching these attributes to our young people at an early stage through programs like PM for a day, we ensure that the importance of our democratic institutions is understood.

### **Abbotts Road, Dandenong South, level crossing**

**Mr R. SMITH** (Warrandyte) — Today I rise to talk about a ridiculous proposal being put forward by the Andrews Labor government, a proposal which is being spun to cover a lack of funding and the lack of a plan for the removal of the Abbotts Road level crossing in Dandenong South. The Andrews government has no intention of removing this level crossing; rather, the proposal being put forward is to simply close the road. This decision has been made despite the fact that local businesses have repeatedly voiced their dismay and strongly demonstrated the impact that it would have on their businesses. Indeed an example of their concern has been shown by the petition that was tabled in the other place yesterday, carrying the signatures of over 500 affected business owners and residents.

Such is the government's blind pursuit of its objective that it has ignored Casey City Council's advice, which is that the road closure would dramatically add to the peak-hour chaos on Thompsons Road — another apparently shovel-ready project that is going nowhere. While the Andrews government has promised community consultation, this has proved to be the same sham demonstrated to the Oakleigh residents about sky rail. The CEO of the Level Crossing Removal Authority, Kevin Devlin, is reported as having agreed when questioned by local business owners that closing Abbotts Road is counted as a level crossing removal and as a key performance indicator for him. Let me be very clear: business owners do not want this to happen, and the broader community does not want this to happen.

The member for Dandenong needs to stop being an apologist for the Andrews government in her district; rather, she needs to bring her community's concerns to this place and ensure that this closure does not go ahead. It is her role to emphatically back her community and be their voice in this place. That is her job — and, frankly, local businesses do not feel she is doing it very well.

### **Brussels terrorist attacks**

**Ms RICHARDSON** (Minister for Women) — The tragic events that took place in Brussels earlier this week were felt very close to home, as a study tour of 18 students and two teachers from Northcote High School was in Brussels at the time of the attacks. Thankfully all staff and students are safely accounted for. The group is following its emergency management plan, and the tour leader is liaising with the Australian embassy regarding travel arrangements. I commend the school's management of this extremely difficult situation; the constant updates to parents and the school community have been invaluable. My thoughts are with all of those impacted by these senseless attacks.

### **Northcote High School**

**Ms RICHARDSON** — I would also like to acknowledge that on 21 March Northcote High School celebrated its 90th anniversary. It was a great occasion for past and present members of the school community to celebrate the distinguished history of this great school. Past principal Mr Gary Israel gave an illuminating speech on the school's history, ranging from its foundation in 1926 to the present day. He described the struggles and successes of the school, and the tenacity of John Cain, Sr, in advocating for its establishment, the drop in enrolments during the Great Depression, the exodus of teaching staff due to World War II, the construction of major buildings in 1960 and the partnerships formed with schools in China. School captains Matthew Thomas and Lily Chalmers observed the strong community focus of Northcote High School and said how their education has made them 'skilled, confident and capable individuals'. I congratulate Northcote High School on 90 years of integrity and excellence, and I wish the school community all the best for the next 90 years.

### **Minister for Small Business, Innovation and Trade**

**Mr BURGESS** (Hastings) — Following up on concerns raised with me by small businesses from around Victoria, I submitted a number of questions on notice to the Minister for Small Business, Innovation and Trade. Although these queries came from a large number of businesses and from all areas of the state, I kept my questions to just 55. The questions related to the impact of the grand final parade and Easter Sunday public holidays on businesses in various Victorian townships. To my amazement the minister responded to just one of the questions, ignoring the rest by stating that the information sought could not be broken down by town or suburb because of the unreasonable impact

on the time and resources of his department. Is this minister serious? Does he or does he not represent the interests of small business? The towns identified in my question all have small businesses, and they were negatively impacted upon by the two new public holidays this minister imposed on them. The contempt this minister continues to show towards Victorian small businesses is breathtaking. The strikes against his name rise daily. He is supposed to be the minister in cabinet that stands up for small business, but he continues to demonstrate that he is really there because he will not get in the Premier's way.

As one of his first acts in the job, he imposed two new public holidays — two new big imposts, and bizarrely one of them celebrates the day before an event. He avoided parliamentary scrutiny by imposing the new public holidays through regulation, and he did not conduct the regulatory impact statement process before doing so. He twice asked businesses from all over the state to take time out of their businesses and away from their families to provide feedback to him, but he then told Parliament that he was going to ignore that feedback anyway if it did not agree with his government's view. Then he had the audacity to tell Victorian businesses that if they did not like the new public holidays, they could always choose to close. Those are not the words you would expect of a minister for small business or someone that has even the slightest idea or understanding about businesses — usually Victorian families — and the pressures they are under. Does he not understand that farms are small businesses and that cows do not milk themselves?

### Regenerate Skate Art project

**Ms D'AMBROSIO** (Minister for Industry) — Last Saturday, 19 March, I had the pleasure of launching the Regenerate Skate Art project at Epping skate park on behalf of the Acting Minister for Police. The launch included a community barbecue, art workshops and a beginners skate clinic. This was possible thanks to an \$18 000 grant from the Andrews Labor government to reduce illegal graffiti at the Epping and Whittlesea skate parks. Skate parks have important social and health outcomes for young people, but illegal tagging creates an unsafe surface for skaters and BMX riders. It also creates an unwelcoming public space with negative perceptions of safety. The local council currently spends 1½ hours each week removing or painting over graffiti, costing local ratepayers almost \$12 000 a year.

Thanks to the Victorian government grant, the local council is now running a series of anti-tagging education and art workshops in local schools, and it is working with taggers to educate them about the risks of

illegal graffiti. Students are also designing new murals for the skate parks, which will encourage young artists to channel their creativity using skate-safe paint. During Saturday's event I had the pleasure of meeting Nadira from Epping Secondary College. She was part of an all-girls team responsible for one of the new murals, blending images of Australian fauna and flora along a creek line. It even included the mythical drop bear. The Victorian government grant will also fund skate clinics for young women and young people from culturally diverse backgrounds to enhance community usage of this great public space. I congratulate the organisers on putting on a great event, and I thank the local police for their involvement and for working the barbecue.

### Shepparton Festival

**Ms SHEED** (Shepparton) — Congratulations to the committee behind the Shepparton Festival, which is celebrating its 20th anniversary. It was great to attend several of the events. On the opening night Carmel Johnson was a popular winner of the John Head Life Membership Award, and I would like to add my congratulations to her for her outstanding work since the inception of the festival. Carmel has been an inspirational worker in our community for many years. She has formidable connections and the capacity to make things happen. It is people like this that help make truly remarkable events happen in our communities.

With 49 events across 17 days, the event is a massive undertaking and speaks to the passion that the Shepparton district has for arts events. The festival was able to fill parks, halls and theatres as the community embraced the events, which ranged from art and textile exhibitions, music and plays to an interpretive walking trail representing local Indigenous and early settler cultures.

Last Saturday a centrepiece of the Shepparton Festival was John Head's humorous play, *Dookie*, a story about a soldier returning from duty in Afghanistan to his hometown of Dookie. Also on Saturday was Converge on the Goulburn, a multicultural festival held at Victoria Park Lake that celebrates Shepparton's cultural diversity through music, food and dance. On Sunday it was wonderful to attend the Shepparton Albanian Harvest Festival, another example of the popular celebrations of our ethnic communities throughout the year.

The Shepparton Festival also found its way to Melbourne, with the artist in residence on a train project, which included a photographer, a writer and

artists travelling the rails between Shepparton and Melbourne and using the train carriages as their studios.

### **Ambulance services**

**Mr RICHARDSON** (Mordialloc) — It gives me great pleasure to rise and recognise that this week a significant milestone has been achieved with the support of our paramedics. This is a significant achievement for the Andrews Labor government, having come to government promising to end the war on our paramedics and end the demonisation of the paramedics in our community. The Fair Work Commission's value case recognising the changing work of our paramedics is significant.

Our emergency services across the board face some telling challenges each and every day, whether it is road trauma or whether it is in our hospitals, and our paramedics confront that each and every day. Having heard their stories and their accounts leading up to the Victorian election in 2014 and then having continued to discuss that issue throughout the months up until this decision, I know they do a wonderful job, and I want to put on the record how proud we are to end the war on our paramedics and to get that extra support.

Whether it is in recognising that paramedics now undertake a bachelors degree or whether it is the fact that the drugs they are dealing with save lives each and every day, we know it is a significant job and a significant burden for the 3500 paramedics in our community, some of whom live in the Mordialloc electorate. For the nearly 19 million kilometres that they cover each year, the nearly 800 000 call-outs each and every year and the 4600 cardiac arrests they confront, I congratulate them on their efforts.

### **Ferntree Gully electorate youth council forum**

**Mr WAKELING** (Ferntree Gully) — I was pleased to host the inaugural Ferntree Gully and Rowville youth council forum, where we had 17 senior student leaders join me for lunch to discuss a range of important issues affecting their schools and their fellow students. I was impressed with the depth of their insights and the questions they raised, and I thank the Knox secondary schools that participated, including Wantirna College, Scoresby Secondary College, St Josephs College in Ferntree Gully, Fairhills High School, St Andrews Christian College, Rowville Secondary College and Waverley Christian College.

### **Knox stormwater harvesting project**

**Mr WAKELING** — I was pleased to join the shadow minister for water, the member for Murray Plains, and Knox mayor Cr Tony Holland to view the progress of the integrated stormwater harvesting project at the Tim Neville Arboretum in Ferntree Gully. This project will expand and rehabilitate the lakes by capturing water run-off from the nearby Dobson Reserve to filter through a lake system at the arboretum, offering increased areas for local wildlife breeding. The \$1.5 million project was funded by the former Liberal-Nationals government and the City of Knox.

### **Mountain Gate Primary School**

**Mr WAKELING** — I was honoured to recently attend an assembly at Mountain Gate Primary School to present 2016 student leader certificates to the grade 5 and 6 leaders. Congratulations to all the students, and I would like to place on the record my congratulations to Cheryl Sampson, the principal, and the staff for the great work they do at this school.

### **Police resources**

**Mr WAKELING** — Crime is certainly on the up in Knox. Unfortunately under this government we have now seen a 4.98 per cent increase in crime. The reason we are seeing this is the simple fact that under this government we are seeing police numbers cut, whereas under the former government police numbers were significantly increased. Members of this government should hang their heads in shame.

### **Dandenong youth leadership conference**

**Ms WILLIAMS** (Dandenong) — I rise to speak about the youth leadership conference I attended recently at Dandenong High School. I received a letter last year from Jaidan, Sara, Tony and Arun of Wooranna Park Primary School. Having read a number of books, including *Happiest Refugee*, *The Power of One* and *The Giver*, the students felt that they wanted to make a difference to those around them. They shared a belief that all children should have the opportunity to be inspired, and this was the genesis of the young leaders conference. Student conferences are run each year in the city. However, such events are not always accessible, affordable or relevant to local students in Dandenong, so the students set about organising their own conference, approaching local identities to join them on an exciting day of inspiration and to speak to the students of Dandenong about leadership.

I was honoured to open the conference at Dandenong High and speak to the students about my hopes and dreams as a youngster and the importance of following a pathway that may not always go to plan, of being open to change and growth, and of being resilient and dynamic. Other speakers included Leonie Walsh, Victoria's lead scientist; Sam Lee, CEO and founder of Bitcoin; and local young gun Matthew Murphy, a young entrepreneur from Prism Industries. The speakers provided an excellent insight into what is possible if you put your mind to it. I am sure that each of the students from the different schools in attendance came away from the day with a spring in their step, the confidence to dream and excitement about what the future can hold.

I would like to thank Wooranna Park Primary School and Dandenong High School and particularly their respective principals, Ray Trotter and Sue Ogden. Their encouraging attitude and willingness to embrace student-led initiatives like this led to a truly fantastic and inspiring day.

### Seaspray centenary

**Mr D. O'BRIEN** (Gippsland South) — It was great to join thousands of residents, returning residents and visitors at the centenary celebrations of Seaspray last weekend. This tiny town on Ninety Mile Beach is home to only a few hundred permanent residents but has been a summer haven for thousands across Gippsland and the state for 100 years. The street parade, historic displays and other events made for a great weekend, with many returnees reminiscing about their days by the beach in Seaspray. The weekend culminated in the opening of the newly refurbished Country Fire Authority shed and the new lifesaving club facility, which is a fantastic new hub for the town and a great example of the fundraising generosity of the Wellington shire community.

### *Far From Home*

**Mr D. O'BRIEN** — On Saturday, with Russell Broadbent, the federal member for McMillan, I had the pleasure of launching a new book entitled *Far From Home*, an excellent collection of the stories behind the names of the fallen on the Korumburra cenotaph. Meticulously researched by Tony, Andrew and Michael Moon, this book lists the details and service history of every one of those listed on the cenotaph from Korumburra and surrounding districts. Congratulations to the Moons on producing this important piece of history after years of work.

### Fred Crook and Bruce Cox

**Mr D. O'BRIEN** — It was with great sadness that I attended the funerals of two Loch Sport legends in the last few weeks. Fred Crook was a stalwart of Loch Sport and responsible for the development of many of its institutions, both as a volunteer and as a former Rosedale shire councillor. Freddy was also a passionate member of The Nationals and was famous for his robust exchanges on polling booths. I am still not sure if Freddy won us more votes than he cost us!

Bruce Cox sadly lost his battle with motor neurone disease. Coxy was a relatively recent retiree to Loch Sport but served the Sale community for many years, being secretary and president of the Sale Football Club, manager of the swimming pool and sports centre and a great community worker, not to mention winner of the 1965 Stawell Gift. Rest in peace, Freddy and Coxy.

### Mark Lawrence

**Ms HALFPENNY** (Thomastown) — I rise to speak with a heavy heart about the passing of Mark Lawrence, a long-time activist, humanitarian, trade unionist, Labor Party member, sometime constituent of the Thomastown electorate and very good friend. Mark Lawrence took his own life on Saturday, 5 March. He has left a very big mark on the world and will be missed by many.

As a research officer with the Food Preservers Union in the 1980s and 1990s he achieved what some would consider the impossible — bringing together growers, manufacturers, unions, academics and consumers to support the Australian food industry, including by rescuing the Batlow cannery in the Riverland, campaigning for proper food labelling and campaigning against food irradiation. Later he qualified as a lawyer and used his skills and knowledge to help those in need.

For some time he had been working with Aboriginal elder Wilfred Hicks, spokesperson for Tim Douglas, a senior lawman, on a campaign that has touched many — the campaign to save the oldest intact Aboriginal rock art under threat in The Burrup, a sacred site to West Pilbara and Ngarda Ngarli peoples in Western Australia. This rock art is up to 30 000 years old and is under threat of destruction by the resource sector and companies such as Woodside. This campaign has not yet finished, but Mark's life has. However, he will be remembered for his selfless determination and commitment to this and many important campaigns to improve the lives of others and make a better world.

Mark had a very loving family, whom I met for the first time over the last two days — a family that supported him all the way. I extend my deepest sympathy to Mark's parents, June and Jim; to his brothers, Andrew and Nigel, to their partners and to Mark's beloved nieces and nephews. Vale, Mark Lawrence.

### Water policy

**Mr WELLS** (Rowville) — This statement condemns the Andrews Labor government for blatantly misrepresenting to the Victorian community the true cost of its decision to place an order for desalinated water from the Wonthaggi desalination plant. While the government states that the cost of the water order will be around \$12 per water bill, this fails to take into account the huge standing costs that Victorians pay each and every day for the construction and long-term operating costs of the plant, including maintenance and power costs. These costs amount to a staggering \$654 million per annum or \$1.8 million every day for 28 years.

For the 1.7 million Melbourne water customers that have to bear the desalination plant costs, water bills have virtually doubled in five years — that is, each household customer has to pay an additional \$1.06 in nominal costs per day, around \$386 per annum or \$11 200 per household, on average, over the life of the desalination plant contract just for the plant's standing costs and without the purchase of even one drop of water.

So when the government suggests that placing an order for 50 gegalitres of desalinated water will cost each household only \$12 extra, this is grossly misleading. Of course the true cost next year will be nearly \$400, or \$7.70 per week, per household. The bottom line is that Labor simply cannot be trusted to tell the truth about the true cost of the desalinated water to be delivered next summer. Victorians deserve better than the financially incompetent and misleading Andrews Labor government.

### St Patrick's Day

**Ms KAIROUZ** (Kororoit) — Last week I had the absolute pleasure of attending the St Patrick's Day dinner with you, Acting Speaker Carabine, which was hosted by the Archbishop of Melbourne, His Grace Denis Hart. Along with some of my parliamentary colleagues I had a wonderful time celebrating St Patrick's Day and the unique Irish heritage that our wonderful state has. I feel honoured to live in a community that celebrates our diversity and our multiculturalism. For me the St Patrick's Day dinner

was a wonderful display of what the Irish diaspora has contributed to Victorian society, and I was able to reflect on and celebrate Irish culture in Australia.

My own electorate of Kororoit celebrates its multiculturalism in many ways. Many of my constituents were not born in Australia, and many speak languages other than English at home, yet each has been able to make this state their home. These migrants have brought a rich layer of multicultural diversity to Kororoit, and I love attending events that display how migrants have thrived and contributed to our society.

### Member for Clarinda

**Ms KAIROUZ** — I would like to congratulate my friend, comrade and respected colleague the member for Clarinda on the 20th anniversary of his entering the Victorian Parliament. Since entering Parliament in 1996 the member for Clarinda has shown a strong commitment to making Victoria a more inclusive and multicultural state. He is a dedicated member of Parliament, a strong advocate for Labor values and a wonderful friend. Congratulations, Hong.

### Bill Nixon

**Mr THOMPSON** (Sandringham) — I pay tribute today to Bill Nixon for his outstanding contribution to the former City of Mordialloc and the City of Kingston communities. In 1986 as mayor and councillor with the former City of Mordialloc, he opened the Mordialloc Community Nursing Home (MCNH) to provide residential accommodation with nursing facilities for 30 residents. Bill was the voluntary president and/or member of the MCNH committee for some 26 years from its inception. He actively sought volunteers and community support and raised funds so residents could live independently. A leading local resident noted:

Bill is a very determined and persistent person of the utmost integrity and has offered a huge investment of his time and resources, not just to the Kingston City Council and its predecessor ... but also to the local church and school communities, the youth centre, local golf club, Mordialloc Community Hospital, local nursing homes and many other organisations.

He continues to amaze everyone with his outstanding energy and drive to fulfil his astonishing community goals, which —

until recently, I understand —

saw him riding his bicycle to address numerous community calls.

Long may Bill Nixon continue to serve the Mordialloc and City of Kingston communities. Recent changes to an old building and fewer residents prompted the

MCNH and the council to pass the baton to an alternative service provider, Southern Cross Care, this year.

### International visitors

**Mr LIM (Clarinda)** — Victoria is outperforming key competitors around Australia and welcoming more international visitors than ever before, the latest International Visitor Survey results show. I congratulate the Minister for Tourism and Major Events on his great efforts to retain Victoria's status as a world leader in tourism. Victoria recorded a 13.6 per cent increase in international visitor arrivals year on year and a 16.6 per cent increase in visitor nights, both exceeding the national average. In the year ended December 2015 expenditure by international visitors grew by 30.4 per cent to reach \$6.5 billion, far higher than the national average of 19.5 per cent. The data also shows Victoria is recording growth in international visitor expenditure in its key markets, including China, with a growth of 59.2 per cent; Singapore, 35.7 per cent; United Kingdom, 31.7 per cent; India, 29.8 per cent; US, 24.6 per cent; and New Zealand, 20.4 per cent.

International visitation to regional Victoria is increasing. The regions recorded a 35.9 per cent increase in international overnight visitors from eastern markets and a 14.6 per cent increase from western markets. Victoria is leading Australia in international tourism growth; the data proves it. But the Andrews Labor government will never be complacent. We are working hard to drive visitation to Melbourne and regional Victoria, because it means jobs and growth.

### Wedderburn water security

**Ms STALEY (Ripon)** — Last night in this place I asked the government to make sure the Wedderburn pipeline project is fully funded in the upcoming April state budget. It was the third time I had raised in the Parliament the need for a pipeline at Wedderburn. It is of great concern to me that every time I raise this in the house, every time I ask the government to commit to actually putting some serious dollars into funding this pipeline, government members dismiss the legitimate needs of a part of my electorate to play politics.

I first raised the need for a pipeline at Wedderburn in my reply to last year's budget on 27 May 2015. I said:

We need a pipeline into Wedderburn. We need some funding ...

And what does *Hansard* show? It shows, 'Honourable members interjecting'. Even then, almost 12 months ago, any mention of a pipeline for Wedderburn was met

with an attack on me by Labor, instead of bipartisan support for this important project.

Last night, in response to my asking, yet again, for budget funding, the Attorney-General said:

... I will pass that adjournment matter on, but I expect it to be treated with the contempt that it deserves.

The people of Wedderburn need this vital water infrastructure project. It is not contemptible for me to advocate on their behalf. It is not contemptible for me to represent my constituents in this place. What should be treated with contempt is a Labor minister playing politics with a drought-declared community.

## WITNESS PROTECTION AMENDMENT BILL 2016

### *Statement of compatibility*

### **Ms HUTCHINS (Minister for Local Government) tabled following statement in accordance with Charter of Human Rights and Responsibilities Act 2006:**

In accordance with section 28 of the Charter of Human Rights and Responsibilities Act 2006 (the charter), I make this statement of compatibility with respect to the Witness Protection Amendment Bill 2016 (the bill).

In my opinion, the bill, as introduced to the Legislative Assembly, is compatible with human rights as set out in the charter. I base my opinion on the reasons outlined in this statement.

#### **Overview**

The bill amends the Witness Protection Act 1991, the Crimes Act 1958, and a number of other acts, to implement all eight of the Honourable Frank Vincent, AO, QC's recommendations for legislative reform contained in his *Review of the Witness Protection Act 1991*.

The bill will clarify the purpose of witness protection by including decision-making principles in the Witness Protection Act 1991, improve the governance and administration of the witness protection system, promote community confidence in Victoria Police's ability to protect witnesses, and deter witness intimidation through a new offence.

#### **Human rights issues**

##### **Right to life and right to protection of children and families**

Section 9 of the charter provides that every person has the right to life and has the right not to be arbitrarily deprived of life. Section 17 of the charter provides that families and children are entitled to protection. The bill promotes these rights in the following ways.

The bill will clarify that the central objective of witness protection is to give practical effect to the rule of law by, as

far as reasonably possible, protecting those exposed to risk of injury or death due to their participation in, or cooperation with, the criminal justice system (clause 5). The chief commissioner can provide protection and assistance to witnesses and their families who are at risk of harm, and will be required to review all cases at least once every two years (clause 17).

The bill will require the chief commissioner, police officers and certain other persons to have regard to new witness protection principles when making decisions or taking action under the Witness Protection Act 1991 (clause 5). These principles include: protection and assistance provided to a witness should be tailored to the individual circumstances and risk faced by the witness and the community, the safety of the witness should take priority over the successful conduct of a prosecution, and relevantly the interests of children affected by the provision of protection and assistance should be separately considered and should be a powerful factor in decision-making.

The Public Interest Monitor (PIM) will provide assurance to the community (including the chief commissioner, police officers, witnesses and potential witnesses, the minister, Parliament and the public at large) that the witness protection principles are being properly considered when key witness protection decisions are being made, and that the witness protection system is being properly operated in the public interest (clause 20, division 3 of new part 2A). The PIM will be subject to appropriate safeguards when reporting on his or her witness protection functions, to protect the safety of witnesses and their families as well as the integrity of the witness protection system.

The bill will expand the scope of the Witness Protection Act 1991 to include witnesses facing a high level of risk who have been considered for, but not provided with, the Victorian witness protection program (clause 12). The bill will require the chief commissioner to consider providing these witnesses with new 'alternative protection arrangements', which will extend certain protections to a broader range of witnesses and thereby promote their right to life and the protection of their families and children. While there will be limitations on what can be done for these witnesses, who are not participants in the formal Victorian witness protection program, and so cannot access an untraceable name change, bringing these witnesses under the act will mean that safeguards in the act, such as the witness protection principles, external monitoring and the act's confidentiality scheme, will apply in respect of these witnesses. The act's confidentiality scheme includes:

information disclosure offences, namely:

disclosure by a witness or family member concerning a memorandum of understanding (MOU), which is punishable by a maximum of 5 years imprisonment; and

disclosure of sensitive protected witness information by any person without lawful authority (or in the case of witnesses provided with alternative protection arrangements, without lawful authority or reasonable excuse), which is punishable by a maximum of 10 years imprisonment (clause 13);

disapplication of the Freedom of Information Act 1982 in respect of sensitive protected witness information (clause 22); and

the protection of sensitive witness information against disclosure in court proceedings (clause 14).

The chief commissioner will be able to suspend or terminate the provision of protection and assistance under alternative protection arrangements on certain statutory grounds (for example, if the witness has committed an offence) (clauses 18 and 19). Most of the grounds for termination are actions of the witness that limit the ability of the chief commissioner to protect that person. The bill's provisions largely mirror relevant existing provisions in respect of the Victorian witness protection program, including the right of review in respect of an involuntary termination decision.

The bill will make it an offence to use intimidation towards, or take reprisals against, a person known or believed to be involved in a criminal investigation or criminal proceeding (clause 40). The offence will be punishable by a maximum of 10 years imprisonment. The offence will be broad enough to cover witnesses of alleged crimes and their families, victims, jurors and various other people involved in the criminal justice process such as police officers, legal practitioners and judicial officers.

#### **Freedom of movement, freedom of expression and freedom of association**

Section 12 of the charter provides that every person lawfully within Victoria has the right to move freely within Victoria.

Section 15(2) of the charter protects the right to freedom of expression, including the freedom to seek, receive and impart information and ideas of all kinds. Under section 15(3)(a) of the charter, the right to freedom of expression may be subject to lawful restrictions reasonably necessary to respect the rights and reputation of other persons.

Section 16 of the charter provides that every person has the right to peaceful assembly and freedom of association with others.

Clauses 9, 12, 13, 18, 19 and 30 of the bill may engage these rights.

Clause 12, which inserts new sections 9O to 9S, allows the chief commissioner to provide protection and assistance to witnesses and their family members under certain circumstances by providing them with alternative protection arrangements. Clause 9 extends existing interim protection provisions to people who the chief commissioner is considering providing alternative protection arrangements to. The process of being considered for interim or limited protection may take some time, and may require the person to refrain from associating with former associates or groups, or travelling to certain places. Further, the MOU may include terms that prohibit certain conduct, such as travel, association or communication with certain people.

As is the case for the Victorian witness protection program, a witness's consent is required before they can be provided with alternative protection arrangements or provided with interim protection. A witness must also sign an MOU before they can be provided with alternative protection arrangements, and will have agreed to any limitation on their rights to freedom of association, expression or movement. A

witness can withdraw their consent to be provided with interim protection or alternative protection arrangements at any time (clauses 10 and 19(1) respectively). For these reasons, the clauses enabling the chief commissioner to provide a witness with alternative protection arrangements and to provide interim protection to that witness, are not considered to limit the witness's rights to freedom of association, freedom of expression or freedom of movement within Victoria.

Clause 13(3) expands the information disclosure offence in section 10(3) of the principal act to prevent witnesses and family members provided with alternative protection arrangements from disclosing information about those arrangements. Clause 13(4) prevents any person, without lawful authority or reasonable excuse, from disclosing information about the identity or location of a person who is or has been provided with alternative protection arrangements, or that compromises the security of such a person.

The effect of clauses 13(3) and (4) is to largely mirror existing information disclosure offences in respect of the Victorian witness protection program, subject to an additional limitation on the scope of the clause 13(4) offence, which provides that where a person has a reasonable excuse, no offence is committed. This additional limitation is necessary because witnesses who have been provided with alternative protection arrangements may retain greater links with their former lives and associates than a witness who untraceably changed their name through the Victorian witness protection program, thereby placing the witness's family members and friends at increased risk of inadvertently disclosing information in reasonable circumstances where a criminal penalty would not be appropriate.

Clause 30 expands the information disclosure offences in section 30 of the Crimes (Assumed Identities) Act 2004 to prevent certain intentional, knowing or reckless disclosure of information revealing that an assumed identity (acquired or used to administer alternative protection arrangements) is not a person's real identity.

The clauses relating to information disclosure offences may indirectly restrict people from associating and communicating with certain people, disclosing specific matters or travelling to particular places. However, the integrity of alternative protection arrangements, and the safety and wellbeing of witnesses being provided with those arrangements, relies on sensitive information not being disclosed and protected witnesses complying with conditions agreed with the chief commissioner. In respect of the offences as they apply to non-witnesses, internal limitations such as the fault element in section 30 of the Crimes (Assumed Identities) Act 2004, or the 'without lawful authority or reasonable excuse' carve out in the clause 13(4) offence, reduce any potential impact on the rights listed above. Further, in respect of the offence that applies to witnesses and as noted above, a witness will have agreed to be provided with alternative protection arrangements, and will have agreed to any limitations on their rights to freedom of association, expression or movement. A witness may withdraw their consent to be provided with alternative protection arrangements at any time. Accordingly, any limitation on the rights to freedom of association, expression or movement are demonstrably justified in accordance with section 7(2) of the charter and there is no less restrictive means through which the safety of witnesses and the integrity of the arrangements can be maintained.

Clause 40, which inserts a new witness intimidation offence into the Crimes Act 1958, may restrict people from associating or communicating with a person involved in a criminal investigation or criminal proceeding in certain circumstances. However, the offence contains safeguards, as it does not apply to conduct engaged in by a person performing certain official duties. Defences are also available for conduct engaged in without malice in the normal course of a lawful business, industrial disputes, political activities or public affairs communication.

The offence also only prohibits association, expression and movement that the person either knows, or ought to know, would be likely to arouse apprehension or fear in a person. There is no less restrictive way to achieve the purpose of the offence, which is to protect people from intimidation and reprisals that are due to the person's (or another person's) known or believed involvement in a criminal investigation or criminal proceeding. Any limitation of these rights is balanced with the charter rights contained in section 9 (right to life) and section 17 (protection of families and children), and is reasonable and justified under section 7(2) of the charter.

### **Right to privacy**

Section 13 of the charter protects a person's right not to have their privacy, family, home or correspondence unlawfully or arbitrarily interfered with.

Clause 11 of the bill empowers a police officer to apply to the chief commissioner for an authority for a witness being provided with alternative protection arrangements to acquire and use an assumed identity (that is, an identity other than their own). The witness will previously have disclosed relevant personal information to the chief commissioner prior to being provided with alternative protection arrangements, in accordance with new section 9Q inserted by clause 12. The provision of alternative protection arrangements requires the person's consent, and they can withdraw their consent at any time. An assumed identity authority may only be used to protect the safety or welfare of a witness. The charter only prohibits unlawful and arbitrary interferences with privacy.

However, it is not considered that clause 11 involves any unlawful or arbitrary interference with privacy because the provisions providing for an assumed identity authority are set out clearly in the bill and are targeted toward protecting the witness through a scheme in which the witness has consented to participate.

For the same reasons, it is not considered that the clauses establishing alternative protection arrangements involve any unlawful or arbitrary interference with privacy. To the extent that a witness's ability to form and maintain personal relationships is affected by their being provided with alternative protection arrangements, the witness will have consented to this (and to any change of name). As noted above, a witness may withdraw their consent to be provided with alternative protection arrangements at any time.

Clauses 13(1) and 20 (new s20C(c) and new s20J(1)(c)) may also engage the right to privacy as they authorise the Independent Broad-based Anti-corruption Commission (IBAC) and the PIM to exchange information about a person included in the Victorian witness protection program or provided with alternative protection arrangements, without the person's consent. Such information must be reasonably

considered relevant to the performance of the other body's functions under the Witness Protection Act 1991. Disclosure offence provisions in the Witness Protection Act 1991 will otherwise apply to IBAC and the PIM, as will information disclosure safeguards in their respective authorising acts. To the extent that clauses 13 and 20 may interfere with the right to privacy, that interference is neither unlawful nor arbitrary, given that the requirements for disclosure are clearly defined in the bill, disclosure serves a legitimate purpose and offences apply in respect of unauthorised disclosures.

Clause 22 disapplies the Freedom of Information Act 1982 in respect of documents to the extent that they disclose:

information about the identity or location of a person who is being or has been provided with alternative protection arrangements;

information about the fact that a person has entered into an MOU in respect of alternative protection arrangements; or

information received by the chief commissioner or minister from IBAC or the PIM.

Clause 22 may engage the right to privacy by restricting a witness's access to their own personal information. However, this interference with privacy is neither unlawful nor arbitrary, given that it is intended to protect the integrity of alternative protection arrangements and the safety of witnesses provided with those arrangements. A witness participates in the arrangements voluntarily and may withdraw their consent at any time.

### Right to be presumed innocent

The right to be presumed innocent is recognised in section 25(1) of the charter. The right is relevant but not limited where a statutory provision shifts an evidential burden of proof onto an accused in a criminal proceeding.

Clause 11 of the bill extends the assumed identity scheme to apply in respect of alternative protection arrangements. Sections 9L and 9M of the Witness Protection Act 1991 contain protections from criminal liability in respect of the acquisition and use of an assumed identity in respect of the Victorian witness protection program. These protections will now apply in respect of alternative protection arrangements, and are needed because the assumed identity authorises conduct that, but for these protections, would constitute a criminal offence (for example, fraud).

If an accused person seeks to rely on the protections, they would need to point to evidence of the elements of the protections (for example, that they were authorised to acquire and use an assumed identity). This is, however, an evidentiary burden and not a legal burden. Evidentiary burdens (in this case the protections from criminal liability) are not considered to limit the right to be presumed innocent. Even if they did, any limitation would be reasonable and justifiable under section 7(2) of the charter, as the protections are required to enable the assumed identities scheme to operate in practice and there is no other way to ensure the scheme's operation. The position is the same in respect of clauses 26 to 30, which enable police officers to apply for an assumed identity under the Crimes (Assumed Identities) Act 2004, to ensure the safe and effective exercise of alternative protection arrangements (as is already the case in respect of the Victorian witness protection program).

Further, the offences in clauses 13(4) and 40 of the bill each place an evidential onus on the accused, requiring them to present or point to evidence that suggests a reasonable possibility of the existence of facts that would establish the excuse. The exceptions relate to matters that are peculiarly within an accused's knowledge, which would be unduly onerous on a prosecution to investigate and disprove at first instance. Once the accused has pointed to evidence of the excuse, the burden shifts back to the prosecution who must prove the essential elements of the offence to a legal standard. As noted above, evidential burdens are not considered to limit the right to be presumed innocent and as such, I am of the view that these offence provisions are compatible with the charter.

### Right to fair hearing

Section 24(1) of the charter provides that a person charged with a criminal offence or a party to a civil proceeding has the right to have the charge or proceeding decided by a competent, independent and impartial court or tribunal after a fair and public hearing.

Clause 14 of the bill extends the operation of section 10A of the Witness Protection Act 1991, which creates a presumption in favour of closed court hearings and non-publication orders in proceedings in which sensitive witness protection information may be disclosed. The sensitive information includes the fact that a person is being provided with alternative protection arrangements, or has undergone or is undergoing assessment for the provision of alternative protection arrangements.

It is considered that clause 14 does not limit the right to a public hearing. This is because section 24(2) of the charter provides that a court or tribunal may exclude members of media organisations or other persons or the general public from all or part of a hearing if permitted to do so by law. This recognises that restrictions on the media or the public's ability to access court proceedings are sometimes necessary in order to protect vulnerable witnesses (such as protected witnesses and children). In the witness protection context, the integrity of alternative protection arrangements and the safety and wellbeing of witnesses in alternative protection arrangements relies on sensitive witness protection information not being disclosed. Clause 14 appropriately balances the right to a fair and public hearing with the charter rights contained in section 9 (right to life) and section 17 (protection of families and children).

The Hon. Robin Scott, MP  
Acting Minister for Police

### Second reading

**Ms HUTCHINS** (Minister for Local Government) — I move:

That this bill be now read a second time.

### Speech as follows incorporated into *Hansard* under sessional orders:

Earlier today, I sought to table the Honourable Frank Vincent AO, QC's *Review of the Witness Protection Act 1991*. The Vincent review makes seven recommendations to improve the operation of the Witness Protection Act 1991 (the act) and

one recommendation to deter witness intimidation. This bill implements all eight of the Vincent review's recommendations.

Upholding the criminal law and maintaining civil order depend to a large extent on people's willingness to participate in and cooperate with the criminal justice system. The act allows Victoria Police to protect people and their families who are at risk because of such participation or cooperation. Protecting a witness and their family can remove a barrier to the witness coming forward, assisting police and ultimately giving evidence in a criminal prosecution. In this way, witness protection is of fundamental importance to maintaining the rule of law. In the words of Mr Vincent, 'no witness equals no case'.

Witness protection must be conducted with a high degree of secrecy in order to ensure the safety of witnesses and their families. Yet it is also important to provide assurance to the public that witness protection is managed effectively and in the public interest. Consistent with the Vincent review's recommendations, the bill balances operational security with public accountability and good governance to promote community confidence in witness protection activity.

The chief commissioner administers the Victorian witness protection program under the act. Entry to the program must be by mutual agreement, with the chief commissioner and the witness entering into a memorandum of understanding (MOU). The MOU includes details of the measures required to appropriately mitigate the risks. The act's definition of 'witness' is broad and may include family members, whistleblowers or other informants.

Currently, in deciding whether to include a witness in the Victorian witness protection program, the chief commissioner must have regard to a non-exclusive list of considerations including: the seriousness of the offence, the importance of the witness's evidence, the witness's criminal history, a risk assessment, medical or psychological examinations (if required), and the availability of viable alternative methods to protect the witness. The chief commissioner, however, has a broad discretion whether or not to enter into an MOU and what protection measures are provided. Under the bill, the chief commissioner will retain this broad discretion. However, decision-making will be guided by a clear purpose and new witness protection principles introduced and monitored independently by the Public Interest Monitor.

A key measure in mitigating risk is the person's changed behaviour, combined with relocation and re-identity. Some high-risk witnesses and their family members are either unsuitable or unwilling to make the required behavioural changes to enter the Victorian witness protection program. At present, any alternative arrangements provided to such people occurs outside the act. The bill will change this.

The bill provides that a witness who has been considered for, but not included in the Victorian witness protection program, and who is at high risk as a result of their cooperation with the criminal justice system may be provided with alternative protection arrangements. These alternative arrangements are provided outside the Victorian witness protection program. Their inclusion in the bill, however, will ensure that the improved governance and accountability framework applies to this high-risk activity. Other measures in the act will also apply, such as the offence for disclosure of relevant information, exemption from Freedom of Information Act

provisions for relevant documents and a presumption in favour of closed court hearings.

Specified people including the chief commissioner, police officers, the Independent Broad-based Anti-corruption Commissioner and officials from the Registry of Births, Deaths and Marriages currently have an absolute immunity for conduct under the WP Act. The bill more appropriately targets this absolute immunity to key witness protection decisions and activities only.

The bill strengthens independent monitoring and oversight of decisions and activities under the act by:

- empowering the Public Interest Monitor to provide independent assurance that witness protection decisions are made consistent with the act and in the public interest; and

- empowering the Independent Broad-based Anti-corruption Commission to audit Victoria Police's compliance with record-keeping requirements for witness protection documentation.

To promote active case management, the bill requires a review of each case at least every two years.

Witnesses at lower risk of harm will continue to be considered as part of general operational policing. The Vincent review recommended that the bill introduce a new offence to make it crystal clear that witness intimidation will not be tolerated and that those who engage in it will incur the risk of a significant punitive response. The bill amends the Crimes Act 1958 to prohibit the intimidation of, and reprisals against, witnesses and other people involved in criminal investigations and proceedings. This new offence will fill a gap between the summary offence of harassing a witness and the common-law offence of attempting to pervert the course of justice.

Victoria led the way in 1991 by passing Australia's first witness protection legislation. Mr Vincent's review provides an opportunity for Victoria to once again lead the way in witness protection. The reforms introduced by this bill will ensure that Victoria has the necessary legislative framework to counter the efforts of those who are prepared to employ violence and intimidation to avoid, or retaliate for being held accountable for their criminal conduct and to protect those witnesses at risk because of their cooperation with our criminal justice system.

The government is grateful to Mr Vincent for his review.

I commend the bill to the house.

**Debate adjourned on motion of Mr CLARK (Box Hill).**

**Debate adjourned until Thursday, 7 April.**

## INTEGRITY AND ACCOUNTABILITY LEGISLATION AMENDMENT (A STRONGER SYSTEM) BILL 2015

*Second reading*

### Debate resumed from 23 March; motion of Ms ALLAN (Minister for Public Transport).

**Mr DIMOPOULOS** (Oakleigh) — It gives me pleasure to continue my contribution on this bill following the interruption to the debate last night. I just wanted to touch on a couple of other aspects of the bill before the conclusion of my contribution, and they are the changes to the Audit Act 1994 and the, as they are called, follow-the-dollar powers. As others have said, this bill provides the Auditor-General with follow-the-dollar powers for performance audits. It streamlines the consultation with the Public Accounts and Estimates Committee (PAEC), as the chair of the committee, the member for Essendon, said in his contribution. It also provides for collaborative audits with other Australian auditors-general.

This is quite a significant leap forward in terms of the powers of that office, the office of the Auditor-General, and I think it is a really vital one, as we have heard from other members. It will enable the Auditor-General to call for information from an entity that delivers services on behalf of the government, known as the ‘associated entity’ — in most cases it would be a private business or company, but it could be any other entity — to the extent necessary to support a performance audit. That is a natural limit on the power of the Auditor-General. It cannot delve into business that has no relation back to the taxpayer and the delivery of that service on behalf of the government.

The Auditor-General will be able to examine the associated entity’s role in spending public funds, which addresses concerns by successive auditors-general that government contracting has reduced their ability to effectively ensure Parliament that public moneys are being used effectively, efficiently and economically. That is something we have heard from the immediate past Auditor-General, and former members of the Public Accounts and Estimates Committee have told me that they also have heard the same from previous auditors-general.

The bill also contains provisions covering the relationship between the Auditor-General and the Public Accounts and Estimates Committee, specifically in relation to performance audits. The bill removes the requirement for the Auditor-General to consult with PAEC on the specifications for every performance

audit. That is a reasonable proposition because the bill does continue to require the consultation by the Auditor-General with PAEC where the audit involves calling for information from an associated entity for follow-the-dollar audits, so effectively in relation to the new power. The Auditor-General will still have to consult with PAEC when the performance audit that he or she wants to engage in involves collaboration with other auditors-general around Australia or when the performance audit is not included in the annual plan, or where the objectives of the audit have materially changed since inclusion of the annual plan.

I suppose the most important aspect of the relationship in my view between the Auditor-General and the Parliament is effectively represented through the Public Accounts and Estimates Committee in this context, and that is that the Auditor-General must consult the Parliament through PAEC on his or her annual plan. That annual plan effectively lists an often large number of performance audits that the Victorian Auditor-General’s Office is intending to pursue. That is an appropriate point — at the outset — at which Parliament should engage the Auditor-General. It is enough stewardship and enough engagement to leave him or her to pursue the performance audits without any further sort of interference, if you like, except for the provisions that we are putting in here that I have just described — that is, the follow-the-dollar powers and where the objectives of the performance audit have changed since the inclusion in the annual plan.

It was a very good contribution to the debate by the member for Essendon in terms of contestability of the relationship — I hope I am not misrepresenting his words — between PAEC and the Auditor-General. I think that is important in terms of achieving not only the best outcome for public scrutiny but also an outcome which still has the Parliament effectively as an oversight body, through PAEC, in relation to any public office-holder, including the Auditor-General. Even though it is a very important public office, it still needs parliamentary oversight, and this bill continues that in a very responsible way through the inclusion of those provisions that I have discussed. The bill enables the Auditor-General to collaborate with other Australian auditors-general, which is very important, in relation to audits involving funding provided by the Victorian government — in a federation you would expect that — and a whole range of other things in relation to information sharing.

For me, this is a very important bill. I commend the minister for his stewardship, and I look forward to a debate in relation to the second tranche, should this bill successfully proceed through the Parliament.

**Mr HOWARD** (Buninyong) — I am pleased to add my comments in regard to the Integrity and Accountability Legislation Amendment (A Stronger System) Bill 2015. It is fair to say that the people of Victoria quite rightly expect their government and their government services and all people working across the state, but especially when they are working with public moneys, to show that in their dealings they are acting with integrity and that they are certainly acting soundly in the way that they go about their business. We therefore know that it is appropriate to have the right level of accountability in place and to provide the right opportunity for a body to investigate matters that come to its attention where it is alleged that improper activities might have taken place. It is appropriate that we get that balance right.

This legislation, as we have heard, is the first tranche of this government's legislation and actions to ensure we get that balance right. It follows on from commitments that we made ahead of the last election, when we recognised that while IBAC, which was established under the former government, was dealing with some matters it clearly did not have the balance right in terms of its ability to investigate matters. There were a whole lot of matters of concern to people that were simply not able to be investigated at all because the bar was too high in terms of the matters that the IBAC could evaluate. The 'corrupt conduct' jurisdiction was clearly too narrow in terms of what it could look at, and it could only look at issues where it was already convinced that there was a serious corrupt conduct issue in play. Having to get to that level meant that there were a lot of inquiries that came to IBAC where it simply said, 'Sorry, there is no evidence of serious corrupt activities here. We therefore can't look into these matters'. We want to address that, and this legislation helps to do that; it helps to lower the bar but to a reasonable level.

We certainly know that in the last term of government the actions of the then member for Frankston came before the eyes of the people of Victoria because the member for Frankston was found to have used his vehicle — or, first of all, was alleged to have used his parliamentary vehicle — for inappropriate activities. IBAC was not in a position to investigate it. We know the matter went to the Ombudsman. An assessment was made that, yes, there were inappropriate activities, but it did not get to the level where IBAC could look at it to see whether it was in fact corrupt behaviour.

It is interesting to have heard from others who have talked about this issue in the house. We heard from the shadow Treasurer, the member for Malvern, on this issue. He went on to lecture this government about

integrity and raised many issues and allegations against Labor from when it was last in government. Coming from the member for Malvern, all of those spurious issues he raised pale into insignificance in terms of the issues and actions that he perhaps brought into play. We all know the issue of the side letter in terms of the deal with the east-west link proposal under the former government. We know that the side letter was a shabby, shabby deal. It may not have been corrupt, but it certainly cost the people of Victoria a large amount of money to sign away their interest ahead of an election when clearly the people of Victoria were going to be in a position to — and did — decide that the east-west link, as it was proposed by the former government, was not a project that they wanted to continue on with.

We know of a number of other issues that came into play under the former government that I do not want to allege necessarily involved corruption, but there were activities that perhaps should have been able to be evaluated that were not able to be evaluated. That is the point; it is a matter of being able to evaluate appropriate activities to find out where the line was overstepped in terms of potential corruption and to bring people to account and to make sure the line is clear, because that is the issue that faces people who are dealing with public money and with public trust — to be very clear when the line is crossed.

I would also say, in terms of the member for Malvern, who wanted to talk about the gaming tenders that were put out under the former Labor government, that when we were in government we took great care to ensure that there was probity in any tendering process that we undertook as a government. Ministers were very clear in their role not to get involved with the tenderers and to be at arm's length to ensure that the process of setting government tenders — of accepting tenders for government work — was done with a very high level of probity. Certainly the government is very clear on that — that probity is very important when you are dealing with tenders valued at millions and millions of dollars.

We want to not only ensure that the public gets the best value for money, that the process is not corrupt and that it is a very sound process but also ensure that it is seen to be a sound process. That is why it is very important. Aside from IBAC, government needs to have, and this government clearly has, a very clear view that it wants to follow the appropriate probity activities when dealing with any tenders.

I also want to take up a point that the member for Gippsland South raised in his speech, because he did talk about balance and it being a matter of getting the

balance right. When IBAC was first mooted and introduced I know that, as other members around here may have been advised, we were put in a position where we were very nervous about doing anything. I am happy to have a range of meetings take place in my electorate office — community groups from a range of areas come into my electorate office to meet, and periodically local Labor Party groups will meet in my office — which I do not see as being an issue that threatens any matters of probity or integrity. I would welcome a Liberal Party meeting in my office if members opposite chose to hold it there. But we were suddenly nervous that because a group like the Labor Party might be meeting in a member of Parliament's office, that might be something IBAC could follow up on and which might then embarrass us in the media and so on as a result.

It is clear to me that we need to make sure we get the balance right. For matters that are not corrupt and that are not using public moneys in an inappropriate way we need to be clear but we do not need to go over the top by being nervous. For a whole lot of community activities that we undertake which are sound and which promote community groups across our electorates in a range of ways, we do not need to be nervous.

I am very pleased that the government has brought forward this legislation to improve the opportunity for IBAC to seriously look at corruption issues. Matters do not have to be proven before IBAC looks at them — obviously that is an odd way to go about things — but there does need to be evidence that there are corruption or serious integrity issues at stake before IBAC can follow them up appropriately. We know of course that one area that has attracted a lot of public attention and where IBAC was successful in looking at the issues was in the education department, where moneys were being inappropriately spent. There were issues of apparent corruption there. We want to see that investigated to ensure that no matter the government body, including MPs, we are able to hold our heads up high in the knowledge that we are acting with integrity at all times.

We want to see that the public understands that we are acting with integrity at all times and that there is a body that can evaluate matters. If people have concerns, if they have reasons to believe that an individual or a group has been acting inappropriately with public money, this bill will help them to go along that way. I look forward to seeing us strengthen the public's confidence in us in the future.

**Ms HALFPENNY** (Thomastown) — I also rise to support the Integrity and Accountability Legislation

Amendment (A Stronger System) Bill 2015. As previous speakers have said, the object of this bill is to strengthen and streamline Victoria's integrity and accountability system. I also note that this is the first of a number of amendment bills and proposals that will be put to this Parliament in order to make sure that we have the best legislation around proper conduct and integrity in the whole country. I think, or I hope, that it is generally believed that the Australian and the Victorian systems of politics are ones that are in the main free from corruption and which operate in a proper way.

This legislation builds on the first lot of legislation that was introduced by the coalition government in its term of office just gone. There was a lot of criticism from the community generally — not just within the Parliament but from the outside as well — and in fact a lot of ridicule about that legislation, because a number of issues had come up that showed that, when you were looking at things like integrity and corruption and issues of that nature, the IBAC legislation at the time just could not deal with any of them. Hence there was a lot of anxiousness, anger and in some ways ridicule of the Parliament and the government because of the system that was in place. This is again about looking at what was there and making sure that it is improved. It was an election commitment of the Andrews Labor government in opposition at the time to fix up the mess that the coalition government had introduced when it came to the IBAC legislation. This legislation, as I said, is the first of a number of things being looked at. This is the first lot, and it deals with specific issues and gaps within the current IBAC legislation.

One example, and I will go through just some of them, of gaps in the IBAC legislation involves the scrutiny of those in public office. As the member for Buninyong raised earlier, when the former member for Frankston was found to have been misusing his parliamentary resources, such as his car, for his private business and for private gain, it was discovered that the IBAC legislation actually could not cover that situation. There was very little that could be done in terms of any redress or recourse or any punishment for the member for Frankston's actions and also in terms of ensuring that these sort of things do not happen again. That was a real-life example of where there was a real lack within the legislation, and today what we are talking about are amendments that will fix that gap and ensure that those in public office are held to account.

Another issue that was the subject of a lot of media attention and community debate and ridicule was this incredible idea that IBAC had to have prima facie evidence before it could actually investigate any

allegations of corruption. I think it is generally known that one of the problems with corruption is that it is very difficult to expose. It can be that people do not feel they are in a position to say anything about it. But rather than just having the police deal with issues of corruption, the whole reason we have another institution, IBAC, and separate legislation is that criminal activity, by its very nature, is different and needs additional resources or additional legislation in order to make sure that it is not happening and to expose it when it is happening. Therefore to use this threshold of prima facie evidence before there can be an investigation really is a ridiculous concept.

If we are going to have a whole body set up to investigate corruption because corruption is considered to be of a different nature or more difficult to pin down and to deal with, and therefore needing more than the usual criminal and police legislation and resources, then of course there needs to be the ability to take action or further investigate using tests such as reasonable grounds rather than prima facie evidence. It is a lower test in order to investigate, of course, not to charge or do anything else. There ought to be reasonable grounds to enable the IBAC to investigate, not a higher threshold, and this legislation also provides for that.

The third main element of this legislation is that it also provides for the Auditor-General's office to be able to investigate organisations outside the government-owned sphere. It provides for the investigation of government services that are provided by non-government organisations — in effect to follow the dollar. So where government money is allocated to non-government organisations to provide services that were probably in most cases previously provided by government, those organisations ought to be able to be investigated by the Auditor-General, just as government organisations can be looked at and investigated by the Auditor-General.

This is an issue that came up in the Victorian child abuse inquiry. Looking back I think perhaps we should have been a bit stronger on this issue or said a bit more about it. Since the Kennett government contracted out and slashed and burned so much in the public sector, a lot of non-government organisations have run residential care places and other services for children, yet the Auditor-General did not have any powers to go into those organisations to see whether the money that the government is providing is being used in an efficient and proper manner and to ensure that the services that are being provided are the best possible that can be provided, particularly when you are talking about young people and children, who of course deserve the very best.

The Auditor-General did provide reports around the out-of-home care sector, but it was very clear in those reports that it was difficult because he had no actual powers. The Auditor-General had to rely on the goodwill of the organisations and was not really provided with all the information that he would have preferred to have in order to do a proper investigation and a proper audit to make sure the money was being spent in the best possible way and that the services to children and young people were being provided in the best possible way.

I want to raise a couple of issues that are important to me. The first three elements of the legislation are the most significant, but there are also provisions relating to how the legislation is going to work. I refer to things such as principal officers having to notify IBAC of suspected corrupt conduct and obligations on the Ombudsman and the Auditor-General to share information to make sure that everybody is up to speed on what is going on and that everybody knows what other people know and that the information is not being omitted from any deliberations or any work that is being done by IBAC. There are also things such as the delegation of powers to allow others within IBAC to do things — because the principal officer cannot do it all — suppression orders and various other amendments to make sure that the system works properly and the organisation is the best it can be. I believe this legislation really does fix up a whole lot of the holes and problems that were associated with the legislation that was introduced by the coalition. There are two parts to this. The first is to introduce legislation, and the second is to see how it works. I think that is the good thing about the Andrews Labor government. It is prepared to look at things as a whole and make sure the best legislation is here.

**Mr EDBROOKE** (Frankston) — I rise to make a contribution in regard to the Integrity and Accountability Legislation Amendment (A Stronger System) Bill 2015. This is a very important bill because it gives the Auditor-General follow-the-dollar powers. It was only last night in the chamber that I was talking about local council issues in Frankston and some of the expenditure that has come up. It is a community expectation that people we put our trust in do the right thing by us, and I think that is a very common thread of thought in our community. Sometimes on the other side of the coin people take that expectation and do not think about it too much once they have taken office or once they are in a position of responsibility. They rack up debts. They do some silly things that perhaps are not in the public interest, and that is why these follow-the-dollar powers are an excellent piece of legislation. The Auditor-General has an essential role in

ensuring not only that public funds are spent in line with the appropriations made by Parliament but also that those funds and other public resources are spent and used effectively to benefit Victorians.

We have heard several other speakers in the chamber talk about the previous member for Frankston, who I am not going to talk about, and quite a few people have talked about some other particular aspects. The main thing this bill does, though, is give IBAC the power to investigate offences of misconduct in public office and the conduct of people who actually obtain an improper benefit when dealing with public officials. It also allows IBAC to investigate all corrupt conduct involving public officers and public bodies, not just serious corrupt conduct. It removes the requirement for IBAC to have prima facie evidence of a relevant offence before it can investigate corrupt conduct, and that is very important. It means that IBAC has more power to start an investigation if there is talk of something being corrupt.

Another key reform in the bill is that it requires heads of public service bodies and local council CEOs to report possible corrupt conduct to IBAC. At the moment this is discretionary, as mentioned a few minutes ago. Last night in the chamber I was speaking about some local council issues — and bushrangers as well, funnily enough. I think if you popped your head up above the trenches and called the Premier of Victoria ‘Ned Kelly’ because you thought you had been robbed, perhaps you would want to make sure your gun was loaded and that you did not have a massive spend under your belt in a local council position. Council CEOs having to report any corrupt conduct — and we are not saying there is corrupt conduct in Frankston — is another strength that the Auditor-General gets from this legislation.

Another key reform in this bill is that it gives the Auditor-General the follow-the-dollar powers previously spoken about. That will allow him to obtain information from non-government entities to better scrutinise service delivery, which is very important. It also gives the Auditor-General a range of other powers — such as changes in relation to resolving jurisdictional issues between integrity agencies and improving cohesiveness in the system. That could mean a number of things. That could mean cutting red tape, and it could mean making systems and processes more efficient as well.

The bill is not without some controversy. We do have quite a few stakeholders supporting the bill, but of course the opposition has an opinion on it. We know that the Leader of the Opposition has talked about

horseplay previously, and these are things that have been taken into account in the formation of the bill. Key stakeholders include each of the key integrity bodies — so IBAC, the Ombudsman, the Auditor-General, the Public Interest Monitor and the Victorian Inspectorate. They were all consulted during the development of this bill, and the government will continue to work very closely with all these agencies. This bill definitely delivers on a more modern and more effective integrity regime which will ensure that Victoria’s future and Victoria’s public sector retain the highest standard of conduct.

These reforms are just a first step in bolstering community confidence in the Victorian public sector. The community has a right to have belief in a system that meets the highest standards of integrity and accountability. Our government will continue to keep working to ensure that this robust regime of integrity is further reinforced. It will be releasing discussion papers to seek community views on this as well, which are always very interesting. The community views are why we are here. Community members are the people we represent, and I think that — maybe not in this Parliament and not in this chamber — people in positions of power with almost a duty of care to the community sometimes forget that.

This bill is good for many other reasons too. It encompasses that general push of the Andrews government for some progressiveness and to improve on what we have. Some people might say that if we are not improving, we are getting worse, and I am one of those proponents. I think there is always room for movement; there is always room to keep going forward.

This bill extends the act’s existing safeguards, procedural fairness requirements and protections to non-public sector entities. It also prevents the Auditor-General from publishing information in an audit report that could unfairly damage the commercial interests of a provider. This is very important. We do not want mud thrown at commercial providers and their interests that might stick even though there is very little evidence. Sometimes things are brought up in the paper and the media runs with them, later to find out that two and two were put together but it was wrong. I think we really need to protect the commercial entities that do so much for our community.

The bill expressly enables the Auditor-General to collaborate with other Australian auditors-general but prohibits the sharing of cabinet and commercial information, and that is essentially to protect private interests. Again, private interests are things that keep Victoria moving — as well as the government. There is

a great relationship between the Andrews government and the private sector, and the government needs to keep that going. We cannot damage these private sector interests unduly.

The legislation was drafted in consultation with the Public Accounts and Estimates Committee (PAEC). We have heard previous speakers speak about what went on in PAEC. That is just another example of why we can be very proud in Parliament that we have PAEC. If you look at some of the members on it, you see it is very impressive. We have fairly robust debates in this chamber with some of those members, but to my mind they do a fantastic job of ensuring that legislation is fit, that there are not loopholes that have not been seen and that it does reflect the community's expectations, which is very important.

In order to streamline the process of developing specifications for performance audits in consultation with PAEC, the bill limits this consultation to audits that: involve an associated entity — which is the follow-the-dollar powers; involve collaboration with other auditors-general; were not included in the Auditor-General's annual plan or have materially changed since the tabling of the plan; or PAEC requests to be consulted about. These are audits which PAEC said needed a lot of work and streamlining, and I think those audit provisions are a good part of this legislation.

The bill expressly provides for the Secretary of the Department of Premier and Cabinet to receive a copy of those audit reports as well. This recognises the secretary's responsibility for the performance of the Victorian public service and in advising the Premier and the Special Minister of State in relation to integrity and accountability matters. In summing up, this is a strong bill. It has obviously had some robust debate around it. From my perspective I certainly commend the bill to the house.

**Mr CARBINES** (Ivanhoe) — I am pleased to make a contribution to the debate on the Integrity and Accountability Legislation Amendment (A Stronger System) Bill 2015. In the previous term of the Parliament we looked at integrity matters, particularly around the Independent Broad-based Anti-corruption Commission and different anti-corruption agencies. It has been interesting to see how these matters have evolved, both under the Bracks and Brumby governments and then the Baillieu and Napthine governments. In particular I recall the record of the previous government when it sought to pursue matters of reform and legislation around anti-corruption agencies and integrity and accountability measures, and how its Minister responsible for the establishment of an

anti-corruption commission had to resign from cabinet. That was an interesting contribution made by the previous government when it came to matters of reform on integrity and accountability measures!

Of course we all recall the obfuscation and the increased penalties and delays that the previous government tried to legislate around FOI in terms of providing accountability and integrity measures in the Parliament. That is the record of the previous government when it comes to those matters. As the member for Ivanhoe, one of my local constituents is John Cain, a former Premier of Victoria, who introduced FOI legislation in this state. I saw his work constantly undermined and devalued by the previous government, and as has been the wont of many governments, it continued to introduce almost a cottage industry of commissioners and overseers, who were funded very generously by the taxpayers of Victoria. I think it is very important to make sure that there are integrity and accountability measures around people who are in such roles. We saw the debacle around FOI measures and the FOI commissioners, who went on to resign after scrutiny was applied to their performance following the revelation of mismanagement of their offices and their budgets and of the other ways in which they failed to meet their responsibilities.

This bill goes to making sure that when we set up integrity and accountability procedures under legislation and through organisations somebody is watching the watchers. It is important that the Parliament has the opportunity to ensure that taxpayer funds are always spent wisely. While there is plenty of accountability for members of Parliament, as there should be — and we have seen examples of it previously — in relation to making sure that the performance and the expenditure of funds by oversight bodies are appropriate, those who are appointed by the Parliament to manage those organisations need to be subject to accountability measures for the way in which they do that.

An important point that I want to make very clearly is that while I certainly support integrity and accountability and the stronger measures we are putting forward in this bill, there has been a history and a record of non-accountability across several parliaments. People have been appointed to organisations to manage very large sums of money — hundreds of millions of dollars in budgets managed by very well remunerated people — and they need to make sure that they do not get uncomfortable when being held accountable by this Parliament to ensure that taxpayer funds are spent appropriately in the exercise of their duties. The

community and the Parliament have expectations that people will do their jobs effectively.

We also saw, as I mentioned earlier, that when it comes to anti-corruption agencies a minister in the previous government had to resign because he was leaking matters from cabinet. I also point out that when you do deals to effectively buy the silence of property speculators with taxpayer funds by securing confidentiality settlements on the steps of the Supreme Court in relation to matters like Ventnor, that goes a long way to undermining the confidence the community has in the way in which taxpayer funds are administered. Community confidence is undermined when government members and members of the executive acquit themselves by using the courts and taxpayer funds to buy silence and avoid the scrutiny of the public. I think the Ventnor case is a very good example of that, and in relation to accountability and integrity measures it is a matter that I hope can be addressed in the future.

Another example of community confidence being undermined was when people in the previous government, including a Premier no-one voted for, chose to sign a contract for roads no-one voted for and punishment mechanisms were put in place, as the previous government did in relation to the east-west link. By putting certain provisions in contracts in the dying days of that government before the caretaker period began, the then government effectively punished Victorians for their democratic right to reject that government's policy, which they did at the ballot box. I think that contract was also very unreasonable and the application of further scrutiny and integrity measures is required — something that a range of integrity players and appointees can look at into the future.

It is interesting when you go back and look at the different integrity and accountability models and mechanisms that have been in place. Certainly I think towards the end of the Brumby government's period in office, it had a pretty hard job trying to navigate the range of players and organisations that were in place providing integrity and oversight, including the different ombudsman offices, the Office of Police Integrity and all the rest of it. If the public cannot understand the integrity system, if the public cannot navigate it, how can they have confidence in it?

In some ways this has been okay. It has been about governments of all persuasions grappling with, developing and building a robust integrity and accountability framework in Victoria. That does not mean that we have always got it right. It has taken some time to move beyond finding what are the right

mechanisms and ensuring, as in any government, that with departments, bureaucracies and integrity regimes there is collaboration as well. Yes, there has to be some sanctity and understanding of the unfettered powers of these bodies and the work that some of them have to do, but there needs to be collaboration between our watchdogs and integrity organisations so they are working effectively together for the betterment of all Victorians. I think that has not always been the case, and it has been called out where it has not. That is another area that we need to be able to draw attention to and follow closely into the future.

As various parliaments have grappled with building integrity regimes, something that I think the light has been put to — although my experience has always been of the great integrity and work of people in the Victorian public service — is that we must always be vigilant. What has been very clear is that the regimes and organisations we have been able to set up and support as a Parliament so far have uncovered, whether it is in the department of transport or other departments, different arrangements that have been beyond the law and beyond public interests and public expectations.

So I think that while we have grappled over several years now to have an appropriate integrity regime in place, Victoria should not look over its borders and down its nose at some of the appalling practices we have seen in New South Wales and elsewhere and think that somehow we stand apart and are better. I do believe that we are, but that should not mean we shy away from ensuring we have the appropriate accountability mechanisms in place so that we are always held to account and feel comfortable that we have a robust integrity framework in place.

That is the work that I think continues to evolve. This is another part of that. I am pleased it is the Andrews government that continues to develop, expand and, I believe, make more robust our integrity and accountability measures in Victoria. In particular I wanted to note that the follow-the-dollar powers for the Auditor-General are particularly important. I do note that there were some concerns raised about the streamlined Public Accounts and Estimates Committee consultation processes that are in place for the Auditor-General, but I do believe that ultimately the primacy of Parliament is sacrosanct and needs to be advocated for and defended. Ultimately we all draw our responsibilities and our power to act from the people of Victoria and from the Parliament of Victoria, and that is as it should be. I commend the bill to the house.

**Debate adjourned on motion of Ms Spence (YUROKE).**

**Debate adjourned until later this day.**

## PARLIAMENTARY BUDGET OFFICER BILL 2016

*Second reading*

### Debate resumed from 25 February; motion of Mr PALLAS (Treasurer).

**Mr M. O'BRIEN** (Malvern) — I am pleased to rise to speak on the Parliamentary Budget Officer Bill 2016. I believe it was the Catholic St Augustine who famously prayed, 'Lord, make me chaste, but not just yet'. You can only imagine that there was the Treasurer making exactly the same prayer. When he had the chance to vote for a Parliamentary Budget Office to be established in 2013 he was agin it. He was opposed to it — 'No, no, let's not have any parliamentary budget offices established in this state'. He and Labor, together with the then member for Frankston, succeeded in voting down the establishment of a Parliamentary Budget Office. Now that Labor is in government all of a sudden this Treasurer believes what Victoria actually really needs is a Parliamentary Budget Office. To channel John Kerry: he voted against a Parliamentary Budget Office before he voted in favour of one. That is the sort of hypocrisy we get from this government and particularly from this Treasurer.

When you look at Labor's costings and the debacle of Labor's costings at the last election, it is not surprising. It certainly explains why Labor was so desperate to not have a Parliamentary Budget Office established in time for the 2014 state election. This is the party that said in its Project 10 000 document that it was going to build the Melbourne Metro project for \$9 billion. What happened to that \$9 billion figure? Apparently, before a single centimetre of track has been laid, it has already blown out from \$9 billion to \$10.9 billion. It has already had a blowout of \$1.9 billion before a single centimetre of track has been laid. What an absolute debacle! What an absolute joke they are!

How about Homesafe? This was Labor's policy. It said would be a trial of 24-hour-a-day public transport on weekends, and it was costed by Labor at \$50 million.

**Mr Nardella** — Why do you hate public transport?

**Mr M. O'BRIEN** — Member for Melton, I do not hate public transport: I hate Labor wasting taxpayer money. I hate financial muppets like you and the Treasurer who cannot count and expect Victorian taxpayers to pick up the slack. That is what I hate, member for Melton.

Labor has gone from this having a \$50 million costing. What is the actual cost? It is \$83.6 million — an

enormous blowout. Even then Labor has still duded Victorians, because while it promised to have protective services officers (PSOs) at every train station during the Homesafe trial, what actually happened? The PSOs were sacked on every station except for a few premium stations. Not only did Labor have a massive cost blowout — from \$50 million to \$83.6 million — it also did not count up the PSOs, and it sacked the PSOs on train stations, other than premium train stations, at night during the Homesafe trial, which means that if you want to get off a train and it is not at a premium station, under Labor you are on your own. That is because this government simply cannot add up.

We now come to the question of police radios. Before the election the then opposition leader, now Premier, said \$10 million was going to be the cost of rolling out new digital police radios in rural Victoria. On 21 January — so even after he got into office and after he had had the benefit of being in government and having Treasury briefings — in a media release headed 'Safe radios a step closer for country police', the new Minister for Police, as he then was, said:

The Labor government has promised \$10 million to deliver the new digital system, which will include in-car, mobile and portable radios with a secure and encrypted network.

What was the actual cost, though? It was not the \$10 million that Labor costed it at; no, it was \$35.3 million. It promised it could do it all for \$10 million, but it actually cost \$35.3 million. Who did Labor tell to pick up the slack? Who did Labor say had to carry the can for that cost blowout? It was the police. Victoria Police had to divert funds from frontline officers to carry the can because Labor bungled the costings on the police radio rollout. No wonder the number of police officers is being cut. No wonder police stations are being closed across Victoria under this Labor government.

There are plenty more examples that I will get to in due course, but we can see now why Labor was so desperate to avoid having a Parliamentary Budget Officer before the last election — because its numbers cannot add up. Its numbers never add up because Labor cannot manage money. That is what every Victorian knows.

**Business interrupted under sessional orders.**

**QUESTIONS WITHOUT NOTICE and  
MINISTERS STATEMENTS**

**Police resources**

**Mr GUY** (Leader of the Opposition) — My question is to the Premier. Under this government police stations are now either shut, only open for limited hours or closed at Ashburton, Burwood, Nunawading, Cranbourne, Springvale, Epping, Reservoir, Minyip, Somerville, Mooroolbark, Greensborough, Carrum, Queenscliff and Pakenham, where the station has also been firebombed. Can the Premier now confirm his own government's most recent figures show the number of police on the beat has fallen by 151 officers, from 9840 to 9689, while the population has increased by more than 100 000 people?

*Honourable members interjecting.*

**The SPEAKER** — Order! All government members will be silent and allow the Premier to respond to a substantive question as put by the Leader of the Opposition.

**Mr ANDREWS** (Premier) — I thank the Leader of the Opposition for his question. If only an angry rant kept us safe. If only an angry rant from the Leader of the Opposition gave Victoria Police what they needed. I cannot confirm what the Leader of the Opposition has put forward — —

**An honourable member** interjected.

**Mr ANDREWS** — No, I cannot confirm that, because as with most things he is completely inaccurate.

**The SPEAKER** — Order! The Leader of the Opposition on a point of order.

*Honourable members interjecting.*

**Questions and statements interrupted.**

**SUSPENSION OF MEMBERS**

**Members for Eltham, Yan Yean and  
Warrandyte**

**The SPEAKER** — Order! The member for Eltham, the member for Yan Yean and the member for Warrandyte shall withdraw from this house for a period of 1 hour.

**Honourable members for Eltham, Yan Yean and  
Warrandyte withdrew from chamber.**

**The SPEAKER** — Order! I wish to again quote the standing orders as adopted by this house. Standing order 116 says:

When the Speaker stands members must sit down and be silent.

The Chair has every intention of prosecuting and implementing this standing order.

**QUESTIONS WITHOUT NOTICE and  
MINISTERS STATEMENTS**

**Police resources**

**Questions and statements resumed.**

**Mr Guy** — Speaker, by way of point of order, I seek, by leave, to table the Premier's government's own statistics on police on the beat. I seek, by leave, to table these documents. Will the Premier give us leave?

**The SPEAKER** — Order! The Leader of the Opposition will resume his seat.

*Honourable members interjecting.*

**The SPEAKER** — Order! The Leader of the Opposition knows only too well that that is not a point of order. The Premier to continue. The Premier was being responsive. He shall continue.

**Mr ANDREWS** — If only desperate angry rants kept us safe. I say to the Leader of the Opposition that I will not confirm what he has put to me. What I can confirm, though, is this government has given Victoria Police the biggest budget it has ever had. We are recruiting, and I was out at the academy last week and I met with those custody officers — and aren't they a fantastic initiative? It is a fantastic initiative that allows sworn officers to be out there on the front line doing what they do best — fighting crime and keeping our community safe. Police across the state have welcomed the fact that by the middle of this year 200 of those 400 custody officers will be in police stations freeing up frontline police to be on the front line.

I was with the Chief Commissioner of Police earlier this morning. As part of a briefing that I might talk about in a few moments, he confirmed for me that the \$50 million boost we provided — not an election commitment; well above our election commitment — for an 88-member strong counterterrorism task force has been put to good use this very week. When it comes to police resources, when it comes to police powers, when it comes to making sure that we are doing everything we can to keep our state safe, I and every

member of this government will take our advice and our lead from the chief commissioner, not from the Leader of the Opposition.

*Supplementary question*

**Mr GUY** (Leader of the Opposition) — Crime has risen by over 8 per cent on the latest figures. There are almost daily shootings, with gang violence on our streets, and I ask the Premier: why is it his government's policy by its own figures to cut the number of police on the beat — on its own figures — from 9689 on the latest figures from what they were a year and a half ago at 9840? Why has the government cut them by 150 officers on the beat?

**Mr ANDREWS** (Premier) — I thank the Leader of the Opposition for his question. He kind of started off a little bit calmer, because maybe he is a bit concerned that he has shown everyone he is not even confident in his own assertions that he has to shout that loudly.

*Honourable members interjecting.*

**Mr ANDREWS** — Oh, here we go. Here we go.

*Honourable members interjecting.*

**Mr Guy** — On a point of order, Speaker, on relevance, this is not a question about people's performance in this Parliament; it is about police numbers on the beat. Can you bring the Premier back to answering the most important question in our state today: why is he cutting the number of police on the beat in our state?

**The SPEAKER** — Order! I do ask the Premier to come back to responding to that question.

**Mr ANDREWS** — The Leader of the Opposition is simply wrong. He is simply wrong. He can stamp his foot. The Leader of the Opposition is wrong today, as he was wrong to interfere in the operations of the chief commissioner, as he did for four years. He is wrong today, just as he was wrong to cut 350 Victoria Police jobs when he was last in office. He is wrong today, just as he was wrong to cut \$113 million from the Victoria Police budget over four years. We will listen to the chief commissioner, not this joker.

*Honourable members interjecting.*

**Mr Guy** — On a point of order, Speaker, again by way of relevance, the supplementary question was about police numbers on the beat in this state, a topic the Premier has never addressed in his answer to either the substantive or the supplementary question.

*Honourable members interjecting.*

**The SPEAKER** — Order! The Chair does not uphold the point of order. The Premier has concluded his answer.

**Ministers statements: Easter weekend policing**

**Mr ANDREWS** (Premier) — I rise to inform the house of initiatives taken by the government to keep Victorians safe this Easter.

*Honourable members interjecting.*

**Mr ANDREWS** — It is no laughing matter. I met with the Chief Commissioner of Police, Graham Ashton, first thing this morning and was briefed on security preparations for the Easter long weekend, particularly in the light of the horrific acts in Brussels and Europe earlier this week. I can advise the house and all Victorians that police remain confident there is no intelligence to suggest a link between those horrific acts and anybody in Victoria, and I can again confirm that those extra resources provided to Victoria Police to give Chief Commissioner Graham Ashton the counterterrorism capability that he sought and got have been put to good use this very week. I think that is something that every Victorian can be pleased about.

Victoria Police will do everything it can to ensure that standard protocols and well-trained, well-exercised plans are put into place for the weekend, just as they have been all this week. Victorians can go about their business with confidence, and they can be proud of all the values and the freedoms that we enjoy in our great city and state.

I can inform honourable members that there will be a significantly boosted police presence at the footy tonight — there will be double the normal number of police at the game. That should be seen as a sign of reassurance, a sign that Victoria Police is ready, willing and properly resourced to do everything it can to keep Victoria safe. Other events at places of mass gathering throughout the weekend will also see significant additional Victoria Police members. That visible police presence, including in the CBD, is a great reassurance to the Victorian community and is a very important part of doing everything we can in these challenging and uncertain times to keep Victoria safe.

**Police resources**

**Mr GUY** (Leader of the Opposition) — My question is to the Acting Minister for Police. With the closed Burwood police station being vandalised and covered in graffiti, the Pakenham police station being

firebombed and the Tatura police station being rammed by a vehicle in a targeted attack, can the minister confirm that the police station security upgrade program is now being funded from operational budgets and on current projections will take more than two years to be completed?

**Mr SCOTT** (Acting Minister for Police) — In relation to the police upgrade program, it is a matter that has been the subject of discussion between myself and the police force. I am wary to respond to the detail because a number of claims that been made by the opposition during this week have been false. For example, the assertion that there are less sworn police is false: there are 40 more than when we came to government. The claim that Taskforce Aries has only 10 sworn members is false. So I will not be directly responding because I cannot verify the claims that have been made by the opposition, because they are often false.

**Mr Guy** — On a point of order, Speaker, by way of relevance, the acting minister is referring to matters which were not raised with him in the question. It was a very, very simple question about the police station security upgrade program. If the minister is not across his brief and does not know the answer, he should just say, 'I don't know'. Give the answer to the Parliament or say, 'I don't know'.

**The SPEAKER** — Order! The Chair has heard sufficiently on the point of order. The Chair does not uphold the point of order. The minister will be responsive. He will continue, in silence.

**Mr SCOTT** — Of course police operational matters are a matter for determination by the Chief Commissioner of Police, as is how the chief commissioner rolls out those security upgrades. I do note that at least now we are getting a tiny sliver of admission from the opposition that it has tried to misrepresent a range of security issues and the issues around police stations because it has wished to make some fairly tawdry political points. I know the opposition has been briefed on the security issues and the requirements in the current security environment —

*Honourable members interjecting.*

**Mr Walsh** — On a point of order, Speaker, on the issue of relevance, this goes very much to the core of the minister's responsibility to make sure police have sufficient resources, in this case to do the safety upgrade of police stations. Not only is the minister the Acting Minister for Police but he is also the Minister

for Finance, and I would have thought that was core to the role that he has.

**Mr Pakula** — On the point of order, Speaker, the Leader of The Nationals effectively belled the cat on his own side's question. He has made it clear that the question is fundamentally a question about police resources, and the Acting Minister for Police in his answer has made it clear that all of the assertions made by the opposition about cuts to police resources are wrong.

**Mr Hodgett** — On the point of order, Speaker, the government may be able to sort its electoral budgets, but it cannot sort the police figures.

**The SPEAKER** — Order! The Deputy Leader of the Opposition will resume his seat. The Deputy Leader of the Opposition knows well that that is not a point of order. There is no point of order. The minister, to continue.

**Mr SCOTT** — So we have made it abundantly clear that we will be working with police to ensure that they have the resources that they need in order to keep the community safe. We have invested significantly in police resources — a record budget of \$2.5 billion, nearly 700 police personnel invested. We are working with police to keep the community safe, and I note that the opposition has a shocking record of cuts in this area.

*Supplementary question*

**Mr GUY** (Leader of the Opposition) — Victoria Police official police-by-location figures in November 2014 show what is known as regional police-on-the-beat figures at 9840.57 in November 2014; and regional police, which is police in stations, at 9689.24 in December 2015. I ask the acting minister: is it government policy that the way it keeps the community safe is to cut police stations and cut police-on-the-beat numbers?

*Honourable members interjecting.*

**Mr Pakula** — It is a simple point of order, Speaker. That was an abusive rant, but there was no question in it.

**The SPEAKER** — Order! The Chair allows the supplementary question as put. The minister, to respond.

**Mr SCOTT** (Acting Minister for Police) — Let us be very clear. The question, firstly, relates to police resources, and we have increased the number of sworn policemen during the period we have been in office.

There are 40 more sworn officers. In terms of their allocation between stations and task force, which I understand is an operational matter — —

*Honourable members interjecting.*

**Mr SCOTT** — And if the Leader of the Opposition wishes to wear his ignorance about the police act as a badge of honour, let him. They have not learnt their lesson.

*Honourable members interjecting.*

**The SPEAKER** — Order! The minister is entitled to silence. The Leader of the Opposition asked a supplementary question. The Chair understands the opposition would be interested in hearing the question. The minister to continue.

**Mr SCOTT** — The response to the blue paper, which I understand the opposition of course commissioned, involved a different — —

**The SPEAKER** — Order! The minister's time has now expired.

**Mr Clark** — On a point of order, Speaker, I draw your attention to sessional order 11.2, which empowers you to require a minister to provide a written response if an oral response has not been responsive to the question. In relation to the substantive question asked by the Leader of the Opposition, it was a very specific question about the police station security upgrade being funded from operational budgets. If the minister needs to take it on notice and respond, that is fine, but he has not responded orally to this very important question. I ask you to direct him to provide a written response.

**The SPEAKER** — Order! The Chair does not uphold the point of order.

### Ministers statements: health funding

**Ms HENNESSY** (Minister for Health) — I rise to inform the house about initiatives the Andrews Labor government is taking to recover the money that the federal Turnbull Liberal government has most recently cut from our budget. The Turnbull government, we know, has made some really devastating cuts to the Victorian health system. In fact in its previous budgets it has forecast a \$17.7 billion cut from our health system. But to add insult to injury, it has recently made a determination that it will claw back \$73 million from Victorian health services that it has already cut.

I rise today to advise the house that the Victorian government is currently seeking legal advice to recover

this money from what it asserts has been wrongfully stripped from our hospitals in violation of the funding agreement with the commonwealth. This was an arrangement entered into by the previous Victorian Liberal government, and the funding methodology was clear and it was agreed. But nine months into the financial year, the Turnbull government has decided that it wants its money back.

Health services are having to brace for this pretty significant financial hit. We know that elective surgery lists will blow out if the Turnbull government does not reinstate this funding. People will wait longer in our emergency departments. We also know that Barwon Health could see 60 job losses as a result of this cut to its health service; Eastern Health will face up to potentially 70 redundancies; and St Vincent's has also identified 36 staff that could be made redundant.

Smaller health services are going to be hit. Places like Colac Area Health are considering closing complete services if the Turnbull government does not reverse this decision. We know that the Leader of the Opposition has said that he is on the front line with Malcolm Turnbull. While he is there he might want to take some of his misconceived and misplaced outrage that he has put on display today and turn it towards the federal government and stand up for Victorian patients, because that is what we will do.

### Police resources

**Mr CLARK** (Box Hill) — My question is to the Acting Minister for Police.

*Honourable members interjecting.*

**The SPEAKER** — Order! The manager of opposition business is entitled to be heard in silence. I call on the Leader of the House to allow that to happen.

**Mr CLARK** — With the minister claiming he has no authority over the deployment of police resources, I ask: how can the Labor Party make an election promise to put police at police stations at Portarlington, Drysdale and Queenscliff, for which the government then specifically provided \$7.8 million in its budget, and yet the government now refuses to make the same commitment for police stations at Nunawading, Ashburton, Burwood, Lakes Entrance or Minyip? What has changed?

**Mr SCOTT** (Acting Minister for Police) — Without seeking to repeat earlier answers, Speaker, the act is actually quite clear. Section 10 of the Victoria Police Act 2013 precludes me from instructing the chief commissioner about operational matters. If we are

going to issues in Geelong, that is actually something that the *Geelong Advertiser* gets, because it has made calls about additional police resources, but it targets those calls to the chief commissioner. I am sure if the *Geelong Advertiser* can get that issue, then the opposition can perhaps take a note.

**The SPEAKER** — Order! Has the minister concluded his answer? The minister has concluded his answer.

**Mr Watt** — On a point of order, Speaker, how can the minister say he is not responsible for police stations — —

**The SPEAKER** — Order! The member will sit down. The minister has concluded.

*Supplementary question*

**Mr CLARK** (Box Hill) — The minister is now saying he has got no say over police officer locations, he is refusing to admit to cuts to frontline police, he has his head in the sand over skyrocketing crime rates and he is saying that despite Labor's Bellarine election promise it is now an operational matter whether or not a police station remains open. So I ask: will the minister pick up the phone and at least ask the chief commissioner if he would like to have more police officers appointed so he can give those communities the police numbers they need?

**Mr SCOTT** (Acting Minister for Police) — I attended an event at the academy with the Premier where it was made crystal clear — it was made absolutely crystal clear — that this government will be providing the resources that police need and the powers that police need to deal with safety and crime in our community. I speak to the chief commissioner regularly, and in terms of issues that have been raised in this place I in fact confirmed with my office that the police commissioner was aware of the concerns raised by members. As a courtesy to the house and the members in this place I confirmed again with the chief commissioner that he was aware of issues raised in question time in relation to police resources. I have no power to instruct to the commissioner, but as a — —

*Honourable members interjecting.*

**The SPEAKER** — Order! The member for Burwood is entitled, on a Thursday and notwithstanding his tie, to silence.

**Mr Watt** — On a point of order, Speaker, how is the police minister able to direct the police in Bellarine but not in my electorate? It is a very simple question.

**The SPEAKER** — Order! The member will resume his seat.

**Mr SCOTT** — We understand section 10 of the police act; the opposition does not.

**Mr Clark** — On a point of order, Speaker, I again draw your attention to sessional order 11(2) and your power to require a minister to provide a written response. While the minister was relevant in what he said to my question, he was not responsive to my question. My question was a simple one — whether he would ask the chief commissioner whether the chief commissioner would like additional resources. As you indicated, it is a serious question. I ask you to ask the minister to provide a written answer to me.

**Ms Allan** — On the point of order, Speaker, I ask that you rule the point of order out of order because the Acting Minister for Police was being entirely relevant, particularly given the material he had to work with, because of course the material that those opposite have been using is not reflective of the total support that is provided to Victoria Police. Therefore they cannot possibly claim cuts to the total budget. The basis of their question is factually incorrect, and the Acting Minister for Police has been doing a sterling job of dealing with the material he has been offered.

**The SPEAKER** — Order! The minister was responsive. The Chair does not uphold the point of order.

**Ministers statements: minimum wage**

**Ms HUTCHINS** (Minister for Industrial Relations) — I rise to advise the house of a new Andrews government initiative, and that is that today we have made a submission to the Fair Work Commission's (FWC) annual wage review for 2016. In doing so we are taking action to stand up for Victoria's lowest paid workers. We are calling for an increase to the minimum wage to maintain a decent safety net for working Victorians. The gap between the minimum and median wage is increasing, while the minimum wage is getting closer and closer to the poverty line.

We have submitted that the Fair Work Commission should address this rising inequity while maintaining employment and economic growth when it adjusts the national minimum wage. We have also called on the FWC to consider the persistent gender pay gap in its annual wage review. One in six Victorians relies on the minimum wage, and the majority of these workers are women, workers from non-English-speaking backgrounds, casual workers and young workers. We

want to avoid creating an underclass of working poor in Victoria.

Employment is critical to social inclusion; however, a job with inadequate pay can limit a person's capacity to engage in the local economy, and this extends to being able to buy a home. Employment is critical, and we are in a position to make this submission because we do have a strong economy. We do have records and runs on the board around our job creation, and since November 2014 we have created over 100 000 jobs here in Victoria, more than those opposite achieved in four years. Those opposite could not create jobs, and their mates in Canberra have consistently attacked the rights of Victorian workers. This government will stand up with Victorian workers to fight for fair wages and working conditions for all.

### Regional and rural schools

**Ms SHEED** (Shepparton) — My question is for the Minister for Education. The government has called Victoria the education state and has claimed that as the basis of its policies during the term of the current government. In April 2014 the Auditor-General tabled his report *Access to Education for Rural Students*. The Auditor-General found that the department had not provided access to high-quality education for all students. He found that the gap in performance between rural and metropolitan students in Victoria has persisted and shows no signs of narrowing. Many reports both before and after support that. Will the minister advise what steps are being taken by his government to address this clearly inequitable situation?

**Mr MERLINO** (Minister for Education) — I thank the member for Shepparton for her question, and I take this opportunity to congratulate her on her advocacy for her community, particularly in relation to schools, students, teachers and parents in Shepparton.

Could I say that I could not agree with the member more. Report after report has illustrated the inequality in student outcomes between regional and metropolitan areas, and it is simply not good enough. There is an unacceptable difference in student outcomes across the state. We have a good system in Victoria, one we can be proud of, but we must be focused on creating and building a great one, one characterised by excellence and equity right across the state. We must have both a sustained investment in and a genuine commitment to supporting regional schools. It is not just about money; it is about the quality of teaching, educational pathways and the aspirations of our regional students.

In terms of the actions that the government is taking, this year it is providing \$566 million in additional funding direct to schools. That is targeted to help schools and students most in need to break the cycle of disadvantage and to support our students to catch up. We have boosted needs-based funding by 70 per cent. Of this, students in regional Victoria are receiving more than double the additional funding per capita that those in metropolitan Melbourne receive — more than double for the students in regional and rural Victoria. This is confirmation of the lack of funding in our regional schools over the last several years, which is clearly impacting on student outcomes, as identified by the Auditor-General's reports and many other reports. The Nationals members sitting in front of the member for Shepparton would do well to reflect on that fact and their performance when they were in government.

Schools across the member's electorate of Shepparton received \$10.5 million in equity funding. That is in addition to, over and above, their base funding; it is over and above the equity funding that they received last year. This has been a much-needed and much-welcomed boost to funding. I will give the member an example. Mooroopna Primary School received \$451 000 in additional funds. It was able to employ a leading teacher as a coach and mentor for its staff. It was able to employ a specialist to run specific numeracy and literacy programs for its most vulnerable kids, who are at risk of falling behind. Whether it is equity funding or capital, we are investing in rural and regional Victoria.

### *Supplementary question*

**Ms SHEED** (Shepparton) — Given that the principals of our four Mooroopna and Shepparton secondary colleges have taken steps to look for their own solutions through the Better Together Alliance and that three of our most disadvantaged primary schools have done the same through the Neighbourhood Schools project, will the minister commit to supporting these local initiatives to address the particular disadvantage in this part of my electorate?

**Mr MERLINO** (Minister for Education) — I thank the member for Shepparton for her supplementary question. We will support programs such as those initiated by the secondary and primary schools in the Greater Shepparton area, in addition to increasing equity funding, which I just spoke about. I recognise the particular challenges faced by many of our rural and regional schools. Additional equity funding represents an increase of \$1.45 million for those four secondary schools the member mentioned.

I am pleased to confirm to the member for Shepparton that following the meeting with those schools that the member organised, I requested additional funding of \$120 000 over three years to support the appointment of an assistant principal to coordinate the Better Together Alliance, with the schools each contributing \$25 000 out of their equity. In regard to the primary schools, I have asked the new and improved regional staff to work closely with those schools to develop those projects. These are exactly the types of projects that we want.

### Ministers statements: Navigator program

**Mr MERLINO** (Minister for Education) — I rise to inform the house of a new initiative of the Andrews government to keep Victorian kids safe and engaged in their education. The new initiative is the announcement of the sites and the expression of interest process for the Navigator pilot program.

Each year up to 10 000 young people completely drop out of education. We know that this can have a devastating lifetime impact on our kids, their families and their communities. One of the ways we will break this cycle of disadvantage is through the \$8.6 million Navigator pilot program. Navigator will be a hands-on, proactive service delivered by community agencies, reaching out to 12 to 17-year-olds who have not attended school for at least 13 weeks, linking them in with support services and getting them back in the classroom. Community organisations can apply to run these Navigator pilot programs over 2016 and 2017, with the pilot launching later, in term 2 this year. Applications are now open and will close on 6 April 2016.

I am pleased to announce the eight Navigator pilot areas: Mallee, Central Highlands, Goulburn, Ovens Murray, Bayside Peninsula, Southern Melbourne, Western Melbourne and Hume Moreland. Within those areas, the Navigator pilot program will target the communities most in need.

We are standing up for those kids who slipped through the cracks while those opposite were slashing hundreds of millions of dollars from education and while their colleagues in Canberra were cutting vital programs like Youth Connections. Now as the Turnbull Liberal government — —

**Mr Clark** — On a point of order, Speaker, the minister is now beginning to debate the issue. I ask you to bring him back to informing the house about his government's initiatives and achievements.

**The SPEAKER** — Order! I uphold the point of order. I ask the minister to come back to making a statement.

**Mr MERLINO** — We are setting ambitious education state targets. We are investing in education. We are targeting funding to those who need it most — a 70 per cent increase in needs-based funding. We are addressing the impact of disadvantage, and we are keeping kids engaged, because every child is worth fighting for. That is the position of the Andrews Labor government.

### Raceday Attraction program

**Mr T. BULL** (Gippsland East) — My question is to the Minister for Racing. With \$10 127 recently provided to the Hamilton Harness Racing Club for the promotion of the Hamilton Pacing Cup, by the state government, can the minister confirm whether any of these funds were used to pay or promote the presence of Ricky Nixon, a man who in 2012 was found guilty of domestic violence-related charges and who, along with Warwick Capper, was the entertainment on the day?

**Mr PAKULA** (Minister for Racing) — I thank the member for Gippsland East for the question. Of course he is referring to the \$86 million over four years Victorian Racing Industry Fund (VRIF). It includes an enormous amount of funding for the Raceday Attraction program, which is a program that supports race day attractions at harness, greyhound and thoroughbred racing events right across the state. It is a program that we are very proud of. It is a program that has carried on from the program that was initially brought into effect by former Minister Hulls, continued by former Minister Napthine and continued by this government.

I approve many, many Raceday Attraction program grants. They are enormously appreciated by the clubs that receive them. I was not at the Hamilton harness racing event that the member referred to, so I cannot confirm whether Mr Nixon was there, but I will certainly come back to the member once we have consulted with the Hamilton Harness Racing Club.

### Supplementary question

**Mr T. BULL** (Gippsland East) — Given the minister's previous answer that he is unaware of whether that was the case or not, what will he now do to ensure that there is a greater level of scrutiny over these funds? What will he actually put in place to ensure that this does not happen again?

**Mr PAKULA** (Minister for Racing) — I thank the member for Gippsland East for the question. I have partly answered his supplementary question in the substantive answer, in which I said — —

**An honourable member** interjected.

**Mr PAKULA** — I said I partly answered it. I said that we will obviously speak to the Hamilton Harness Racing Club and ascertain what occurred at that event. In regard to the way that the Raceday Attraction program (RAP) and indeed all of the VRIF applications are dealt with, every application goes to a committee representing all three racing codes. Every application is properly assessed. This is as a consequence of an Auditor-General's report years ago which put in place a number of processes for the way all VRIF applications are dealt with.

Every application is assessed, and recommendations come to the minister from that independent committee. That is the manner in which we ensure that funds are expended appropriately from both the VRIF and the RAP.

### Ministers statements: employment

**Mr PALLAS** (Treasurer) — I rise to inform the house of new achievements by the Andrews Labor government in securing jobs for all Victorians. Data released last week by the Australian Bureau of Statistics (ABS) demonstrate that since the last election more than 100 000 jobs have been created in Victoria. Over 52 000 of those jobs are full-time jobs — three times as many full-time jobs in a third of the amount of time those opposite occupied the crease. Our unemployment rate is down to 6 per cent from a high of 6.9 per cent, which is resounding confirmation of the Andrews Labor government's commitment to restoring our state's strength and getting Victorians back to work.

Jobs growth and economic growth are booming despite being handicapped by the federal government. Victoria receives 9 per cent of federal infrastructure funding. In contrast New South Wales receives 36 per cent. Malcolm Turnbull preaches 'continuity and change', but they are hollow words from a hollow suit. It is a government of selfies and sophistry — Seinfeld words from a government about nothing — intent on applying the handbrake of partisan politics to an accelerating Victorian — —

**The SPEAKER** — Order! The Treasurer will resume his seat. The manager of opposition business on a point of order, to be heard in silence.

**Mr Clark** — On a point of order, Speaker, I again draw your attention to sessional order 7, which provides that ministers statements are to inform the house of new government initiatives, projects and achievements. To date I do not believe the Treasurer has even begun to do so. He is certainly now debating the issue. I ask you to bring him back to compliance with the sessional order.

**The SPEAKER** — Order! The Treasurer will continue making a ministers statement. The Treasurer was on track from the beginning, but I now ask him to come back.

**Mr PALLAS** (Treasurer) — Those opposite might not like the good news that the latest ABS statistics show us, but they tell a ringing story about the revitalisation of the Victorian economy. We are first in the nation now on state final demand. We are the fastest growing economy on the eastern seaboard of this nation. We are leading the nation in business investment and consumer and household consumption. Unlike those opposite and their federal bloviating blowhards, a Labor government is once again putting Victoria back to work.

**Mr Guy** (Leader of the Opposition) — By leave, I do not think anyone has taken the time to thank the members for Bendigo West and Wendouree for the Easter eggs.

**The SPEAKER** — Order! Leave is granted. All members, including the Chair, thank the members for their Easter courtesy.

### CONSTITUENCY QUESTIONS

#### Malvern electorate

**Mr M. O'BRIEN** (Malvern) — (Question 7028) My question is to the Minister for Public Transport. The residents of my electorate are delighted with the coalition's removal of the level crossing at Burke Road, Glen Iris. Properly planned and properly funded by the coalition, the rail-under-road option was what the community wanted and what they were promised. This contrasts with the elevated sky rail proposal that Labor is pushing onto the Cranbourne and Pakenham lines. I note that the Andrews government has also promised that it will remove the level crossing on Toorak Road, Kooyong, near the Monash Freeway entrance. I ask the minister: on what date will this removal work commence, and will the minister rule out unwanted and unpopular sky rail as the method for the removal of the Toorak Road level crossing?

**Niddrie electorate**

**Mr CARROLL** (Niddrie) — (Question 7029) My question is to the Minister for Roads and Road Safety, and I ask: how will the most recent works on the CityLink Tullamarine widening project affect commuters in my electorate, and what measures should they take to avoid delays?

Last week construction started on an extra lane off the Bolte Bridge and along the West Gate Freeway through to the Burnley Tunnel. The construction of these extra lanes is an important part of the CityLink Tullamarine widening project and is scheduled to take 18 months. It is great to see that the Andrews Labor government is making progress on this important project which will deliver relief from traffic congestion for so many road users in my electorate. Importantly VicRoads and Transurban are using modern technology to help commuters by tracking journey times and providing alerts. I ask: what additional measures can be taken by my constituents to avoid delays?

**Lowan electorate**

**Ms KEALY** (Lowan) — (Question 7030) My constituency question is to the Acting Minister for Police. On behalf of my constituents I seek the latest information regarding plans to redevelop police stations in my electorate, including Murtoa, Warracknabeal and Hamilton stations. At a recent community meeting convened by police in Minyip, local police highlighted the dire need for funding to upgrade the Murtoa and Warracknabeal stations.

The Murtoa police station includes demountable buildings with limited space and ongoing sewerage issues, presenting a significant occupational health and safety risk. The Warracknabeal station has extremely limited space and a poor layout, which places great pressure on local police to manage workflow and operate efficiently.

The Hamilton police station is in dire need of renovation, with the current building significantly restricting the ability of police to manage the demands of their interactions with their community. Further, the holding cells are in an unacceptable condition to hold suspects under arrest for more than a few hours.

Our hardworking police officers do an outstanding job in often difficult circumstances and are doing their utmost to protect our people, uphold the law and ensure safe communities. It is essential that the government provide suitable premises to support our police to do the best job they possibly can. I ask the minister: what

is the latest information on plans to redevelop police stations in my electorate, including those located in Murtoa, Warracknabeal and Hamilton?

**Yuroke electorate**

**Ms SPENCE** (Yuroke) — (Question 7031) My constituency question is to the Minister for Local Government. With the Andrews Labor government's \$50 million Interface Growth Fund already supporting a new community facility in my electorate, and given additional projects are currently being considered as part of a supplementary round of funding, I ask: how will the Yuroke electorate benefit from the Interface Growth Fund's supplementary funding round?

**Hawthorn electorate**

**Mr PESUTTO** (Hawthorn) — (Question 7032) My question is to the Acting Minister for Police. The most recent crime statistics show that the first-year report card on the Andrews government's law and order credentials shows a troubling 8.1 per cent increase in crime across our state. This masks massive increases in our suburbs. Crimes against the person in Camberwell rose 46 per cent in 2015. In Hawthorn East crimes against the person rose 54 per cent, and in Hawthorn crimes against the person rose 20 per cent. My question to the acting minister is: what is he going to do to increase police resources, and what is he going to do to implement sound crime prevention strategies like the previous government did to address this troubling increase in crimes against the person across our state?

**Buninyong electorate**

**Mr HOWARD** (Buninyong) — (Question 7033) My question is to the Treasurer, and I ask: what will be the financial effect of the forthcoming lease of the port of Melbourne, and what will this mean for regional jobs and infrastructure in my electorate of Buninyong? Clearly the port lease is of interest to those businesses in my electorate, including farming businesses, which export product from the port. It is also of interest to those concerned about our road infrastructure. They are aware that the lease will provide important funds for government which can then be made available and used for infrastructure work in Melbourne and across regional Victoria. I am interested in information as to how this port lease will benefit the people of Buninyong.

**Rowville electorate**

**Mr WELLS** (Rowville) — (Question 7034) The constituency question I wish to raise is for the attention

of the Minister for Environment, Climate Change and Water. A number of constituents in Rowville have raised concerns with me in relation to what they see as a blatant misrepresentation of the facts when it comes to the true household cost of desalinated water recently ordered by the government and the minister.

Each of Melbourne Water's 1.7 million customers has to pay an additional \$386 per annum on average just for the plant's standing costs, without the purchase of even one drop of water. I therefore ask the minister on behalf of concerned residents of my Rowville electorate: why has she not been open and transparent with the Victorian community with regard to the true cost of desalinated water to be delivered next summer from the Wonthaggi desalination plant, and will she now confirm that the average cost of desalinated water per Melbourne water customer will be nearly \$400 next year and not the \$12 she has previously stated?

#### **Sunbury electorate**

**Mr J. BULL** (Sunbury) — (Question 7035) My question is for the Treasurer. What has been the result of the Andrews government's jobs plan on unemployment in my electorate of Sunbury?

#### **South Barwon electorate**

**Mr KATOS** (South Barwon) — (Question 7036) My constituency question is for the Acting Minister for Police. There is a growing police numbers and law and order crisis across my electorate and the broader Geelong region, from the failure to provide additional police to Torquay and the Surf Coast over Easter and the broken promise that the Queenscliff police station would be open every day to skyrocketing crime rates of 12.7 per cent in the City of Greater Geelong and 9.1 per cent in the Surf Coast shire. The government has trumpeted its police custody officer program, but here we are 16 months into the government's term and only a couple of police custody officer squads have graduated and Geelong has only received a handful of police custody officers. I also understand from justice sources that the police freed up because of the Geelong police custody officers have been transferred to undertaking court security work, resulting in no net additional police on the beat. My question therefore is: will the government get its priorities right and fund in the April budget the extra sworn police that Geelong and the Surf Coast desperately need?

#### **Macedon electorate**

**Ms THOMAS** (Macedon) — (Question 7037) My constituency question is to the Minister for Energy and

Resources, and I ask: how will the Andrews government's recent changes to Victoria's energy retail licence exemption framework help community renewable energy groups, such as the Macedon Ranges Sustainability Group, to offer renewable energy solutions to local businesses and families?

**Mr Hibbins** — On a point of order, Speaker, I rise to bring to your attention an unanswered constituency question, no. 6758, which I asked on 11 February of the Minister for Public Transport regarding investment options for South Yarra railway station. I ask that the minister be contacted and asked to provide an answer to that question.

**The SPEAKER** — Order! The Chair will follow the matter through for the member for Prahran.

### **PARLIAMENTARY BUDGET OFFICER BILL 2016**

#### *Second reading*

#### **Debate resumed.**

**Mr M. O'BRIEN** (Malvern) — I am pleased to resume where I left off, discussing the fact that it is quite apparent why the Labor Party was so keen to kill off a Parliamentary Budget Office during the last term of this Parliament — because its costings have proven to be entirely hopeless and unreliable. I was referring to the fact, before question time, that the government had promised \$10 million would be the cost of upgrading and replacing analogue police radios, and of course the cost turned out to be far more than that. In fact it turned out to be \$35.3 million, and the Labor government has made the police carry the effect of that cost blowout. It is perhaps no wonder that we heard in question time that under this Labor government frontline police numbers have been cut. We all know that stations have been cut as well.

This is the very real consequence of a Labor government that simply cannot manage money and simply cannot get its costings right. That is not the only example of where Labor's costings were purely wrong. On public holidays, the Labor Party in opposition promised two new public holidays: Easter Sunday and, more infamously perhaps, the grand final eve public holiday — Dan's day off. What happened there? The Labor Party basically hardly budgeted anything for new public holidays. Labor said they were going to cost about \$137 million, but in fact the real cost is more like double that — over \$260 million. And of course we are not seeing our hospitals getting extra funding for the cost of the extra wages for doctors and nurses and

support staff. What that means is fewer surgeries performed; what that means is longer waiting lists. These are the people who have to pay the price of a Labor government that simply cannot add up and cannot cost its policies.

Not taking Victorian WorkCover Authority dividends was another promise of the Labor Party in opposition. It did not even cost that in *Labor's Financial Statement 2014*. It thought it could just not take dividends from WorkCover and that would have no net effect. What we know is there was a secret plan to raid other state government agencies which Labor never told the public about before the election. Instead we have seen the Transport Accident Commission (TAC) have an extra half a billion dollars stripped out of it in dividends over four years — half a billion dollars. Is it any wonder we have seen the level of TAC marketing fall? It is because the Labor government has taken half a billion dollars out of it in additional dividends over four years. This is at a time when the road toll is the highest it has been at this time of year in a decade, and all while the Treasurer and the Premier are stripping money out of the TAC to fill a budget black hole of their own creation. That is absolutely appalling, and it is putting lives at risk.

The West Gate distributor — remember? — the one road project that Labor did take to the election, is of course one it has not gone ahead with at all. It promised: 'The West Gate distributor is going to cost \$500 million'. It scrapped that within about a month of coming to office, and we now have a \$4.5 billion western distributor, which apparently motorists will have to pay for with extra tolls for the next 10 to 15 years, and apparently the federal government has to pay for — but how much money is the Labor Party putting in?

**Ms Ryall** — None!

**Mr M. O'BRIEN** — Zero! This is a government that not only cannot cost its own policies but always expects everyone else to pick up the slack. It expects taxpayers, motorists, the federal government — everybody — to pick up the slack of its inability to cost its policies, everybody except for itself.

What about the greatest costing fraud of all? Do we remember the leader of the Labor Party, the now Premier, on the Neil Mitchell program being quizzed about what it would cost to rip up the east–west link contract saying, 'It won't cost a cent' and, 'The contract is not worth the paper it is printed on'? Well, that is a \$1.1 billion fraud that this Premier, this Treasurer and this government have perpetrated on the Victorian people.

When you look at *Labor's Financial Statement* you see it has 'Tim Pallas, MP, Shadow Treasurer' and 'Robin Scott, MP, Shadow Minister for Finance' signing it off. Well, you might say, 'They are Labor politicians; what do you expect?'. But then you see that it goes on and there is also a panel of review and there is Professor Bob Officer and James MacKenzie. I can only say that those two gentlemen must be feeling absolutely sick to their stomachs that they put their names to such a dodgy —

*Honourable members interjecting.*

**Mr M. O'BRIEN** — A dishonest and dodgy set of costings. I suppose James MacKenzie can always salve his conscience by the fact that he is now Labor's man for all seasons. He has been appointed as chairman of the Victorian Funds Management Corporation and he has been appointed chairman of different arts centres and arts boards by this government. But he put his name to these Labor costings — ones which have proven to be completely and utterly wrong. How James MacKenzie and Bob Officer did not see that is, frankly, beyond me and it is beyond the public of Victoria. I am afraid that it is very much not their finest moment in public life, having put their names to such a disgraceful, dishonest and dodgy set of costings.

We look at this bill with a great deal of scepticism because we know that Labor killed off a Parliamentary Budget Officer when it had the chance to vote for one in 2014. We know that its own costings do not hold water. Now that Labor is in government with the resources of government, we need to take a very, very close look at what Labor is proposing.

There are a number of concerning aspects of this bill. This bill seeks to establish a Parliamentary Budget Officer to be appointed by Governor in Council on the advice of the minister, which must be on the recommendation of the Public Accounts and Estimates Committee (PAEC). The appointment must be for a term of between four and eight years; however, no Parliamentary Budget Officer can be in office for more than nine years in total. The bill provides that the PBO is an independent officer of the Parliament. Any removal of the PBO for misconduct must first be recommended by PAEC but also must be agreed to by both houses of Parliament. The PBO, according to the bill, may hire staff and consultants, and a general obligation of confidentiality applies.

On that point, when you look at what this current bill provides for in relation to confidentiality you see it is qualitatively quite different from what the former coalition government's PBO bill provided for. This

confidentiality provision in the Labor government's bill, I suggest, is much weaker. Under the coalition's proposal, clause 15(5) of the Parliamentary Budget Officer Bill 2013 provided that:

In making a request to any person (other than the parliamentary leader concerned) for information for the purposes of preparing an election policy costing, a PBO officer must, as far as practicable, not disclose any information regarding the election policy that is the subject of the costing or the identity of the parliamentary leader who made the election policy costing request, other than information that is in the public domain.

That is a very strong provision. It would have enabled parties, particularly non-government parties that sought to use the PBO, to have some level of confidence in submitting a policy for costing by the PBO, and where the PBO has to engage with government agencies or government departments, that there is an obligation to not disclose the identity of the leader who submitted the policy or indeed aspects of the policy other than what is strictly necessary to assist with the costing process, and that is vital.

In fact the Treasurer himself, when he was the shadow Treasurer and argued against the coalition's 2013 bill, made the point that it is fair enough for oppositions to be worried about the interplay between government bureaucracies and ministers. So the Treasurer himself, when he was arguing against the PBO — before he argued for it — was saying that one of his concerns was that non-government parties do have a well-founded concern that if the bureaucracy knows about opposition policies, this information will be transmitted back to government ministers.

But if that is a genuine concern — and I think it is a reasonable position to take — why has the Treasurer now withdrawn those very specific and strong protections for confidentiality that applied in the coalition's bill and put in a half-hearted, weak confidentiality regime in this bill today? You can only suggest that it is because this government is trying to set this up with poison pills to enable it to use the PBO legislation to attempt to find out what other parties are doing through the PBO costing process. What other explanation could you have for weakening a confidentiality regime? There is none. The Treasurer's own words in that 2013 bill debate come back to haunt him.

The bill provides that the PBO, in consultation with the Public Accounts and Estimates Committee, must prepare an operational plan each financial year which is laid before the Parliament, and the PBO must also establish and publish protocols for policy costing and advisory services, and that seems to be not

unreasonable. The bill provides that the PBO may establish arrangements with public sector bodies for access to information to assist with costing. The PBO may also request information from the head of the public service body, which must be provided unless the head believes it is not practicable, or is unlawful, prejudicial to national security or would require disclosure of confidential commercial information.

I think these matters need to be teased out a little more. We know that the government has broken its promise to allow consideration of bills in detail in the Legislative Assembly, so I put on notice now that these are matters that we will certainly be testing the government more on when this bill reaches the other place. The other place does actually allow for consideration of bills in detail, unlike the way the government is operating in the Legislative Assembly in relation to these matters.

The bill provides that each occasion that a request for information by the PBO is declined by a public service body head is to be reported in the PBO's annual report. That would seem to be a reasonable measure to provide some level of accountability where particular public service body heads are consistently declining to assist the Parliamentary Budget Officer. The bill provides that a public service body head may request that material provided to the PBO be kept confidential and may advise that material sought is subject to cabinet confidentiality.

What is not entirely clear from the bill is the extent to which cabinet-in-confidence material can be provided to the PBO as long as the fact of it being cabinet in confidence is not subsequently published through the costings process. Again, this is something which we will be testing the government on in the other place in relation to the extent to which cabinet-in-confidence material will be made available to the PBO to assist with the costing process and how in practice the confidentiality provisions in relation to cabinet-in-confidence material will translate to what information can be conveyed through a policy costing.

Under this proposal the government says that the election costing period starts on budget day of an election year and concludes at 5.00 p.m. on the Tuesday before the election, and during this period election costings take precedence over other work of the PBO. I make the point that while the federal Parliament has a year-round PBO operating, New South Wales, which is the other state jurisdiction with a PBO, has it operating at election time only. The government has decided that it wants to have the more involved version — the longer lasting version, if you like — that operates year round. I think there are policy arguments that could be

had over that, but we accept that that is the position the government has taken; we do not think it is necessarily inherently better or worse. As members would be aware, the coalition's proposal was for a PBO operating around election time, which is pretty much how the New South Wales Parliament's PBO also operates.

One thing I note is that the bill provides that the election costing period concludes at 5.00 p.m. on the Tuesday before the election. Now, that has consequences in this bill because it means the ability of the PBO to publish election costings is limited. It cannot publish an election costing after the election costing period. It cannot do it after 5.00 p.m. on the Tuesday before the general election. When the coalition put its bill forward in 2013, it provided essentially for the period to conclude at 5.00 p.m. on the Thursday before the election. It provided that additional two days for parties, which may include government, opposition or minor parties, to use the PBO and have costings published by the PBO.

Indeed when you look at when Labor issued its own costings before the last state election, you see it issued them on the afternoon of the Thursday before the election. We had been calling for Labor to issue costings. We had submitted costings to Treasury. The Greens party had submitted costings to Treasury. Even the Sex Party had submitted costings to Treasury. The one party that refused to go anywhere near Treasury was the Labor Party, and it snuck its costings out on the afternoon of the Thursday before the election, perhaps coincidentally a day when the attention of the nation was focused elsewhere on the tragic death of Phillip Hughes, the cricketer.

What I find extraordinary is that the coalition's bill provided for the election costing period to end at 5.00 p.m. on the Thursday and Labor itself issued its policy costings on the afternoon of the Thursday before the election. But this bill provides for the election policy costing period to end at 5.00 p.m. on the Tuesday before the election. Do as I say, not as I do — that is absolutely typical Labor and Labor hypocrisy at its worst. Labor now sets a standard that it was not prepared to meet itself. Thursday was fine for Labor, but now that it is in government apparently it has to be moved back to Tuesday. That is not something that we believe is appropriate in any way whatsoever.

The bill provides that a parliamentary leader or nominee may request the PBO to prepare a costing of a policy. A leader may also withdraw the request up until the costing is publicly released by the PBO. We have a number of concerns about this bill. One of those, and it is the key one, because I referred before to poisoned

pills in this bill, is something which is just dodgy Labor hypocrisy writ large.

When you look at the coalition's 2013 bill, you see that clause 27 provides:

- (3) In preparing an election policy costing, the Parliamentary Budget Officer must—
  - (a) use the financial information and economic and other assumptions contained in the financial report or budget update most recently released under Part 5 of the **Financial Management Act 1994**; ...

When you go to the commonwealth Parliamentary Service Act 1999, which establishes the commonwealth PBO, section 64E provides:

- (3) In performing his or her functions under subsection (1), the Parliamentary Budget Officer must use the economic forecasts and parameters and fiscal estimates contained in the most recent relevant reports released under Parts 5, 6 and 7 of Schedule 1 to the *Charter of Budget Honesty Act 1998*.

When you look at Labor's bill, what does it provide? Labor provides — and this is in a number of different clauses, but I will use one:

- 37(3) In preparing an election policy costing, the Parliamentary Budget Officer must—
  - (a) use the financial information and economic and other assumptions contained in—
    - ...
    - (ii) a more recent financial report or budget update that has been prepared, but not yet released, under Part 5 of the **Financial Management Act 1994**; ...

So where the government, because it is Treasury that produces these financial updates, is aware that there is new financial information but no-one else is aware of it — the public is not aware of it, the opposition is not aware of it, minor parties are not aware of it, Independents are not aware of it and Parliament is not aware of it — the PBO needs to use unpublished information that the government knows about and nobody else does. What an absolute rot! What a scam! What a disgrace!

This is not about trying to level the playing field. This is about trying to hamstring every other runner on the track. That is what this is about. This is dishonest, and it is nothing less than dishonest. Why would the commonwealth PBO provide that the PBO must use released reports? Why would the coalition's bill in 2013 provide you must use released reports? But Labor

says, ‘No, no — use reports that are unreleased. If they are unreleased — and we know what is in them and nobody else does — they are the ones you have to use’. What an absolute rort! What a rort, Acting Speaker.

There are a number of other grave concerns we have with aspects of this bill. One is in relation to confidentiality. Clause 55 of the bill prohibits a person from publishing particular information unless the PBO consents. Information as defined includes draft costings and correspondence with a PBO officer. It appears under this clause that the member or the leader who sought the information from the PBO and corresponded with the PBO about it cannot release their own correspondence. So if the PBO releases costings which a parliamentary party leader might disagree with or might have had a dispute with the PBO about and the leader wants to release the correspondence publicly to explain what it put to PBO, that cannot be done unless the PBO consents. The way the clause is structured it actually requires that the PBO cannot consent unless the officer is satisfied that the publication is necessary to assist in explaining a policy costing. If a parliamentary party leader says the PBO has got this wrong and wants to prove that the PBO has got this wrong, they will want to release their correspondence with PBO to show that the PBO has got it wrong. Where is the PBO’s incentive to allow that correspondence to be released? This is rorting.

There are a number of other grave concerns that we have with these matters. The bill provides that after the election every parliamentary party’s policies must be costed and released by the PBO. In announcing this legislation, the Treasurer said:

It will maintain the highest standards of confidentiality and integrity, only releasing policy costings with the permission of the party or member that requested them ...

Well, that is actually not the case, because under this bill after the election all parliamentary party costings are to be released by the PBO. So even if a party does not use the PBO, the PBO is still obliged after an election to release them. So much for saying, ‘only releasing policy costings with the permission of the party of the member or member that requested them’. You have to query the utility of releasing policy costings after an election, particularly policies of parties that do not form government.

While the coalition’s 2013 bill defined materiality as being in accordance with the relevant accounting standard, Labor’s bill defines it in clause 3(2) as ‘in accordance with the Parliamentary Budget Officer’s best professional judgement’. No explanation whatsoever has been offered for this change.

The PBO is required to cost in its post-election report policies of each parliamentary leader that were publicly announced before the date of the general election. How do you actually determine that? Is a comment in a talkback radio interview a policy announced by a leader? There are many real flaws with, concerns about and potential rorts under this legislation. The coalition will take the time in the other place to go through it clause by clause and ensure that the sort of rorting that Labor is trying to perpetrate will not stand.

**Mr BROOKS** (Bundoora) — Labor members are very proud to be able to stand up and support this bill. Some two and a half years, at least, out from the next election we have a government that is prepared to put in place a properly constituted Parliamentary Budget Office so that all members of Parliament are able to put forward policy proposals to be carefully and independently costed. Under this bill that will be done by an independent body. It will not be done by people seconded from the Department of Treasury and Finance (DTF) for a temporary period of time but by people that will be engaged under this legislation by the Parliamentary Budget Officer. I think that is a great thing.

What we have just heard from the shadow Treasurer really does underscore the concern of those opposite about their policies being properly held to account. They fear nothing more than the sunlight of scrutiny being shone upon their policies and costings and having those dodgy costings that they rely on exposed for all Victorians to see. This is a good bill. It meets the election commitment that the Andrews Labor government made in opposition to implement this office. All the things we said we would do in terms of the creation of this office are provided for in this bill.

It is actually a really important thing to improve the standard of policy debate in this state, because I think when all members of Parliament have the ability to have things properly costed, to get advice on policy issues, to have some sense of certainty that the discussions they have will not be released to other parties, to go in confidence to have those things tested and costed and have information provided, that is a good thing for all members of this place and it is a good thing for public policy in Victoria. I think those opposite should be applauding this move, particularly given the shabby process that we have seen over the past years in terms of where we have seen the debate on the creation of this particular office go to.

The previous speaker mentioned concerns about confidentiality clauses. I read through the bill, and in particular clauses 19, 20 and 55, and I think they deal

quite adequately with confidentiality and stand in contrast to the provisions of the bill that those opposite brought in when they were in government. I think one of the key things around having confidence in this body and confidence that any non-government member of Parliament can raise issues with this body and have some sense that those discussions, the issues they put forward and the documents they hand over are not going to be released to the government of the day, their political opponents, is that you do not have people working basically for DTF. Under the bill that the Liberal and National parties put forward last time, people who answer to the Secretary of the Department of Treasury and Finance, people who answer in effect to the Treasurer — would be costing the work of the Treasurer's political opponents.

This is something the member for Box Hill criticised back in November 2010 in a media release that he issued. It says:

There's nothing independent about Labor getting public servants to write Labor policies, cost Labor policies and then certify Labor policies.

He was referring to the then Labor government.

Treasury in Victoria is part of a public service ...

He called it politicised and said that it was under the government's thumb and that it was nonsense to claim that it was truly independent and able to treat all parties equally.

Back at that stage the member for Box Hill realised that putting people from DTF in charge of the independent costing process was the wrong thing to do, but what we saw when the coalition came to government, after a period of delay and of it trying to draw this out because it did not want to actually implement this legislation, was that it did exactly what it said Labor should not do — it introduced a bill into this place that would have put DTF in charge of this. So those opposite have no credibility when it comes to the creation of the Parliamentary Budget Office.

As I said, this office will be a good thing for all members of this place — it does not matter whether they are a member of the government, of the opposition, of the minor parties or an Independent. This is a good bill, and it will mean we will have a more informed policy debate as we go forward.

The lead speaker for the opposition highlighted a number of concerns that he has about Labor policies and their costs. He described Homesafe as a waste of money. I think Homesafe is a great policy that provides for people, particularly young people and shift workers,

public transport operating late at night so they can get home on weekends. That is a fantastic policy, not a waste of money.

In terms of the budget blowouts that the member for Malvern mentioned, I would remind him that policies under his government blew out in cost. The protective services officers rollout blew out in cost. East–west link, which we are all only too familiar with, was a project that was budgeted at \$6 billion to \$8 billion, and we now know that it cost, under the government of those opposite, \$11 billion for the first stage. That was a massive blowout, and those opposite were very keen to turn a blind eye to their own budgetary failures.

Of course that is why we saw the secrecy around east–west link and why the Auditor-General found that the member for Malvern kept the side letter secret. The Auditor-General found that the process was based on flawed advice. So those opposite, who were happy to accept flawed advice and rush these things through ahead of an election, are now embarrassed by their failures. They have flip-flopped on this particular piece of legislation so many times it is hard to keep track on what their actual position is, but the Andrews Labor government is certain that this is a good bill that will provide for advice to be given to all members of Parliament.

If you look back at the Liberal Party and its costings processes, it is easy to see why that party fears transparency and accountability in these sorts of things. We remember back in 2006 the \$285 million black hole that blew the Liberals' election campaign out of the water. We remember the 2010 campaign when the then shadow Treasurer, the member for Rowville, used a suburban accounting firm — one of his lunch buddies — to get his party's costings done. As part of those costings, a relevant statement was made that the Liberals guaranteed in 2010 there would be no cuts to public servants if the Liberals came to government. Of course we saw what happened when they did come to government; there were massive cuts to vital services in Victoria. It is quite obvious that the Liberals cannot be trusted in any of these matters.

When you compare the bill that the then government, the Napthine government, brought to Parliament on this topic with the bill we have before us today, it is very easy to see that this is a superior bill, one that provides more accountability and one that I think this government should be commended on bringing to the house.

On the issue of who can access the Parliamentary Budget Office to obtain information, the bill put

forward by those opposite in 2013 provided access for parliamentary leaders only. I think that was wrong. I think all members of this house should be able to make use of an officer of the Parliament in this regard, and that is what this bill provides for. In the bill that those opposite brought to the house, the Parliamentary Budget Office was established from only 1 July in an election year, so people had only a few months to get policies costed, whereas this bill gives people years to work up their policies — to develop carefully thought-through policies. It is a good thing if people on all sides of the house are able to get their policies right, because that can only lead to better policy outcomes for the people of Victoria.

The Parliamentary Budget Office proposed by the previous government was available only to parliamentary leaders to cost election policies during that short period. This bill allows people to get not only costing advice but also relevant technical advice, so again it will help to provide better policy information to provide for better informed policy debate in Victoria. Of course under the Liberals' bill, the Parliamentary Budget Office would have been prevented from accessing key costing information that had gone to cabinet, effectively blocking out important information that was relevant to costings. This bill provides that access to the Parliamentary Budget Office so we are going to have better informed policy costings from this office.

This is a much superior bill to the one that those opposite brought to this place. It is consistent with the commitments that Labor made prior to the election. It removes the political game-playing and flip-flopping that we saw from those opposite over a number of years. It is a good bill because in the political context we are in now we are going to see members on the opposite side of the house — members of the Liberal and Nationals parties — held to a much higher degree of scrutiny than they have been in the past. I think that is why they are squirming so much about this bill. They know that the heat is going to come on; they are shaking, I can see a member opposite shaking in his boots. Their policies also will be subject to a much higher degree of scrutiny in terms of their financial commitments, and I think that is a good thing for the state of Victoria.

**Ms SANDELL** (Melbourne) — The Greens strongly support the establishment of a Victorian Parliamentary Budget Office. The establishment of a PBO will give Victorian voters information on the financial impact of each party's election promises, and that can only be a good thing for our democracy. We in the Greens are looking forward to having our policies

costed, because taking action on climate change, protecting our native forests, investing in public transport, building new clean energy and investing in health, education and social justice programs is economically responsible.

The Victorian PBO will be a full-time office, with different duties during election periods than at other times. It will create policy costings on request before an election, but after the election it will provide a report on the costings of all the policies a party announces that have an impact on the budget. We believe these activities will make it much easier for voters to understand what they are being offered by each party at election time, which is a really good thing.

There are four key elements that the Greens consider essential for the success of a PBO, and we are pleased that through our discussions with the Treasurer these have been incorporated for the most part in a way that we think will make the PBO quite workable. I will just outline those four elements. Firstly, the Parliamentary Budget Officer must be an independent officer of the Parliament, which that person will be. We are happy with that. Secondly, the PBO must be able to get the information it needs to do its job. It seems to us that the Victorian PBO will have similar information-gathering powers to the commonwealth PBO, which from all accounts seems to be working quite well. We do have some questions about the commercial-in-confidence provisions and also cabinet documents. We have some concerns that information could be unreasonably withheld from the PBO due to these provisions, and will be asking some questions about that when the bill goes to the other place.

The third element is whether the PBO should be able to release costings automatically during an election period to avoid a political party hiding the truth of its costings from voters. We support the automatic release of costings, and my commonwealth colleagues have made statements to that effect. We definitely do not want a repeat of the 2013 federal election to play out in Victoria, when former Prime Minister Tony Abbott claimed PBO authority for his costings but did not actually release them. This misleads the public. The PBO automatically releases costings after the elections, as we have heard from previous speakers, which is good.

But what we have seen at the federal level is this threat of release after the election does not seem to be enough to compel political parties to release their costings prior to the election when it actually matters and when voters actually have enough time to make up their minds about whether the parties can be trusted on the financial

impact of their election promises. We would prefer that costings be automatically released before an election, but we are willing to see how this legislation works. Hopefully the government can review it after the election to make sure political parties in Victoria are not doing what Tony Abbott did during the 2013 federal election.

The final element that the Greens considered when looking at this legislation was whether MPs would have access to the PBO, including Independents and smaller parties that do not have recognised leaders. This bill shows that they will, including during an election period, which we are very pleased about. This can only be a good thing for democracy in Victoria. We think all political parties should be subject to the same level of scrutiny and also have the ability to cost their policies on a level playing field, even if they do not have access to the large resources of government departments.

I can assure voters that the Greens will make very good use of a Victorian PBO. Our track record with the commonwealth PBO shows how a PBO can foster a really constructive and well-informed policy debate. For example, just last week, on 19 March, Senator Hanson-Young, a Greens senator from South Australia, released a PBO costing of the Greens' policy of closing down the detention camps on Manus Island and Nauru — —

**An honourable member** interjected.

**Ms SANDELL** — What does it have to do with the PBO? Maybe the member for Melton and other members — —

**The ACTING SPEAKER (Mr McCurdy)** — Order! I ask the member for Melbourne to direct her comments through the Chair and to not listen to and respond to interjections.

**Ms SANDELL** — It has to do with the PBO because it is actually about the PBO, if members were listening to the speech. Senator Hanson-Young was responsible for releasing a policy regarding the closure of detention camps on Manus Island and Nauru and instead holding people in community detention on the mainland while their claims for protection are assessed in Australia. The commonwealth PBO showed that this policy would save about \$3 billion over the forward estimates and \$8.5 billion over the next 10 years. If that is not economically responsible, and morally responsible, I do not know what is.

Last December Adam Bandt, the federal member for Melbourne, much of whose electorate my seat covers, released a PBO costing that showed that the axing of

four sets of unfair tax breaks for high-income earners and big mining companies would generate — wait for it — \$37.6 billion in additional revenue. He was able to demonstrate through this PBO costing an alternative to what we have seen from successive governments, which is cutting services or putting more unfair taxes on poorer people — for example, through the floated idea of a bigger GST. He also showed that farmers could be protected from any cuts to fuel credits.

In another example, in June last year Senator Ludlam from the great state of Western Australia announced a PBO-costed policy to remove negative gearing from new investment properties, a policy which the Greens have held for many, many years, and it is lovely to see that the Labor Party is getting on board with it and stealing one of our policies. Negative gearing is warping the housing market for first home buyers, and the money that we could save from axing negative gearing could be invested in social and public housing, something which in Victoria is so sorely needed and something that I have spoken about many, many times.

**Mr Nardella** — You should be in government.

**Ms SANDELL** — The member for Melton says we should be in government, and I wholeheartedly agree. We have got some seats here that are just waiting for the members for Brunswick, Richmond and Northcote to occupy.

**Mr Nardella** — Labor seats, that's what you want.

**Ms SANDELL** — We want Greens seats; that is what we want.

**The ACTING SPEAKER (Mr McCurdy)** — Order! The member for Melton!

**Ms SANDELL** — The costing to remove negative gearing showed the reform would save \$2.9 billion over the forward estimates, enough to build 14 500 new homes for the most vulnerable Australians on social housing waiting lists, with no impact on low and middle-income Australians. This costing also included direct funding for 7000 new homes to be constructed, which would lead to more employment in the construction sector and boost innovation in the modular housing sector — so a win all round, I would say, on that policy.

In August last year, the Greens released PBO costings of three models of reform for capital gains tax. They showed savings of \$74 billion over the next 10 years, rising to \$127 billion when the negative gearing reforms are also made.

**Mr Hibbins** — Economically responsible policies.

**Ms SANDELL** — That is right — good, economically responsible policies.

After the last federal election the Commonwealth PBO released a report that actually showed the Greens' suite of fully costed policies were economically responsible. Had they been fully implemented, those policies would have improved the nation's fiscal position by \$400 million and also ensured we were treating people seeking asylum humanely, acting on climate change and providing the housing and services that people actually need.

The Greens' federal election policies included some significant spending — for example, raising Newstart and payments for single parents, introducing universal dental care, expanding the paid parental leave scheme and providing additional childcare assistance, as well as all the other policies of the housing policy that I talked about. These commitments to spending would be paid for through our package entitled Resourcing a Caring Society. It includes increasing the minerals resource rent tax, a levy on the huge profits of the big four banks, ensuring people who earn over \$1 million a year pay their fair share of tax and abolishing the ridiculous fuel and coal subsidies.

We can afford to be responsible in every sense of the word. We can treat the most vulnerable Victorians with respect by providing the services that they need to live with dignity, which successive governments have not provided. We can actually take responsibility for passing on a stable climate to future generations — now, not when it is already too late. There is greater value in fertile farmland and clean energy than in onshore gas drilling and new coalmines.

The Greens will show through PBO costings that our policies are financially responsible as well as morally responsible, something that other members in this place could learn from. So I look forward to using the PBO to improve the quality of election campaigns and political debates for all parties and for all Victorians.

**Ms EDWARDS** (Bendigo West) — I am very pleased to speak on the Parliamentary Budget Officer Bill 2016. Can I just say the member for Melbourne, as is consistent with the Greens political party, likes to make a lot of commentary from the sidelines and likes to take the high moral ground, but the Greens have never once — not once, not in Victoria and not federally, ever — implemented any policy, because they have never been in a position to do so, because they are indeed a minor party.

This bill has as its overall objective to establish the position of the Parliamentary Budget Officer and create the Parliamentary Budget Office, a commitment that was made by the Victorian Labor Party prior to the last election, and another election commitment being implemented. We are just getting on with it. The Parliamentary Budget Officer will with the support of the PBO have the functions of preparing policy costings and providing advisory services to MPs. It will better inform policy development and public debate in Parliament and in the Victorian community. What it is about is open, accountable government that has a legitimate and well-understood policy to take to the people of Victoria.

This bill does what should have been done five years ago by those opposite. It establishes a well-resourced, credible and truly independent Parliamentary Budget Office. We are getting on with doing it properly. I will go through the differences between what was offered up back in 2013 and what we have before us today. The coalition's bill was only available to parliamentary leaders. Our bill provides general costing advice that is available to any MP from any party. With the 2013 coalition bill the office is established from 1 July in an election year, then disbanded for the rest of the term.

With our bill it will be a permanent office of the Parliament, similar to the Auditor-General's Office — an ongoing office. Under the coalition there were no explicit confidentiality protections for draft costings, communications or between the PBO and MPs. Under our bill clause 55 establishes strict confidentiality requirements for communications between MPs and the office. Under the coalition, the office is only available to cost election policies during the six months leading into an election — surprise, surprise! Under our bill it will be available permanently to all MPs to cost draft policies and to provide technical financial and fiscal advice.

Under the coalition the PBO would have been prevented from accessing key costing information that had gone to cabinet. Under our bill the PBO will be able to access all information necessary to conduct its role effectively. There are vast differences between what was put forward to this house back in 2013 and what we have before us today.

We could not support that bill back then for the establishment of the Parliamentary Budget Office introduced by the coalition because it did not incorporate a permanent office staffed by public servants empowered to be frank and fearless in their advice and protected from any adverse impact upon their employment for undertaking this vital task. There

were many other reasons why we did not support that bill, but we have made some significant changes, and what we have before us today is a very important bill.

The ongoing position of the Parliamentary Budget Officer is created, as I said, as an independent officer of the Parliament, with the powers of a department head of the Parliament. It is established under the Parliamentary Administration Act 2005 as an ongoing administrative officer of the Parliament, with an office staffed by employees and contractors engaged by the officer.

The officer and the PBO are empowered to provide policy costings and advisory services to MPs, with priority given during election costing periods to costings of election policies on request by parliamentary leaders. The officer is empowered to obtain from the public sector documents any information necessary to undertake these responsibilities, with appropriate protections for confidentiality. The officer may only publicly release costings on request by the MP concerned.

These are important proposals put forward in this bill, and I think we are fulfilling what we said we would do. It was our election commitment. It is very consistent with the government's commitment overall to improving public sector accountability across the board and to promoting better informed public discussion.

Members opposite have been criticising this bill, saying it would be more expensive than a temporary PBO, but what we know is that it will actually provide a much more extensive service than was previously put before this house. I heard the Greens party talking about the commonwealth PBO. Unlike the commonwealth's position, the Victorian Parliamentary Budget Officer can only respond to requests by MPs and does not have power to initiate his or her own analysis, but it is the responsibility of MPs to make best use of the resources of the officer and the PBO. Of course, without access to commercial-in-confidence documents and information, the officer and the PBO may not be able to undertake some costings. But this restriction does not necessarily mean that it applies to all commercial information, only to information which, if disclosed, would be likely to expose a business unreasonably to disadvantage.

This bill has come into the house today after considerable consultation. I notice that the Victorian Greens party members are supporting the bill. That is because we actually had extensive consultation with them before this bill came to the house. We have also had consultation with the departments through the circulation of the draft policy paper, to which there were many respondents, and of course with the keeper

of the public records, the clerks of each house and the Secretary of the Department of Parliamentary Services, each of whom has specific responsibilities under this bill. So there has been extensive consultation on this bill.

**An honourable member** interjected.

**Ms EDWARDS** — That is right: it is only Labor governments that enter into significant consultation with stakeholders when they introduce bills.

There has of course been public commitment by Labor to establish an ongoing PBO since before the last state election. I will just go through some of the time line around that, because it is important to note that this has been ongoing for some time.

The 2016 bill before us actually fixes the deficiencies that were in the former coalition's failed 2013 bill. It will be a standing body and accessible to all parties and individual members through the full term of the Parliament. It will be staffed by fully independent professionals, like economists and researchers, and it will remove the potential for conflicts of interest. It will maintain the highest standards of confidentiality and integrity, as I said earlier, on releasing policy costings, with the permission of the party or member that requested them, but will be able to publicly correct misrepresentations of its work.

The Parliamentary Budget Office's main role will be to prepare election policy costings at the request of the parliamentary leaders and general costings and advice at the request of MPs. However, it will also be available to provide technical assistance to members on matters of fiscal and financial policy. The PBO will compile and release a report on the aggregate costs of the election commitments of each party within two months after an election. This has never been seen before in Victoria. This is something new. This is something completely different. It is open, it is accountable government, and it gives every MP the opportunity to put forward their own costings. It gives every party the opportunity to put forward their costings and have them evaluated and assessed to make sure they stack up.

Just on that note, I did have a time line here, but unfortunately I have misplaced it, so I will end my contribution here. I commend the bill to the house.

**Mr CLARK** (Box Hill) — This is a bill about establishing a Parliamentary Budget Officer, and there is agreement around the chamber that we should have a Parliamentary Budget Officer. The question before us is what form should the Parliamentary Budget Officer regime take? The reason that is important primarily is

to give assurance to voters in the run-up to an election about the accuracy and affordability of the election policy costings that political parties put forward. A secondary objective of the bill that is before us is to provide an ongoing research and advice provision capacity for members of Parliament.

A graphic demonstration of the need for the independent costing of election policies on a fair and impartial basis is given by the record of the Labor Party in successive parliaments. First of all, of course, we saw the dodgy regime that was established by then Treasurer Brumby that sought to stack all the cards in favour of the government and that provided that once a political party had submitted policies for costing to Treasury, those costings would automatically be released, whether or not the political party concerned was satisfied with those costings, agreed with those costings or wanted to commit to the policy once it had an assessment of what the costs would be. That model was deliberately set up by the then Treasurer to make it unworkable for any party other than the government party.

It was a regime that the coalition rightly refused to cooperate with when it was in opposition. We committed to establishing a genuine Parliamentary Budget Officer regime that would be genuinely independent of government and would not have the deck stacked against parties so as to ambush them. We put a huge amount of effort into developing such a bill in the previous Parliament, and we brought it to this house. I was the minister responsible for it, and I extended every opportunity to the opposition spokesperson, then shadow Treasurer and now Treasurer, to engage with me and listened to the points that he wanted to raise, seeking to have a bill that could be accepted and respected by both sides of the house. I have had experience on both sides of the house with these matters, and my determination and the determination of the coalition government was to come up with a regime that would be fair to all sides, that we were happy to live with in government and that we would also be happy to live with in opposition.

There was a policy disagreement between us and the Labor Party as to whether that Parliamentary Budget Office should also provide an ongoing capability, a permanent capability, to provide policy advice and costings to MPs and political parties. There was a disagreement about that. Our primary objective, the election commitment that we had made, was to establish a Parliamentary Budget Office that would provide fair and independent costings of the election policies.

The Labor Party wanted it to go further. However, if Labor had been fair dinkum when it was in opposition, it would have supported our bill. Labor could have said the bill should have gone further and could have put forward amendments that we would have been happy to consider, but it should have supported the bill as being a heck of a lot better than what had existed before and a regime that was fair to whichever party happened to be in opposition. But of course Labor did not do that; it combined with the then member for Frankston to vote down and defeat that legislation. Why did Labor do that? The member for Malvern, the shadow Treasurer, earlier today made absolutely clear why Labor voted that bill down: because the last thing in the world the Labor Party wanted was to have fair and independent expert scrutiny of its election policy costings, because its costings would have been exposed as the sham that they were had that been done.

Why is that important? I think we have seen since the election why it is important for the average voter around the state: because had there been fair and impartial costing of policies such as tearing up the east–west link contract, the community would have known what a sham, a fraud and a lie it was to say that tearing up that contract would not cost a dollar. The election outcome may well have been different had people known the truth about that crucial Labor Party policy. No wonder the Labor Party voted the bill down, and no wonder we are so keen to expose Labor's hypocrisy in doing so, because of the terrible consequences that has had for the community in Victoria, not only in scrapping the east–west link but in every one of the other undercosted and incompetent policies the Labor Party brought with it into office.

The issue about this bill now before the house is whether or not it operates fairly for whichever party may be in opposition from time to time. I would certainly recommend to the Labor Party that it looks at this bill not only with the eyes of being in government but in the contemplation that it may well be the party that is in opposition after the 2018 election and that it asks itself whether it would be happy to have this bill — its bill — in place and in operation and applying to it as an opposition party.

There are many aspects of this bill that give rise to concern. The shadow Treasurer has been through a number of them, and I want to amplify on some of them. I start in particular with the new provision about post-election reports. The member for Bendigo West in her contribution a few minutes ago, first of all, said that there was nothing in this bill that requires anything to be — —

**The ACTING SPEAKER (Mr McCurdy)** — Order! Now would be an appropriate time to break for lunch.

**Sitting suspended 1.00 p.m. until 2.02 p.m.**

**Mr CLARK** — The member for Bendigo West said in her contribution that political parties would have complete choice as to whether material went to the Parliamentary Budget Office and that nothing would go to the PBO otherwise — but she then correctly referred to clause 41 of the bill, which provides for the PBO to prepare a post-election report on the policies of each parliamentary leader that were publicly announced before the date of the general election, whether or not those policies were the subject of an election policy costing request. That is an entirely new provision in this bill. It is said to be derived from the commonwealth equivalent legislation, but it opens up a large number of significant new questions that need to be examined and resolved in relation to this bill, because it puts a huge, complex and potentially difficult responsibility on the Parliamentary Budget Officer to actually go around and identify the policies that he or she is obliged to bring into this costing.

The legislation says it is the policies of the parliamentary leader. What if a policy announcement was made for a party by someone other than the parliamentary leader? Is that covered? What about remarks that are made in the course of radio interviews that are nothing more than an answer to a question? What about announcements that have been made and then, like Mr Brumby or others have done in the past, reneged upon by the leader? I will give some examples of Labor promises prior to the last election. As to breath-testing for MPs and judges, is a costing of that going to have to be done? Promises to make consideration in detail a standard part of considering bills in the Assembly — is that a policy that the PBO is going to have to cost? What about the jury sentencing initiative? We have not heard much of that from the Labor Party since it came to office, but how is the PBO going to go about costing that? There are all these complexities in this new initiative, and the policy decision, the implementation and the drafting need to be further considered.

We have an anomaly in the bill in that on the one hand the PBO is required to take account of unpublished financial reports and must use that information, but at the same time other provisions of the bill, in clause 77 and elsewhere, say that the PBO must not include any information contained in such a financial report. Apparently the PBO has got to use it but not include it, which is a pretty fine distinction that we need to work

through. There have been references to clause 55 about confidentiality. That is designed of course to stop information improperly reaching the executive — which is welcome — but does it then gag parties from telling the world about how their policies have been costed? So there are a lot of issues in this bill that have not been thought through. It deserves proper scrutiny, but it is not going to get that scrutiny in consideration in detail here; it will have to be done in the other place.

**Ms THOMAS (Macedon)** — It is a great pleasure to rise to speak today on the Parliamentary Budget Officer Bill 2016. This is a fantastic initiative. It is very interesting to follow some of the contributions that have been made by those opposite. Let us not forget, despite what we have heard this afternoon, that the delivery of this initiative was something that was promised by members on the other side of the house more than six years ago, and it is something that they comprehensively failed to deliver. I will go into that in some detail in a moment, but I would like to make this point: this fantastic bill is one that will significantly contribute to the quality of public policymaking in this state.

Let me make this point also: should the quality of the woeful contributions of those on the other side not lift, it will not be because of anything that the government has failed to do. This bill will provide an opportunity to those on the other side of the house to be able to present better and fully costed public policy propositions in this place and therefore to contribute to the quality of public policy debate in this state. As I said, if the quality of debate in this place as delivered by those on the other side of the house does not improve, it will not be for a lack of us trying to lift it.

The story of how this bill has arrived in this house today is an instructive one. I might say that it highlights a couple of truisms. The first of those truisms is that the Liberal Party can talk all it likes about increased transparency and its commitment to delivering on increased transparency, but history will show time and time again that it never delivers and it can never be trusted to deliver. Only Labor is interested in well-informed public policy debate, in delivering on the commitments that it has made to the people of this state and delivering on commitments that are in the best interests of all Victorians.

On my first point, that point being that you can never, ever trust the Liberal Party to deliver increased transparency, let us look at the history of the bill before us today. Back in November 2010 a commitment was made by those on the other side of the house to ‘establish a truly independent parliamentary budget

office'. What do members think happened as a result of that commitment that was made back in November 2010?

*Honourable members interjecting.*

**Ms THOMAS** — Absolutely! Thank you very much to the members for Sunbury, Essendon and Melton. They are all correct. Absolutely nothing happened for three years. It was not until September 2013 that, sick of the inertia from those on the other side, sick of the absence of any policy movement and sick of the policy paralysis seen on the other side, the then Labor opposition attempted to introduce a private members bill to give effect to the coalition's own election commitment to establish an independent Parliamentary Budget Office.

But what did the coalition do? It would not allow the bill to be introduced into the house. Despite it being their own commitment, those opposite did everything in their power to stop it being delivered. Indeed we have seen that in the contributions that have been made to date. This was the coalition's very own initiative, and yet here in the house today it is not good enough. Those on the other side of the house will find every obstacle possible to stop delivering anything that will amount to transparency in this place.

In September 2013, as I said, we tried to get some action and movement from those on the other side, and it did work to some extent because in October the then coalition government finally released a discussion paper. It was about the creation of the Victorian Parliamentary Budget Office. The discussion paper proposed a PBO that would operate only as a temporary body from 1 July during election years. Well, that is pathetic. What is the point? If you are going to do something like introduce a Parliamentary Budget Office, you have got to do it properly. Only Labor can be trusted to deliver a well thought out, comprehensive Parliamentary Budget Office, and that is exactly what this bill that we have in front of us today does.

I talked about this commitment that was made by those on the other side back in November 2010, and I am reminded of another commitment that was made at that time. I know that a number of members will remember that commitment. It was a commitment to establish an independent panel to assess government advertising. Let me tell members a little bit about this. This was back on 31 December 2009, and I quote from an article headed 'Baillieu pledge to end political ads':

A new independent watchdog will crack down on politically motivated, taxpayer-funded government advertisements if the coalition wins next year's state election.

Under the Liberal policy, designed to save tens of millions of dollars a year, a panel comprising retired judges, former public sector auditors and senior academics would be charged with assessing all proposed campaigns.

The panel would have the power to disallow or demand changes to ads deemed to be inappropriately using public money to promote the government of the day.

**Mr Morris** — On a point of order, Acting Speaker, the member on her feet only has 2 minutes left. Perhaps she may wish to return to the bill rather than talking about ancient history on a range of matters that relate in no way to this bill.

**The ACTING SPEAKER (Ms Ward)** — Order! I ask the member to return to the bill.

**Ms THOMAS** — I am making a point that time and time again those on the other side of the house will make election commitments, as they did to establish a Parliamentary Budget Office, and they will fail to deliver on those commitments. They made a commitment to implement this high-level panel to assess government advertising, and what did they do with that commitment? They did absolutely nothing. They failed to deliver on that commitment. They were publicly shamed for their failure to deliver, but that did not seem to concern them. They wilfully failed to deliver.

**Mr Morris** — On a point of order, Acting Speaker, it appears the member for Macedon is having trouble filling her time. Again she is defying your ruling and returning to a subject which is not part of this debate or part of this bill.

**The ACTING SPEAKER (Ms Ward)** — Order! It is my understanding that the member is going to go back to the bill.

**Ms THOMAS** — I stand here today proudly as a member of the Andrews Labor government, a government that is delivering on each and every one of its election commitments, unlike those on the other side.

Establishing the Parliamentary Budget Office is a fantastic initiative. It will improve the quality of debate in this house. It will ensure better information for members of the Victorian public when making their decision about which way they will cast their vote. It really will be quite transformative. I want to commend the Treasurer for this fantastic bill.

**Mr MORRIS (Mornington)** — That was a very good example of the adage 'never let the facts get in the way of the argument'. That was certainly one of the

lighter weight contributions I have heard in this place. I must say I do have a sense of *deja vu* because we were debating a similar bill — but in fact a much better bill than this, on this very subject — back in February 2014. That bill, of course, went down. It went down on the vote of then members of the opposition, now of the government.

*Honourable members interjecting.*

**Mr MORRIS** — I think there are one or two in here who were actually part of that opposition, but most of the chorus that we have in here were not part of that discussion. If they had the wit to read *Hansard*, they would in fact find out that there was a bill before the house and that their party jumped into bed with the member for Frankston and used its numbers to defeat the bill.

The argument that was advanced by the then shadow Treasurer was that because the bill picked up the New South Wales model — a relatively short-term appointment of a Parliamentary Budget Office — then it simply did not go far enough. You would have thought that the sensible thing to do would have been to accept the idea, go along with the legislation, establish the office, get it up and running and then, if you win government, bring in an amending act and simply make it a permanent feature. There is obviously a divergence of opinion on the utility and the expense of doing that, but you would think that would be a reasonable thing to do. But of course the then shadow Treasurer thought, ‘No, the best thing to do is knock it on the head’.

When we have a look at Labor’s financial statement that emanated following the failure of the opposition to support the bill, we can see exactly why. We did not see any mention of the \$1.2 billion blown on the east–west link, for example, in Labor’s financial statement. We did not see any mention of the \$54 million cost incurred with the work value case that has just been completed for ambulance officers. Whatever the merits of those decisions, you would have hoped that both of those things would have been costed and actually put in a statement, but neither of them is mentioned. If you look at the fine print — and it is very, very fine print — you see there are seven notes there that are simply disclaimers. Certainly had a Parliamentary Budget Office produced this document, those disclaimers would not have been there. The population, the voters of Victoria, would have been informed fully of the cost of the opposition’s policies, and hopefully — hopefully from my side, anyway — a different outcome might have ensued. So I think the motivation for the Labor Party to jump into bed with Geoff Shaw and knock

down the Parliamentary Budget Office in the last Parliament was a fairly transparent one.

When the coalition brought in that bill there were two existing parliamentary budget offices — one, of course, in the commonwealth, the Parliament of Australia, and one in New South Wales. Largely they still operate in the same way. I think in company with you, Acting Speaker Ward, and others I had the pleasure of having a conversation with the Parliamentary Budget Office in Canberra some months ago. But in Canberra the process is both inside and outside the caretaker period — outside, to prepare policy costings on request by senators and members, and during the caretaker period to prepare costings of publicly announced policies on request by authorised members of parliamentary parties and Independent members. There is an opportunity to: prepare responses to requests relating to the budget — so better information there; prepare submissions on behalf of committees, a power that is specifically excluded from the bill before the house; and conduct research and undertake other matters.

In New South Wales the process is slightly more circumscribed. It is limited to the preparation of costings of election policies; the release of those election policy costings at the appropriate time — and of course of the appropriate policies, but not necessarily every one that has been costed; and the preparation of a budget impact statement for all costed policies. That means preparing a budget impact statement that is published prior to the election so that the electorate is informed — not after the election, after the fact, as is proposed by this bill. There is also a requirement to publish a pre-election statement of uncommitted state funds, but I understand there is a recommendation to do away with that function because it is found not to be practical.

I thought, given the now Treasurer’s condemnation of the New South Wales model, it might be worth having a look at the post-election report of the Parliamentary Budget Office of New South Wales. In preparing its post-election report it talks to the offices of the Premier, the Leader of the Opposition, various New South Wales departments and agencies, and also the press gallery. To quote the report:

The feedback was universally favourable in broad terms.

The report goes on to talk about some specific aspects: confidentiality; expeditious and accurate costings; and a responsive process. There were 476 costing requests over three months. The bottom line is:

... that the 2014–15 PBO processes were very successful and enhanced NSW's reputation for transparency and good governance.

So it appears that the process actually worked pretty well. There was some discussion about a couple of matters. One is the process that has been adopted there that was not proposed in the earlier bill from the coalition — that is, that the costings process is limited to the opposition and the government and does not include the minor parties. The PBO report says, 'We should not necessarily go to detailed costings for all parties, but perhaps we might do the 5 or 10 highest priorities'. The proposition before the house and the proposition previously put by the coalition is that the service is available to all members of Parliament, and I personally think that is the right way to go.

It is also worth making some commentary about the cost of this office. As we know, Labor's financial statement indicated that the new office would cost some \$11 million over the term of the 58th Parliament. What is it actually going to cost? Who knows, given the accuracy of the other costings that we have seen? But it certainly will not be any less, I would suggest. Hopefully we will have transparency; hopefully the cost of this office will be a separate line item in the parliamentary appropriation, and we will be able to track precisely where the money is going and what the cost is. But in contrast with the \$11 million proposed in Labor's financial statement, on the total cost of the New South Wales Parliamentary Budget Office, according to its *2015 Post-election Report*, it had a budget of \$2.25 million, and it delivered its advice — and I mentioned the great success of the office — for a mere \$837 627.

**An honourable member** interjected.

**Mr MORRIS** — It was an excellent outcome, as the member says, and a good use of money. That is less than 10 per cent of the price that Labor is proposing — less than 10 per cent. In fact it is probably substantially less than 10 per cent of what it is going to cost.

Very briefly in the time remaining I will say that others have identified some of the flaws in this piece of legislation, apart from the obvious ones, and particularly the addition to the parliamentary bureaucracy, but there are some serious concerns that the concept of the post-election report costing a whole lot of policies that are never going to be implemented is a colossal waste of public money.

If you are going to do it, do it before, do not do it afterwards. Of course there are some challenges if a party does not use the PBO to cost its policies — where

does it get the information? There are also significant shortcomings in terms of access to information from the PBO and the access that the government will have but that the opposition in particular, and other parties as well, will not have. The earlier model was a far superior one and I am quite saddened by what has come forward today.

**Mr J. BULL** (Sunbury) — It gives me great pleasure and I am very proud to contribute to the debate on the Parliamentary Budget Officer Bill 2016. This is another bill that delivers on yet another election commitment from a government that does what it said it would do and is delivering for all Victorians. In a members statement just this week I spoke about attending the 40th anniversary of SunFest on the weekend. It is a terrific local event. The members for Macedon, Essendon, Frankston, Carrum, Mordialloc, Clarinda and Cranbourne know that at these events we get a wonderful sense of the pulse of the community: what the community wants to raise with us, the local issues and how the community is feeling about the government.

I think that a few words describe what really cuts through in these conversations — what the community wants and certainly what the community deserves and expects — and they are transparency from government, accountability from government and of course access to government. People want a fair go. I believe that this bill aims to strengthen these pillars by creating a permanent Victorian Parliamentary Budget Officer who will be authoritative, independent and credible. I will mention those pillars later on in my contribution, because I want to go directly to the bill — —

**Mr Edbrooke** — To the heart.

**Mr J. BULL** — To the heart of the bill, member for Frankston, where we can see that the PBO will be an independent officer of the Parliament, with the power to employ staff and engage consultants. The Parliamentary Budget Office will be placed as a separate office within the Parliament and overseen by the Public Accounts and Estimates Committee. It will have a mandate to prepare election costings at the request of parliamentary leaders and prepare general costings and advice at the request of MPs. It will be able to prepare pre-election aggregate reports of costed policies on request of a parliamentary leader and post-election aggregate reports on the election commitments of all parties, and the member for Macedon certainly spoke about this in her contribution.

The PBO will also be able to publicly disclose costings and advice at the request of relevant MPs and will have the power to correct a public misrepresentation of a party's costings and of all advice. It will have the power to obtain relevant information from the Victorian public sector and commercial-in-confidence documents, and it will be exempt from freedom of information requests in relation to costings and advice except where the costing or advice is disclosed. The Victorian public sector will be exempt from FOI requests in relation to documents disclosing PBO requests.

The PBO will give all members access to costings that currently are either very difficult or, as we know in many cases, impossible to find. We have heard a number of contributions today from all sides of the house. I know that the member for Shepparton and I have had great conversations in the time that we have both been here in relation to the difference between being a member of the government and being in opposition and the work that is required as an Independent member. I think it is very easy for members on this side of the house, and opposition members as well, to forget the work of an Independent member. We should not forget the support and guidance that comes not just from the departments but also our staff. As members of Parliament we rely on these people greatly; they do a fantastic job. I think that something like a PBO would be incredibly beneficial for Independent members and members of the opposition. That is an important point.

There is no doubt that understanding these costings processes — essentially how the finances are rolled out and the costings of various policy ideas — is incredibly important to members, and I think it is incredibly important to the communities that we represent. If you cut through much of the feedback — I mentioned the festival earlier, and certainly we hear it at street stalls and those types of things — I think this is what the community wants. They want greater transparency within the Parliament and they want to know that their dollars are being spent wisely.

I want to discuss what those opposite did in relation to their 2013 bill, and in her contribution the member for Macedon certainly did that very nicely. In the context of a number of bills this week and in other weeks in many ways I wish that I had a dollar for every time a bill has come into the house that the former government failed to introduce, did not get right or simply did not enact in time. I would be a very wealthy person if I had a dollar for all those sorts of bills that come into the house.

**Mr Edbrooke** interjected.

**Mr J. BULL** — It would certainly be my shout, member for Frankston. The Parliamentary Budget Officer Bill fixes the deficiencies in the former government's failed bill of 2013. The government's bill does what should have been done three years ago by those opposite. If we look at the key differences and contrast what is up today with what was put up by those opposite in 2013, in the coalition bill the PBO was only going to be available to parliamentary leaders as opposed to our PBO which will provide general costing advice to all members of Parliament. I believe that every member of this house, whether they are in government or the opposition or from a minor party, is democratically elected to be here and they are entitled to this information. Why you would not put that up is beyond me.

If we look at the permanence of the PBO, under the former government's bill the PBO was to be established from 1 July in an election year and then disbanded for the rest of the term, as opposed to our permanent office, which gives you that greater permanency and continuity.

If we look at the confidentiality aspect, we see that from the previous government there were no explicit confidentiality protections for draft costings or communications between the PBO and MPs, as opposed to what this bill provides. Clause 55 establishes strict confidentiality requirements for communications between MPs and the office. When you break down the differences between what was up then and what is up today, there is no doubt that this is a very strong, very robust bill.

If we look at the technical advice and analysis aspect, in the former government's bill it was only available to cost election policies during the six months leading into an election. As I have mentioned, the bill we are considering today makes it permanently available to all members of Parliament for them to be able to cost policies and to provide them with technical, financial and fiscal advice.

Our bill ensures that the PBO will be more accessible, more permanent, more reliable and more sound. This office is about helping members of Parliament to perform their duties with greater certainty in relation to costings, and this is a very good thing. When a well-resourced, credible and truly independent Parliamentary Budget Office is established, I believe that all members of Parliament will have the ability to not only be across their detail in a much better and more financially sound way, but they will also be more responsive to requests and demands from their electorate and their community.

We are doing this properly, and we are committed to making Victoria stronger, safer and fairer. If you think about the way a sitting week evaporates before your eyes, especially with a week-on, week-off type arrangement, I think that having a PBO that you can go to will be of assistance. Obviously in government we are supported very well by the department. I note comments from the opposition about time pressures on all members of Parliament, and I think that is a reasonable point. But there is certainly no better place to be, and this side of the house is ensuring that we are getting on with delivering for all Victorians.

I know that all members on this side of the house want to ensure that this place and the other house function to the very best level possible, and I think that the PBO will strengthen that. It will enhance that. It will ensure that there is greater certainty with costings, and I know that it is certainly welcomed by a number of members. With those comments, I commend the bill to the house.

**Mr CRISP (Mildura)** — I rise to make a contribution on the Parliamentary Budget Officer Bill 2016. The purpose of the bill is to provide for the appointment of a Parliamentary Budget Officer and to give that officer the functions of providing policy costing and advisory services to members of Parliament, to amend the Parliamentary Administration Act 2005 to establish the Parliamentary Budget Office, and to make miscellaneous amendments to various bills to make it all happen.

Probably the correct name for this bill should have been the Parliamentary Budget Officer Amendment Bill. If the coalition's 2013 bill had passed when there was an opportunity earlier, we could have had this in place for the last election and the incoming government could have changed it as it wished. But I seem to recall that perhaps political expediency brought about the end of this bill rather than practical politics.

With that said, let us go through the provisions of this bill and see how it is all going to work. The bill provides for the Parliamentary Budget Officer to be appointed by the Governor in Council — a reasonably senior position — on the advice of the minister. The appointment must also be recommended by the Public Accounts and Estimates Committee (PAEC), and the appointment must be for a term of four to eight years, but the officer cannot be in that position for more than nine years. The PBO is an independent officer of the Parliament and their removal for misconduct et cetera requires that a PBO must first go through PAEC and then the members of Parliament. So it has security of tenure in ways that differ from but are extremely similar to how the Auditor-General and other

organisations happen to work with the Parliament. The PBO can hire staff and consultants, and also of course it must maintain a high standard of confidentiality.

The PBO, in consultation with PAEC, must prepare an operational plan each year which is laid before the Parliament. The PBO must establish and publish protocols for policy costing and advisory services, so it has to be transparent about how it goes about its work. The PBO must establish arrangements for public sector bodies to access information to assist with costings, and the PBO must request information from the head of a public service body which must be provided unless the head of department rules that it is not practical, or that it is unlawful, prejudicial to national security or requires confidential information to be disclosed, which will probably rule out most discussions within cabinet. Each occasion on which a request for information by the PBO is declined by a public service body has to be reported in the annual report. A public service body head may request that material that is provided to the PBO be kept confidential. As I have already mentioned, that is also subject to cabinet confidentiality.

Election costings are always an interesting exercise as they are based on promises and assurances. The election costings period starts on the day after the election-year budget and concludes on the Tuesday before the election — that is, the caretaker period. A parliamentary leader might normally request the PBO to prepare costings of policies, and I think that is good and sensible work. A leader may also withdraw that request if things change. Policy costings prepared by the PBO are provided to the leader who requested them. Those costings summarise the policy information provided to the leader, and it is kept in a form that is materially relevant to the costings and sets out the net financial impact on budget estimates and other information that is used in making that assessment.

There are a whole lot of clauses that work through all this, but the ones that are of interest to me concern MP requests for costing and advice. Clause 44 provides that an MP may request PBO to prepare a costing of a policy or proposed policy and that this may be released by PBO at the MP's request. I think that is going to be rather useful. An MP may also request that PBO provide technical advice or analysis on financial, fiscal or economic matters. This may be publicly released, again on the MP's request. There are a number of things that I think all of us, as we go about looking to make Victoria a better place, would like to see assessed, and I think the PBO is going to be very, very busy.

There are also ways to work through corrections or misrepresentations or so on — the bill provides for a

process to correct those — and of course confidentiality. Clause 55 of the bill prohibits a person from publishing particular information unless the PBO consents. This is fair enough as well. Information covered includes draft costings and correspondence with a PBO officer. That would include the MP or leader who sought the information, thereby prohibiting the MP from releasing correspondence with the PBO unless the PBO consents. I think that is a fair quid pro quo in how to go about this — that MPs can request that information be kept confidential, as too can the PBO. There are various other provisions in this.

There are a couple of warning flags. Clause 41 requires the PBO to publicly report on the financial impact of the policies of each parliamentary leader that were publicly announced before the date of the general election whether or not these policies were the subject of an election policy costing request. I think that will present some possibility for public confusion about what is a pre-election campaign promise and whether that rolls into a campaign. I think there will be potentially some areas for the public to misunderstand, without knowing exactly how all this works. This also means that even where the PBO was not used by a party to cost its policies and even when that party has not been elected to government, the PBO will cost its suite of policies.

It is an interesting bill. To finish where I began, I think we could have been here sooner but we are here now, and I wish the bill a speedy passage.

**Mr PEARSON** (Essendon) — I am delighted to make a contribution in relation to the Parliamentary Budget Officer Bill 2016. Costings and policy development can be fraught exercises. I had a peripheral involvement in the 1999 costings, and one thing I learnt from that experience is that if everything goes right, all the credit goes to the leader, as it should, but if things go wrong — and they can go wrong — it can be a debacle.

**Mr Donnellan** interjected.

**Mr PEARSON** — It is interesting, Minister, and I will own up to this now. We obviously did not have a Parliamentary Budget Officer and I was involved with the aspect of the costings in relation to restoring democracy. One of the things we were going to do was reduce the membership of the other place from 44 to 35. So we had roughly worked out what the cost of nine members would be in terms of their salaries, on-costs, offices and staff, and we factored that in. That was to be a saving. I dutifully rolled this up and showed it to Dan O'Brien, who was the head of economic policy for

Steve Bracks. Luckily that did not get into the costings, because as Dan O'Brien said, 'Mate, we have to pass the bill first and it would happen after the election'. As he pointed out to me, we ran the risk of attempting to realise savings for a time when it was clearly not going to be the case.

Thankfully we had Dan O'Brien as an outstanding member of our team back then — he worked diligently and hard, he was assiduous and he had a great policy brain — and he was ably assisted by us having Access Economics engaged to work with us, to sign off on our policies and costings so that as we went into the 1999 election campaign we were absolutely clear on what we were proposing, it had been costed and audited, and it was very good policy work. I was not close to the team back in 2014, but clearly people like Tom Considine, Felix Moon and Amy Mitchell, just to name three, worked tirelessly and diligently in terms of getting the policy development work right and ready for the election.

But it can go wrong. The member for Box Hill was involved in a double counting regarding a policy of making public transport free for all students in the 2006 election campaign, and that was brought to light, I think, in the latter part of that campaign. When something like that happens, it can derail a campaign, and it can be fatal, as John Howard found in 1987.

The real beauty of this bill is the fact that this office is going to be in place for four years so you have got that ability to think, to reflect, to devise your policies, to work out the things you want to say and to stress test them, and that is a really good thing because you never want policy to be devised in a vacuum. This is a good thing for democracy. It does not matter whether you are from the Labor, Liberal or National parties — forget the Greens, because they have delusions of mediocrity over there in wannabe corner — what you want is the opposition being able to come up with costed, audited, thought-through, measured considered policies and the government being able to do the same thing so that when the electorate goes to cast their votes there are really good policies and they have got good options.

This chamber is about the contestability of ideas. Those on this side of the house have a very different vision of the state we want to lead compared to those opposite, but it is up to the electorate to determine who has got the better vision. What you want to make sure is that the policies that both sides put up in every campaign are thought through and considered and that the work has been done, so that whoever wins, the incoming administration can get on with it — can move swiftly and quickly. They can say, 'Right. We've thought

through our policies. We've had a clear agenda, we've got a mandate from the people. The Parliamentary Budget Office has costed this; it has identified problems and issues early on in the process', you would assume, 'so the final product is ready to go'. That delivers good government.

I hope that on any given day it is us, a Labor government, being commissioned at Government House, and it is a Labor government getting on with it. But the reality is that this is a democracy. We do not always get it right on our side, and there are times when those opposite will occupy these benches. I hope it is a long time into the future, but that will happen. You want to see good government in this state, regardless of who sits here. This bill is important because it will ensure that good policy can be developed.

One of the problems with the former government's — —

**An honourable member** interjected.

**Mr PEARSON** — I am just warming up, baby.

One of the problems with the former administration's position was that its Parliamentary Budget Office had 5 minutes of sunshine, just before polling day. The benefit of this legislation is it allows for the permanent creation of a budget office that will always be available for members of this place and the other place to stress test their thinking. I think it is a great idea that as a member you can turn around and say, 'Right. I've got a bit of an idea about a particular policy agenda. I want to stress test my thinking. I want to fly a kite, put it out there', and you can have that contestability, that rigour. The reality is — and I am happy to admit it — that some of my ideas are not particularly good — —

**Mr Paynter** — Really?

**Mr PEARSON** — Really. The member for Bass says, 'Really?'. Sometimes I do not always get it right. But that is what you want. As a member of this place or the other place it is better to be shown that your ideas are flawed and foolish in the privacy and sanctity of the Parliamentary Budget Office than to have it confirmed out on the steps of Parliament House for all and sundry to see. This is going to lead to really good, strong contestability.

The reality is that a level of confidentiality will apply. These are independent officers of the Parliament. As the chair of the Public Accounts and Estimates Committee I have had the pleasure of dealing with the former Auditor-General and the current Acting Auditor-General, both of whom are independent

officers of the Parliament, and there is a respectful engagement, a respectful dialogue, but they are independent officers. As the chair of a committee you cannot dictate to them, you cannot bully them, you cannot strongarm them and you cannot make them do something they do not want to do. They have the freedom to act and advise independently. That is why this bill is very important, because you did not have that with some of the previous incarnations.

The member for Mornington, whose views and opinions I respect, is a hardworking member. He certainly works very hard and diligently on the Public Accounts and Estimates Committee. But I point out to the member for Mornington that comparing the budget of \$11 million allocated for this Parliamentary Budget Office with the \$800 000 that I think was expended for the New South Wales Parliamentary Budget Office may not necessarily be a very good comparison. I do not think any of us, if we are being truly honest, wants to replicate New South Wales or wants to put up the New South Wales administration as the poster boy or girl of good public administration, because it is not. Frankly, it is not.

Victoria has led the nation in good policy development for the best part of 25 years, and that was in times when the Labor Party was in power and when the coalition was in power. The reality is that economics and consulting around economics is an expensive exercise, and if you want to get good advice, you have to pay for it. That is just the reality of it. If we were to allocate a minuscule budget, 10 per cent of the size that has been allocated under the proposed appropriation, then I think we would end up with a much lesser product. We would end up with a greatly diminished product compared with what we have now. Economics is a discipline. It has many different facets. You might be very good on taxation policy, but it does not mean you are going to be good on health policy, it does not mean you are going to be good on infrastructure and it does not mean you are going to be good on regulatory reform. You want to build up a team of experts in this office who will be able to provide advice to all members.

The bill is an important step forward. It is going to improve the ability of all political parties to come up with sound, reasoned, rational policies. As I said in my earlier remarks, where you have got first-class policies coming from the Labor Party and first-class policies coming from those opposite, then the true winners from that are the Victorian people, because you will end up with good policies that can be delivered and implemented. It is up to the people to determine

whether they support us or those opposite. I commend the bill to the house.

**Mr ANGUS** (Forest Hill) — I am pleased to rise this afternoon to make a contribution to the debate in relation to the Parliamentary Budget Officer Bill 2016. I note at the outset that the purposes of the bill as set out in clause 1 are:

- (a) to provide for the appointment of a Parliamentary Budget Officer; and
- (b) to give that Officer the functions of providing policy costing and advisory services for members of Parliament —

and to make consequential amendments to a range of other acts.

I note at the outset too that the coalition introduced a very similar bill back in 2013. It is interesting that at the time those opposite, who were sitting on this side of course, voted down that the legislation with the cooperation of the then member for Frankston. Here we are, not that long afterwards, with a bill which, in my view, is clearly deficient compared to the one that was put up by the coalition back in 2013. There are a range of deficiencies with the bill, and I will be outlining a number of those in my brief contribution.

I turn now to clause 41(1) of the bill that says:

The Parliamentary Budget Officer must, in accordance with the PBO protocols, prepare a post-election report on the policies of each parliamentary leader that were publicly announced before the date of the general election, whether or not those policies were the subject of an election policy costing request.

That seems an extraordinary clause to put in there, because it puts an enormous amount of extra work onto the Parliamentary Budget Office which is going to be essentially futile work.

**Ms Thomas** — Why do you hate transparency?

**Mr ANGUS** — It has nothing to do with transparency. For the losing team, what is the point of costing its policies? It is a totally unnecessary overhead for the taxpayers of Victoria to bear.

The member for Mornington made a number of excellent points, but there was one in particular in relation to the cost of this new bureaucracy to the taxpayers of Victoria. He indicated that from the information that has been provided the cost will be approximately \$11 million in an election cycle, whereas for a similar body in New South Wales it is only going to be \$835 000. Clearly that was the view the previous

government had in making this a temporary measure rather than another fixed overhead for all taxpayers to bear. It is a real issue setting up these sorts of overheads for taxpayers to have to keep coming up with funding for.

As I said, the fact that the PBO is going to be used to look at policies whether or not they relate to the winning team is extraordinary. You wonder what is the real purpose of that and where it is all going.

There is a question in relation to how the policies of each parliamentary leader that were publicly announced before the date of the general election would be determined. I know that other members, including the member for Malvern, have asked about comments made in a radio interview. Are they policy or are they off the cuff? How is that going to be determined? It will be interesting to see what constitutes an actual policy commitment. There will be a whole lot of uncertainty around that, which could easily have the PBO running down all sorts of unnecessary burrows.

I think it is worth turning to a couple of examples. I heard an interjection in relation to this as well, but one of the key examples I want to highlight in my contribution is in relation to the east–west link contract, because that is going to be for all time in Victoria’s history one of the stand-out policy botch-ups from the other side, given what was said. I want to read into *Hansard* some of the comments that were made in relation to that. For example, in a Labor media release of 11 September 2014 the then Leader of the Opposition, now Premier, said he would only cancel the east–west link contract if the contract was not legally binding. He said:

A Labor government will honour legally binding contracts, but it won’t be held responsible for an unenforceable document that was recklessly devised in haste and in error.

...

If no legally binding contracts exist, an Andrews Labor government will not proceed with the east–west link project.

Then further on in the press release dated 11 September:

Labor has always said we will honour valid, legally binding contracts on any Victorian government project and we remain committed to that position.

If you go back even further, you can see what the views of the current Premier and Labor were, because he is reported in the *Australian Financial Review* of 1 August 2013 as saying:

Sovereign risk is sovereign risk, a contract is a contract.

Then on 3AW's Neil Mitchell program on 19 November 2013 he said:

... to rip up contracts is to send a message to the world that we're closed for business.

I won't do that to working families. I won't do that because that is not the responsible thing to do.

On ABC's Jon Faine program on 13 August 2014 he said:

A responsible government — a government that actually values our state's reputation and good name — doesn't rip up contracts.

Then in the *Herald Sun* of 30 September 2014 he said:

... be very clear about this, the contracts — —

**Ms Thomas** — On a point of order, Acting Speaker, the speaker is straying way off the bill. I cannot see that anything he is saying at the moment is in any way related to the bill, and I would ask that you call him back to speaking directly to the bill.

**Mr M. O'Brien** — On the point of order, Acting Speaker, the member for Ivanhoe was referring to just these matters in his contribution on this bill. If the member for Ivanhoe can raise matters about the east-west link in the context of the PBO, the member for Forest Hill has every right to respond.

**The ACTING SPEAKER (Ms Ward)** — Order! The member does; however, I ask the member to focus on the bill in the context of his speech.

**Mr ANGUS** — Yes, I will certainly be talking about that, because this will go down in Victoria's history as one of the stand-out deceptions and stand-out policy mess-ups from the other side. I am putting this into context in relation to the costings that are at the very heart of this bill. I have referred to a number of quotes, and I will go on and refer to a couple more to finish the point that I am making.

On 25 November 2014 on 3AW the then opposition leader said:

There will be no compensation paid because these arrangements are not valid. They're not worth the paper they're written on.

On 15 April 2015 a media release from the Premier and the Treasurer says:

... the Labor government has incurred costs of just \$1 ...

On 15 April 2015 the Premier said:

What we know is that \$339 million was paid out ...

That number may come down. It certainly won't go up.

On 12 November 2015, following the release of the Treasury Corporation of Victoria annual report, it was estimated that the costs were in the vicinity of \$857 million. Then we end up on 9 December 2015, and I quote from the Victorian Auditor-General's Office report on the east-west link:

Following final settlement of outstanding costs, the state will have incurred costs in excess of \$1.1 billion.

There we have an example that shows if those opposite had voted for this bill back in 2014 when they had the chance, we would have avoided this sort of a financial disaster for the taxpayers of Victoria. As a result of them voting against what was then an outstanding bill, the Victorian taxpayers have ended up with a \$1.1 billion legacy, which has cost all Victorians and will continue to cost all Victorians for many, many years to come.

We can look at a whole range of other projects too where the current government said one thing before the election and then, once elected, did another thing. There are many examples of that. There are also many examples of actual projects which were obviously never costed, which were never thought about in any detail at all and which ended up blowing out left, right and centre, again costing all taxpayers for many, many years. There is a whole range of them. We can look at some of them. We have got the ultranet project, which is quite topical at the moment, given other issues going on in other places. We have got HealthSMART, we have got myki itself — we have got just a range of projects.

One of the documents that I like to keep coming back to is an Ombudsman's report from November 2011. That is very interesting reading, and I would encourage all members in this place to read it because it is a great summary of how not to manage major projects. These were major projects all done by the Labor government at the time, and they just provide a litany of financial and management disasters that were a noose around the necks of all Victorians then and continue to be so. As I said, on page 12 of that report it lists 10 of those projects, and I must note these are only IT projects. There are numbers of other projects as well.

There is a lot of merit in having policies properly thought out, properly costed and properly disclosed to the people of Victoria, unlike the massive deception that was foisted upon all Victorians in November 2014.

**Mr PERERA (Cranbourne)** — I am pleased to speak on the Parliamentary Budget Officer Bill 2016.

This important bill is about the Andrews Labor government delivering on its 2014 commitment to establish an independent, credible and permanent Parliamentary Budget Office. The role of the PBO is to inform the Parliament by providing independent and non-partisan analysis of the budget cycle and fiscal policy and the financial implications of proposals. Almost three years after the coalition blocked Labor's attempt to establish a truly independent PBO, this Labor government is getting on with creating a permanent body to assist members of Parliament with costing policy proposals and the provision of financial advice.

In the lead-up to the 2010 election the Victorian Liberal-Nationals coalition gave a commitment to establish a Parliamentary Budget Office. After dragging its feet for three years, in October 2013, after defeating Labor's private members bill in September 2013, the model for a Parliamentary Budget Office proposed in the Napthine government's discussion paper was absolutely and fundamentally flawed.

The PBO presented by the coalition in the discussion paper was a temporary body to be available to cost election policy proposals for the final three months of the four-year electoral cycle. That design failed to address the central purpose of a Parliamentary Budget Office — that is, a PBO is to provide independent policy costing advice to, predominantly, non-government members and parties that do not have access to the resources of government departments to check the basic question of whether their policies can be practically implemented. The costing period proposed in the discussion paper did not accommodate the reality of policy development by non-government parties. The temporary nature of the office would have critically undermined the institutional independence and accountability that would be expected of a body playing such a particular role.

Labor's submission to improve this initiative was completely rejected and a flawed bill was introduced to Parliament by the coalition. Labor's submission clearly indicated that it was not going to support a bill that was not establishing a permanent PBO. Therefore the opposition's claims about Labor not supporting that bill do not stand on solid ground. That has nothing to do with it, because it was very clear from the very start that the then Labor opposition was not going to support the coalition's bill.

The Parliamentary Budget Officer Bill 2016 fixes the deficiencies in the former coalition government's failed 2013 bill. In fact this proposal is going to help the opposition, the minor parties and the Independents

more than the government of the day, since governments can tap into departmental resources.

There has been a growing trend, both in Australia and internationally, to examine the adequacy of fiscal management, government forecasting and the transparency of public expenditure and to provide for greater independence in the process of costing election commitments. The International Monetary Fund and the Organisation for Economic Co-operation and Development (OECD) explain this trend, in part, as being influenced by the global financial crisis in 2007–08. It has led to an increasing number of independent specialist research and analytical offices being established with varying mandates, functions and authority.

Australia's Parliamentary Budget Office, which began operation in July 2012, is one of 10 such offices established in OECD countries since 2007. The OECD monitors budget practices of OECD member countries and has noted the growing trend of legislatures establishing independent budget research offices. The prevalence of budget offices has grown from only 7 such offices in OECD legislatures in 2000 through to 17 offices out of the 34 OECD legislatures in 2012. Further, the OECD budget practices and procedures survey last compiled in 2008 for OECD, Asian and African countries found 29 out of the 97 had some sort of PBO.

In Australia jurisdictions that require policies to be costed during an election period generally have legislation. This enables those costings to be undertaken either by Treasury or by an independent body. Without such legislation, access to costing services is at the whim of the government of the day or comes at a substantial private cost to opposition parties and Independent members. The decisions that government makes must always be based on the latest, most accurate information available. That includes information about the state of the finances of that particular jurisdiction. To make sure that we have the best information on hand, the bill will ensure that the Parliamentary Budget Officer is truly independent of the government. It will make sure that the office is properly funded and accountable only — and directly — to Parliament, not the government of the day.

The Andrews Labor government committed to introduce a PBO in *Labor's Financial Statement* in 2014, with funding of \$11 million over the three years from 2016–17 to 2018–19. The government will provide sufficient funding to establish and operate a

PBO in these early years. In the future the funding will be reviewed with regard to the demand for the PBO.

Starting with the next election, Victorians will have a credible, non-partisan way to compare each party's fiscal plans. I personally would prefer the PBO to be enshrined in the constitution. This initiative is so important that a subsequent government should not be able to easily reverse it. We all know that used car salespeople are rated as being more trustworthy than politicians. The average constituent does not understand that politicians invariably have to manage competing interests with limited resources.

The PBO will help present an independent, accurate state of play of competing projects or a number of different approaches to the same project. This knowledge, which is reliable to the electorate, when shared with the electorate helps the electorate understand better where governments, oppositions or individual members are coming from. Hopefully their distrust of politicians will be reduced. When PBO is in place the politicians will be forced to stop making undeliverable, off-the-cuff, irresponsible commitments, and if they do make such commitments, they will be caught out for misleading the public. At present if you are not in government you can make all sorts of claims since you do not have to deliver. A PBO is an instrument that can be used to ridicule such claims.

In the lead-up to the 1999 state election we made a commitment to extend the Cranbourne rail line to Cranbourne East and build a station in Cranbourne East with a funding commitment of \$6 million. The Liberal Party ridiculed this figure as it was, in its view, nowhere near the required amount. In hindsight my hunch is that nobody had independently costed figures and therefore everybody was fishing in muddy waters. That is exactly why, after seven long years, in the lead-up to the 2006 election the Liberal Party made just a \$10 million funding commitment for exactly the same project. It was a tit-for-tat policy approach and funding commitment on the run by the Liberals. Interestingly, just four years later, in the lead-up to the 2014 election the same project plus two grade separations had an estimated cost of \$220 million.

I strongly believe that in this day and age a Parliamentary Budget Office is an integral part of a representative democracy. In the next decade all democracies without a PBO will fall short of being fully fledged democracies. In such democracies people will elect governments without fully understanding the total policy implications of political parties and therefore their views will not be reflected properly at the ballot box. I commend the bill to the house.

**Mr PAYNTER (Bass)** — It is a pleasure to follow that reading from the member for Cranbourne and speak on the Parliamentary Budget Officer Bill 2016. He spoke very well about the creation of the Parliamentary Budget Officer position itself and the establishment of the Parliamentary Budget Office, which, according to this piece of legislation, is designed to be set up to be a permanent office. More public servants — that is what we need. Bring them on.

*Honourable members interjecting.*

**Mr PAYNTER** — You just keep loading the bases with public servants because you hope they are going to be union members and that is probably going to get you back into government. That is your plan, because all you continue to do is load them up, feed them, pay them, put them on the payroll so they are subservient to people like the Minister for Sport, who rocks up at his national events riding the bike that he was given — sorry, it is a loan. He has borrowed the bike. I remind the minister to not forget to inflate the tyres because I think one day he might be deflated and he will go over the handlebars. I say to him: keep going over the handlebars, keep borrowing your bike. I think it is time for an update and for a new bike.

*Honourable members interjecting.*

**Mr PAYNTER** — The member for Eltham is having a bit of a crack before Easter.

**The ACTING SPEAKER (Mr Angus)** — Order! Through the Chair!

**Mr PAYNTER** — Acting Speaker, a bit of Easter cheer! That is lovely. That is the second one for the day. Would it be inappropriate behaviour if I were to throw that over to the member for Eltham, who needs a bit of sweetening up?

**The ACTING SPEAKER (Mr Angus)** — Order! Yes, it would be inappropriate behaviour. It can be passed to the member afterwards.

**Mr PAYNTER** — I think she probably only had one or two Easter eggs. I think another one heading in her direction might be more appropriate as we head into the Easter break to spend a bit of time with our families and work out how we are going to continue to pay for this —

**Ms Edwards** — On a point of order, Acting Speaker, we have heard a lot of commentary around this bill, but I think the member for Bass is just taking it a little bit too far. I ask you to bring him back to the bill.

**The ACTING SPEAKER (Mr Angus)** — Order! I do ask the member to come back to the bill.

**Mr PAYNTER** — A pleasure, Acting Speaker. I was actually just getting started on the bill. Perhaps I should start with the title of the bill — the Parliamentary Budget Officer Bill 2016 — which has got to be the best place for me to start. It not only sets up and appoints the Parliamentary Budget Officer but sets up the office. As I mentioned, it is supposedly an office which is going to do a few things, but the officer will be an independent officer of the Parliament, and — this is where we start to get to the tricky bits — has the power to employ staff and engage consultants.

That is a frightening thought, because where does that stop? Where does it start, and where does it stop? We have seen many times before that offices set up by this government and former Labor governments have just blown completely out of proportion to the outcomes. I see in the budget papers the government has allocated \$11 million over four years. That is probably just the start, I would say, because the government has given this office the power to engage consultants and employ staff as it likes. We have seen time and time again that this Andrews Labor government has not got the ability to properly oversee these types of offices and these types of people, so I would suggest that \$11 million is going to be the absolute tip of the iceberg — and, you would have to ask, for what outcomes? What possible outcomes and benefits to the state of Victoria would this office have?

In theory it is probably quite a good concept, and that is why it was thought of by the former Liberal government. The coalition government thought of this position itself, but it had the good commonsense to limit its costing of policies to six months prior to the election and six months afterwards. But of course that is not good enough for this Labor government. I think what Labor will do with this bill is probably trip itself up, because if anyone has the ability to understand costings, it is not this Andrews Labor government — it will be, hopefully, this office. This Andrews Labor government is heading in the same direction as the Minister for Sport, who was going to go over the handlebars. This public Parliamentary Budget Office might just be the thing that brings Labor undone, because what it will do is cost policies. Let us start with a couple that Labor proposed prior to the 2014 election; let us just see how those policies might have been costed by this Parliamentary Budget Officer.

Probably the first policy that was of great note prior to the election was the cancellation of the east–west link contract. According to the Leader of the Opposition at

the time, now the Premier, that was going to cost the people of Victoria nothing — absolutely zero, zip, zilch, not a cracker. Let us just say hypothetically that the Parliamentary Budget Officer were to cost that policy. Let us just see how that would have actually turned out, because the zero dollar figure, which was touted by the opposition leader at the time, would have been seen to be a massive untruth, as we know it is today. That legacy will be carried by the good people of the state of Victoria for many, many years to come, because that policy has already cost the state of Victoria \$1.1 billion. I wonder whether or not the Parliamentary Budget Officer would have actually costed that correctly and come out and said that prior to the election. I do not think so. For the \$11 million that we have allocated to this office you would really wonder what the effectiveness is going to be when there was a policy to, say, scrap the east–west link, which was going to cost the state of Victoria zero dollars and in fact cost \$1.1 billion.

Not even the Treasurer, let alone the backbenchers, fully understands the cost, because he stood up not so long ago and told us that the holding cost of the finance facility is \$217 million, but he is going to use that for future projects. The Treasurer clearly does not understand what an expense is. I am sorry, but that money is gone. That is an expense on the accounts of the state of Victoria; it is not a finance facility to be used for future purposes. If the Treasurer does not even understand finance, you would also wonder whether the rest of the government members do, because they are being led by a Treasurer who clearly has no understanding of what an expense is. Let me tell the Treasurer that \$217 million is a cost, and it is gone as a result of a decision made by this Andrews Labor government that was supposedly going to cost the state of Victoria zero dollars.

Another policy those opposite might have looked at prior to the election and had costed is the removal of asbestos in all our schools. The Minister for Education is supposedly removing all asbestos from our schools. He needs to borrow the Minister for Sport's bike or get his skates on and start removing asbestos from the schools. I have not seen one scrap of asbestos being removed from any of the schools. I wonder how that might have been costed —

*Honourable members interjecting.*

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

**Mr PAYNTER** — Let us say, for example, he was to remove some of the asbestos from our schools.

Where would he start? What I am telling the chamber now is that there are some schools in Bass that need asbestos removed, but I have not seen one scrap of asbestos being removed there. So the public Parliamentary Budget Officer — —

**Ms Ward** — On a point of order, Acting Speaker, it does seem to me that the honourable member is getting a little bit excited at the end of the parliamentary week. Yes, it is the Easter holiday coming up, and I do think he is straying from the purpose of the bill.

**Mr T. Bull** — On the point of order, Acting Speaker, very quickly, it has been a wideranging debate. The members last words were ‘the Parliamentary Budget Officer’, so I think that indicates he was speaking on the bill.

**The ACTING SPEAKER (Mr Angus)** — Order! I do not uphold the point of order. The member for Bass to continue.

**Mr PAYNTER** — Thank you, Acting Speaker, and that is because clearly there was no point of order. I am talking about the bill and I am talking about the policy costings and the method of doing so by this Parliamentary Budget Officer. My point is that if they are going to come out with policies for removing all asbestos from schools, you might have thought that they would have been costed. At this stage I have not seen one bit of asbestos being removed from our schools. The government has got absolutely no idea of the cost involved because some of the buildings will actually need to be replaced, and I cannot see any of that taking place. This Labor government has no idea when it comes to policy costing, and let us hope the Parliamentary Budget Officer can help.

**Ms WARD (Eltham)** — I have to say it is always interesting to follow the member for Bass after he has made his contribution. I am sure he will be getting his skates on, with or without his bicycle, to have an Easter holiday. I am very happy to speak on this bill, the Parliamentary Budget Officer Bill 2016, and I am especially happy to speak on Labor yet again delivering another election commitment. Because when we say we are going to do something, we do get our skates on and we do actually do what we say we are going to do. We come through with it, and we do deliver. We mean what we say, and we act on it. The wheels do not fall off this bus, I can tell members, unlike the wheels that fell off the bus — —

**Mr Paynter** interjected.

**Ms WARD** — Thank you, and happy Easter to the member for Bass. I appreciate the Easter egg.

The wheels have not fallen off this bus, unlike the wreck that was left after four years of the Liberal government. This is a good bill. I do not understand what all the whingeing and the whining and the carping and the negativity is about, especially when we are heading towards an Easter long weekend. What is there not to be happy about? Let us talk about a government that wants to move forward, let us talk about a government that wants to have greater transparency and let us talk about a government that actually wants to help people — wants to get on with the business of governing and do it in a proper way. Why should we sit down and whinge about it, like those opposite have done? That is all they have done all afternoon: whinge and whine and moan and carp. Honestly, it is no wonder that those opposite were in government for only four years, because very few people would have the stomach for that kind of lazy, whining rhetoric that has come from them this afternoon. This is good legislation. This levels the playing field for government, opposition, minor parties and Independents. What is there not to be happy about in that? There is a lot to be happy about that.

**Mr Nardella** — Unless you are Liberal.

**Ms WARD** — Exactly right; unless you are Liberal, and if you are Liberal you are not happy because you do not want to be accountable.

**Ms Thomson** interjected.

**Ms WARD** — That is exactly right, member for Footscray; you do not want to be accountable if you are a member of the Liberal Party. This will enable the Parliamentary Budget Officer to have the power to correct misrepresentations of its work. This is also another thing to be pretty happy about and another thing to speak positively about, not whinge, whine, moan and carp about. Surely all members would want this to go ahead.

Within two months of an election the PBO will release costings of all election commitments. Again, transparency — something that the people of Victoria actually want. They want to know what a government, what an opposition and what the minor parties are going to do and how they are going to spend money, and how accountable they are. I bet you any money that there are plenty of people in my electorate, as I am sure that there are in many electorates represented in this chamber, who would love to have the Greens’ policies costed and have some very clear transparency over what the Greens promise as they go through an election commitment.

**An honourable member** interjected.

**Ms WARD** — I am glad you agreed it is a good point. It is absolutely a good point, and finally the other side are starting to get on board and get positive about this great legislation. It is good to have consensus and agreement that at least we want the Greens to be accountable. Well, guess what? We want the Liberal Party and we want The Nationals to be accountable too, just as we want our own party to be accountable — just as we want that. The PBO will also be able to access information from the Victorian public sector with safeguards attached, and this is a good thing.

There are some differences to the Liberal Party bill that was presented to us in 2013. There are plenty in fact, but I will only deal now with some of the main ones.

**Mr Nardella** — Yes, deal with the main ones.

**Ms WARD** — I will deal with the main ones. It is important to note that the bill now has an objectives clause. There is a purpose to this bill; there are actually objectives. The objectives of this bill are:

- (a) for members of Parliament to be provided with ongoing, authoritative, independent and credible policy costing and advisory services; and
- (b) for those policy costing and advisory services to be delivered in a timely, relevant and readily understandable manner; and
- (c) to inform policy development and public debate in Parliament and the Victorian community.

These sound like pretty good objectives to me. They sound like pretty good objectives to actually be positive about and not be whingeing, whining and carping like opposition members are. Surely they would want to have objectives clearly defined in a bill, which is exactly what we have done. The only thing I would be whingeing and whining about is my absolute embarrassment, if I were a Liberal, that my own bill in 2013 did not have any clear objectives and that people were not clear about what it was actually hoping to achieve. Why would you want to celebrate that? You would not want to celebrate that.

The previous government introduced a bill in 2013 that could not even list a couple of objectives for what was essentially a legislative piece of fluff, and does that not indicate to you exactly what the four years of a coalition government was? Nothing more than a piece of fluff. How many times have we had to come in here, as has been raised by other government members today, and fix up the former government's legislative

mistakes — to fix up the lazy, sloppy work that those opposite engaged in, in their four years — —

**An honourable member** interjected.

**Ms WARD** — Good point. Well, it was their idea of work, which, as we know, is not really much and does not really amount to much.

The thing I find most interesting and again indicative of the kind of culture that the Liberals have is that the former government only wanted to make its PBO information available to party leaders, not to every MP. Why would you do that? Why would you limit the availability of transparency and information? Why would you want to do that? It is because you do not actually want that information to be available; you do not want people to be able to access it. There is that — or the less kind way of seeing it is that they knew their MPs would be too lazy to access it. That would not surprise me.

Our PBO is going to be permanent. It is going to have a real role, and it is going to do something substantial over the life of a government. The Liberals only had theirs established from 1 July in an election year — there was no continuity, there was no flow of thought and there was no flow of information; it was practically useless. The Liberals did not have explicit protections for drafting costing communications. Clause 55 establishes strict confidentiality requirements.

We have thought about this bill, and we have put in some work. Again this government is rolling up its sleeves, getting down to work and doing things properly. We are cleaning up after the messy, chaotic rubbish of those opposite. For four years they could not get legislation right, for four years they could not get government right and after four years the people of Victoria tossed them out because they just were not good enough.

**Mr Edbrooke** interjected.

**Ms WARD** — I thank the member for Frankston. His comment is noted. This bill will greatly enhance our democracy. It will benefit all MPs regardless of political colour. This is a good thing. This is a government working with our community and working with all members of Parliament. We are not shutting people out. We are not putting walls up. We are not acting as those opposite did. They stayed up in their ivory towers, shut out the whole world and existed in their own echo chamber. Their echo chamber was not an Institute of Public Affairs (IPA) echo chamber; it was a motley assortment of people. It is now primarily

just IPA members all talking to each other within own their own little cone of silence.

**Mr McGuire** — It's a supper club.

**Ms WARD** — It is a little supper club, I agree with the member for Broadmeadows. I am very glad I am not a member. There would not be a table I would want to be eating at. It really is a lot more fun being on our side; it really is.

I googled Baillieu's election promise breaks. He broke quite a few election promises. In fact when you google it you come up with 34 100 results.

**Mr Edbrooke** — He broke the internet.

**Ms WARD** — The internet practically did break. If you google 'Baillieu election promises', the internet nearly breaks. Even if Malcolm Turnbull actually sorted out the national broadband network, it would still break.

**Mr T. Bull** — Acting Speaker, I draw your attention to the state of the house.

#### Quorum formed.

**Mr THOMPSON** (Sandringham) — In commenting on the Parliamentary Budget Officer Bill 2016 I note that the purposes of the bill are:

- (a) to provide for the appointment of a Parliamentary Budget Officer; and
- (b) to give that Officer the functions of providing policy costing and advisory services for members of Parliament; and
- (c) to amend the **Parliamentary Administration Act 2005** to establish the Parliamentary Budget Office; and
- (d) to make miscellaneous amendments —

to a series of acts, with the bill to come into operation on 1 July 2016.

On undertaking costings, I make some general comments. One Arvi Parbo, a great Australian, once remarked that a worthwhile society must be underpinned by a prosperous economic base. The resources that governments have to spend must be spent wisely, understanding the burdens that are placed on the taxpayer as the government seeks to allocate funds against a range of competing priorities. If we as members are to walk down our high streets and speak with our local businesspeople, we need to understand that there are certain pressures that people confront, such as the cost burdens in paying increased water bills,

increased electricity charges and increased municipal rates, and that their revenue return is not increasing on a corresponding basis.

Back in the late 1980s, as the then Victorian government confronted a range of budget difficulties, the then Treasurer, Mr Jolly, proposed to introduce an ad valorem tax on the purchase price of a business. People pay tax on the acquisition of real estate, and it was proposed that it operate in like manner so that when someone buys a business they pay a tax to the Victorian Treasury on an ad valorem scale similar to the purchase of real estate. It meant that a small businessperson who paid for their legal costs, their accounting costs, their stock in trade, their electricity bond, their printing charges, their promotions for the business and the goodwill of the business, would have to pay an ad valorem tax on top of that. It led to mutiny across Victoria amongst those people who understood what the impact of this would be. I note that as we approach 30 years after that proposed policy initiative, such an impost has not been placed upon the Victorian taxpayer.

Speaking of budgets, there was a Treasurer of Australia who made an impact on the national economy and who in the delivery of his budget speeches made various remarks. On one occasion that particular federal Treasurer made the remark that this was going to be the budget that brought home the bacon. On another occasion that Treasurer said that with him at the levers there would be a soft economic landing. On another occasion that federal Treasurer made the remark, 'This was the recession we had to have'.

We as members must understand the cost burdens confronted by taxpayers. I know of a father of four children who recently received a quarterly water bill of some \$1700 for his household. That was his quarterly water bill for a household of six people. He did not fully understand. The former Treasurer, the member for Malvern, today in the house told the story about the massive uplift in Victorian water bills as a result of the development of the desalination plant. It was expensive to build. The cost of \$1.8 million a day for the next 25 years-plus represents a burden on household budgets that we as members need to understand.

There was a test cricketer who was once asked what the cost of petrol meant to him. He said it did not really matter, he just put in \$20 every time. There are some people who can pay their bills out of their salary, but mark my words, there are people on fixed incomes — self-funded retirees, pensioners across a range of pension sectors and families — who are struggling to pay their bills. When we come to a bill such as the

Parliamentary Budget Officer Bill one would like to think that there is already an understanding of the cost of policy initiatives.

There are a raft of government services provided, but as you balance the cost of government services and as you balance the cost of different inquiries and government initiatives, you must understand the burdens being borne by the parents of disabled children. In the disability sector there is physical disability and intellectual disability, and as time goes on there is psychiatric disability. We must understand the burdens of people who have six children, who take them to the hospital and who have to pay the hospital car parking charges and medication costs for which there may not be full rebates. They may have to pay for the costs associated with one member of the household not being in the workforce so they can be a primary carer. Parents of autistic children may require a massive uplift in learning support assistance to capitalise upon a child's developmental years when learning services are not provided through the education department but rather are borne by the parents.

We have to understand the cost burdens borne by people who are confronting increased rental charges, who do not qualify ahead of the 40 000 people on the public housing waiting list but who cannot afford the uplift in rental for private accommodation. These are factors that we need to take into account reliably and responsibly as legislators when there is another government initiative or program to balance. If there is a spare dollar to spend, we must consider how it is best spent to support the needs of the people we are elected to represent in this place.

**Mr DIMOPOULOS** (Oakleigh) — It gives me great pleasure to speak on the Parliamentary Budget Office Bill 2016. As the member for Eltham and others have said, this bill delivers on an election commitment. Something that we on this side of politics and in this government are fairly used to is delivering on election commitments. I think the Victorian people have seen a refreshing change in politics in Victoria, and in fact nationally, in terms of a government that does what it is elected to do. This government is led by a very capable and inspiring leader, and I say that not just because I am in the team but also because of many of the Twitter and social media comments after the Premier's appearance on *Q & A* the other day, leading the national debate on a whole range of areas. This is yet another area, but on this occasion Victoria is actually behind other states.

The bill we are delivering establishes a far superior model to the one that the previous government tried but failed to get off the ground. Some of our election

commitments include, for example, the Royal Commission into Family Violence, which is due to report next week, and level crossing removals, which we have heard a lot about. There are actually shovels in the ground. One level crossing removal is already complete, and a whole bunch of others are on their way. We made election commitments to schools in the last budget, as we saw at Amsleigh Park Primary School and Glen Eira Secondary College in my community. This bill represents yet another of the election commitments that this government made, and we have only been in government for 15 or 16 months.

I will just give a bit of context around the genesis of this idea. In November 2010, shortly before the election, the man who was then to become the finance minister, the member for Box Hill, committed to delivering the Parliamentary Budget Office. At that time that was Liberal Party policy. If we fast forward almost exactly three years to October 2013 — —

**Ms Ward** — You are obviously not a member of a Liberal government if you are fast forwarding.

**Mr DIMOPOULOS** — The member for Eltham reminds me that you cannot be a member of a Liberal government if you are fast forwarding, because everything was on a go-slow. If we fast forward three years to October 2013, we can see that a discussion paper was released. Those opposite got elected three years earlier, and when they had a year to go in office they released a discussion paper, which in public policy terms we all know comes at the beginning of a process. Early the following year, 2014, an election year, Premier Shaw — sorry, did I say that? I meant the former member for Frankston — who basically ran the government for a substantial period, decided that that parliamentary budget office bill was not a robust bill. The Labor opposition at that time agreed, and the bill did not proceed. The then government gave up on it.

This is the genuine context for the contributions we have heard today from the opposition. As the member for Eltham said, there has been indignation and a whole lot of whingeing around a bill which is not only better than the version that was put forward by the previous government but also has a much better chance of being passed through both houses of this Parliament to become law.

The reason I say this bill is a better version, and other speakers have said it as well, is because the previous bill really only allowed the Parliamentary Budget Office to work for a few months before the election. That is completely unfair, and it is not a level playing field for non-government parties, because the

government has the public service at its disposal; non-government parties do not, so they would rely on the Parliamentary Budget Office. All the then government, in my view, was doing was essentially just paying lip-service to a parliamentary budget office by having it operate for only a few months before an election — because that is not how politics works in a civil democracy and I also think in terms of the power balance between a government and non-government parties — whereas we are far more genuine in showing our appreciation of the need for a Parliamentary Budget Office by staffing it for the full term.

I note that the member for Bass thought that that was an expensive enterprise, but sometimes you have to pay for democracy. As the member for Broadmeadows often says about those on the other side: ‘They know the cost of everything but the value of nothing’. In terms of the Parliamentary Budget Office this is an important thing to do. It is important to fund it and to have it operating for the life cycle of a Parliament, and that is what we intend through this bill.

In terms of the previous bill not succeeding under the coalition and hopefully this bill having much greater success under this government, as it is a far better bill, I also want to pick up from where the member for Eltham left off, briefly, in relation to the context setting. When the member for Eltham did a search for ‘Baillieu and broken promises’, she said she came up with 34 100 results. She has now passed on a few of the results. They include: ‘Baillieu breaks promise on ad watchdog’, ‘Solar dims as Baillieu government breaks key election promise’, ‘Slashing solar tariff breaks election promise’, ‘Baillieu breaks second pay pledge’, ‘Baillieu breaks pokie vow’ and ‘Baillieu breaks pledge on cabinet files’. I think by the time you get through those few you are in need of another cup of tea, so you move away from the computer. That is from a very quick search on the internet.

I say this for a reason. The member for Malvern, as the lead speaker for the other side, just went off his tree. It reminded me of the contrast between the economic management of the coalition and Labor’s economic management — —

**Ms Edwards** interjected.

**Mr DIMOPOULOS** — It reminded me of the *Snow White* story where the evil queen looks in the mirror and says, ‘Mirror, mirror, on the wall, who is the fairest of them all?’. Essentially that is what he was doing for the whole contribution — saying, ‘Who is the fairest economic manager? Just tell us. It’s us. It’s us, isn’t it?’. No, it is not. It is clearly, clearly not. We had

some other member on the other side referencing Labor Treasurers 30 years ago, who in my view were also good economic managers. But we come off the back of a very successful Labor tradition in Victoria, even prior to this but particularly with Premiers Bracks and Brumby.

All we have on the other side in terms of economic management — and this is why we need a Parliamentary Budget Office, to ensure that should we ever find ourselves in a position where we need accurate costings from their side, we can rely on it — is basically a \$1 billion expenditure on the east–west link, because the money went out the door before we ever held office. The money went out the door under those on the other side, and under the cover of a side letter. I would love a letter from any Treasurer guaranteeing me anything — and the consortium got one.

The further context is that those in the coalition presided over the worst jobs record on the mainland, being second only to Tasmania — and Tasmania is overseas anyway, so in Australia it is effectively the worst job record — and economic growth that had stagnated.

On the reverse side of the ledger, we are presiding over a few pretty incredible economic statistics, in my view. Gross state product in 2015 was 2.5 per cent, which is second in Australia behind only WA. Victoria has a state final demand — that is, underlying consumption — of 4.6 per cent, the no. 1 rating in Australia. We have the highest level of business investment growth of any state, at 6.9 per cent over the year. We have the highest rate of population growth of any state, at 1.7 per cent, and Victoria’s international exports increased to \$43 billion in 2015, the highest in at least the last four years.

On debt, those opposite tripled the debt in their period between Premiers Brumby and Napthine. Our debt stands at \$22.7 billion, as at 31 December, and this is in line with expectations in the budget. On jobs growth, we have created 100 700 jobs since November 2014, compared to the coalition’s 95 900. In terms of full-time jobs, which they keep going on about, we have created 52 900 new full-time jobs, and they created in their four years 15 200.

**Mr Nardella** — How many?

**Mr DIMOPOULOS** — Fifteen thousand two hundred — so a quarter of ours, compared to 52 900. So it is slightly galling when the member for Malvern comes in here pretending he comes from a rich history and tradition of economic management, when clearly

the statistics do not bear that out at all. He can keep telling himself that and he can keep telling his family and his party room that, but the reality does not stack up. I think in time, when this bill passes through Parliament and the Parliamentary Budget Office is set up the way it should be set up for a whole parliamentary term, the coalition's record will be far more obvious to the voters of the future.

**Mr HOWARD** (Buninyong) — I am certainly also pleased to add my comments in regard to this Parliamentary Budget Officer Bill 2016, which, as we have heard from other members of Parliament, appeared to have its genesis under the former government when it made a promise back in 2010 as it felt we should have a Parliamentary Budget Office. But we know that in its four years of office that did not happen.

We came to office and we committed — ‘Yes, we will follow through on this; it is a good idea’ — not for the benefit of government but for the benefit of good democracy in our state. We know that the government always has access to the government budget office; therefore when a government is looking to plan any projects it knows that it has access to the Treasury and can get full and appropriate costings through the process of standard government. But we understand that when they are not in government opposition parties will be looking to put forward policies at various times and will want to get some expertise that they do not have immediately accessible to them to help them to assess the costs of various commitment options they might be considering. It is for that purpose that a Parliamentary Budget Office is to be established.

While in other jurisdictions they have these sorts of things — a Parliamentary Budget Office that opposition parties can go to — often they are only open and available to opposition members for a short period of time before an election. The difference we have heard about in regard to this legislation is that this will be a permanent office. It will be available not just to opposition parties as such to follow up on formal party requests; it will be open to all members of Parliament. So it is possible that members of the government can in fact make use of the Parliamentary Budget Office if they want to get some assessment of general costings of projects that they might consider important in their own electorates, or whatever. So it may be that I see the opportunity to avail myself of this opportunity in the future.

Essentially, it will mean that the Liberal Party, The Nationals, the Greens and other Independents or smaller parties will have better expertise available to

them so that when they are developing any costings ahead of an election they can show that these are properly calculated costings. So as well as being a benefit to them, it will be of benefit to the people of Victoria so that, when an election is approaching, any projects that are being put forward by opposition parties can be shown to have been properly evaluated by the Parliamentary — rather than the government — Budget Office. They can show that those projects that they want to put forward are real projects that have been properly costed through proper government or parliamentary expertise, and therefore the people of Victoria can gain some confidence as a result of that.

By contrast, we have seen in the past opposition parties — often we see it amongst the Greens — throw up policy options that are very vaguely costed or not properly costed at all. They are costed in somebody's dreams, and therefore they are not able to be substantiated as realistic. While there is no threat of the Greens being in government in the foreseeable future, if they are to put forward their proposed projects, then they ought to have some sense of reality in terms of the costings around them so that the people of Victoria can get a sense of how real these potential projects are.

What is the Parliamentary Budget Office actually going to provide? It is going to be led by a Parliamentary Budget Officer as an independent officer of the Parliament, with power to employ staff and engage consultants. They will be placed in a separate office within the Parliament and be overseen by the Public Accounts and Estimates Committee. They will have a mandate to prepare election costings at the request of the parliamentary leaders but also to prepare general costings, as I have said, for MPs. They will prepare pre-election aggregate reports of costed policies and post-election aggregate reports of all election commitments of all parties. They will bring together information for the general benefit of the public so that the public can properly scrutinise policies that have been put forward. They will publicly disclose costings and advice if requested by the relevant MPs, and they will have the power to correct a public misrepresentation of costings or advice that some people may put forward into the public view. They are going to have the power to obtain relevant information from the Victorian public sector and therefore will have a great capacity to provide good, useful advice.

The other issue that is relevant, which opposition MPs in particular would be concerned about, is that the PBO will be exempt from the provisions of the Freedom of Information Act 1982. That means that it will not have to provide for public view the information it provided confidentially to members of Parliament or parties. The

office will have a proper confidential aspect to its arrangement, so that any member of Parliament who seeks advice from the Parliamentary Budget Office will know that that information will be kept confidential. It will not be shared with other parties or other individuals in the Parliament, unless that is the express wish of the person making the inquiry.

This is very sound legislation, as we have heard from others. It is in line with yet another commitment made during the 2014 election by the Andrews Labor team. Since coming to office we have not wasted time. As a government we are getting on with working through all of the commitments that we made, whether they be policy commitments such as this or funding commitments. I am looking forward to the budget being released in a short period of time — only next month — when we will again see further commitments made by the Andrews Labor government honoured. I am confident that schools in my electorate will learn that they have received funding in the coming budget and that so many other projects that we committed to will be demonstrated to be not just promises but promises backed up by funds. They will also soon be backed up by work on the ground and real infrastructure for the benefit of the people of Victoria.

I am really pleased that the Andrews Labor government is continuing to honour its commitments. I am looking forward to hearing today of another Andrews Labor commitment in regard to the Canadian Regional Park, which will be established in my electorate. We know the legislation went through this house in the last sitting period last year. We are waiting on the upper house to get that legislation through, and I am hoping that we will hear some good news today. The people of my electorate are looking for the Canadian Regional Park legislation to be passed so that this other commitment by the Andrews Labor government will become a reality. With the Friends of the Canadian Corridor and many people in my electorate I hope, all being well with the upper house, to see the establishment of the Canadian Regional Park in only a few weeks time. It is a shame that the upper house members are dragging their feet on this issue.

As a government we are certainly getting our election commitments through this house when that is required, and we are getting on with the job of meeting our financial commitments and other aspects of government that do not need to go through this house. It is great to see that the Andrews Labor government is committed to the establishment of this Parliamentary Budget Office, which as I said will be a great advancement for the benefit of democracy in this state. The people of Victoria will be able to know that when

any party, government or opposition, puts up commitments ahead of an election, they will be fully accounted for. They can expect that these commitments will be able to be followed through. I am certainly pleased to support this sound piece of Andrews Labor legislation.

**Mr EDBROOKE** (Frankston) — I rise to make a contribution on the Parliamentary Budget Officer Bill 2016. I would like to acknowledge the fantastic contributions made by previous speakers. The member for Eltham was fantastic, as was the member for Sunbury. The member for Buninyong has got a voice for radio, that is for sure. The member for Oakleigh got up and gave a great contribution.

**An honourable member** interjected.

**Mr EDBROOKE** — It is a voice for radio. We had the member for Bass, who I think at one stage was speaking on the Parliamentary Easter Bunny Amendment Bill 2016. There has been some interesting chat. One thing you cannot go past is that we cannot rewrite history. We can all agree that there were four long, dark years under the previous government.

**Mr Pesutto** interjected.

**Mr EDBROOKE** — Long, dark years, the member for Hawthorn. If you follow the *Lord of the Rings*, you would call it four, long dark years in Mordor. But you know even in Mordor, the dude that ran Mordor — Sauron I think his name was — got some stuff done. He was a go-getter, and he had initiative, unlike the previous government. I think that members opposite know that their government went down about as smoothly as a cold cup of sick. It was terrible. They are still stuck in the doom and gloom of their wasted term, and they are definitely proof that great things never come from sitting on your butt in your comfort zone.

The line between laughing at people in government who are meant to be doing their jobs, laughing at antics, especially those of the previous government, and recognising that we actually had a massive problem in Victoria and that we were going down the gurgler at a very fast pace, I think was crossed well before the election. They came in in 2010, and maybe it was in 2011 that we realised that. I would say to the members opposite: what is wrong with having some vision, what is wrong with making some bold decisions and what is wrong with doing something right the first time? What is wrong with being the best state in Australia? Why do we compare ourselves with New South Wales, for God's sake? We can have the best PBO in Australia, and why not?

I think this government is developing a bit of a mantra, and the state and our communities see it. I think we are getting well known for it — that is, we do not talk, we act. We do not say, we show; we do not promise, we just do it. The Parliamentary Budget Officer Bill 2016 is proof of that.

A half-hearted version of this bill was introduced by the previous government. I have had a bit of a look through it, and I noted that there were a massive amount of amendments required to get it up to a stage where it would actually work. The bill itself provides essentially a stronger mandate for the PBO than the coalition's bill, and that is very, very important. It delivers on our government's commitment, importantly, to establish a permanent Victorian Parliamentary Budget Office, and this PBO will be an authoritative, independent and credible body.

The bill improves on the coalition's 2013 bill by providing a permanent office that will operate through the parliamentary term, and not a temporary office that only comes together during elections. We have heard previous members speak about the advantages of this and the disadvantages of having a non-permanent office. A permanent office will contribute to longer term, better policy development by members of Parliament and parties outside of election periods.

As well as election costings and pre-election aggregate reports of costings, the bill actually expands on the PBO's role. It expands on the role to include providing general costings and advice at the request of MPs and post-election aggregate reports. This will improve the value of the PBO to members of Parliament and the public, which is most important. We serve the public. The public expects that they can trust us. They expect that we will deliver for them, and certainly this government is delivering.

An effective and independent PBO supports open democratic government by the following means. It will strengthen public debate throughout the parliamentary term. It will level the playing field in relation to financial expertise between government and the opposition, minor parties and Independent MPs. It will facilitate policy development by parties and MPs as well, and encourage parties and MPs to release independently costed policies earlier to gain credibility with the electorate. It will also provide the community with credible, independent and timely information to help inform their voting decisions.

This is very, very important, because in November 2014 we saw ourselves in a dire situation where a government had thrown itself behind a dog of a project,

and it blackmailed our state. There is no way to put it differently. It blackmailed our state and said, 'If you do not vote for us, this is going to cost you'. Unfortunately, it did, and we had a government that signed a secret side letter that no-one knew about. The shame of that is reflected in the fact that that government was booted, and quite rightly so.

Under the bill the PBO will be led by a Parliamentary Budget Officer as an independent officer of Parliament with the power to employ staff and engage consultants. It will be a separate office within Parliament and will be overseen by the Public Accounts and Estimates Committee (PAEC), which is very important. I pay tribute to the members of PAEC and the hours they put in. They are a fantastic bunch of people, and I often try to brighten up their day by making a face at them through their window as I am going to my own committee.

The PBO will also have a mandate to prepare election costings at the request of parliamentary leaders and also to prepare costings and advice at the request of MPs. It will prepare pre-election aggregate reports of costed policies on the request of a parliamentary leader and post-election aggregate reports of all election commitments of all parties. As well as this the PBO will publicly disclose costings and advice at the request of relevant MPs and will have the power to correct a public misrepresentation of its costings or advice, which is really, really important.

Finally, it will have the power to obtain relevant information from the Victorian public sector, other than commercial-in-confidence documents, and be exempt from freedom of information requests in relation to these costings and advice, unless of course that costing or advice is disclosed. The Victorian public sector will also be exempt from FOI in relation to documents disclosing PBO requests. Of course, as I said before, you only need to go back a very short period in history to find that we had a dog of a project and needed clarity on it. So much was withheld from the then opposition, so much was withheld from our community that should not have been, and hopefully a new permanent PBO can help with situations like that in the future.

The PBO will operate confidentially as well, and it will have appropriate information-gathering powers, as it should have. In providing information departments can require that the information be kept confidential, and this protects commercial-in-confidence arrangements with private parties. The Parliamentary Budget Officer and public sector bodies who are providing information to the PBO will be able to transfer documents created solely for the purposes of the PBO's work to the public

record office at any time, with those documents secure from public scrutiny for 30 years. I think this is another good part of the bill. It is solid. We have got a systematic approach to the Parliamentary Budget Office which will now become a permanent feature of Parliament.

This bill certainly aligns with Victoria's existing legislative and governance frameworks and will be consistent with the proposed reforms to integrity and accountability legislation. I think its passage will be of great benefit to all MPs across the board, and of course by helping MPs we are actually helping the Victorian community. We will be doing that by enabling better informed scrutiny of election commitments, which again is just so important.

Again, we do not want to go back to four long years in Mordor. You can say what you want, but you cannot recreate history. I know that some opposition members hang their heads in shame; I have seen it. When we mention the east–west link, education or ambulance officers they hang their heads in shame. They have nothing to say. After four years the shame is just weighing so heavily on those little shoulders over there. In some ways I feel sorry for them — no, I do not feel sorry for them.

I would like to thank the minister involved in the work on this bill and of course the office as well. I commend the bill to the house.

**Mr STAIKOS** (Bentleigh) — It is a pleasure to speak on the Parliamentary Budget Officer Bill 2016. One thing that this government is very well known for out in the community is keeping its promises. It keeps its promises, it honours its word to the Victorian people, and I have to say it does it in record time as well. It is one of the promises of the Labor Party that we are implementing in this legislation.

It is fair to say that those opposite have had a fair bit of trouble when it comes to Parliamentary Budget Officers. I will come to that in a moment, but I think this is more important than many of those opposite care to believe. It is very important. In my view the Parliamentary Budget Officer, who will be an officer of the Parliament, will be one of the most important institutions in Victorian parliamentary democracy, because this will create a level playing field in many respects for the opposition — should it ever want to act like an alternative government — and of course for minor parties and Independents. The Parliamentary Budget Office will be available to all MPs to make sure that whatever they put to the people of Victoria before

an election is properly thought out and properly costed so that the people of Victoria are not sold a lemon.

It is important that I now go through some of the history when it comes to the Parliamentary Budget Officer. Think back to November 2010. Ted Baillieu was the leader of the Liberal Party — remember Ted? — and the coalition opposition at that time committed to establishing a truly independent Parliamentary Budget Office. By September 2013 nearly three years had passed and there had been no word about a parliamentary budget officer, so the then Labor opposition — now the government — attempted to introduce a private members bill to give effect to the coalition's election commitment and establish an independent PBO, but the coalition did not allow that bill to be introduced.

One of the really bad things about that move on the coalition's part was that by that stage of that parliamentary term the then Labor opposition had released a number of important policies. The Labor Party had released its *Project 10 000* policy, which was a comprehensive policy to bring Victoria's transport system into this century. We had introduced a jobs and investment plan, *Victorian Labor's Plan for Jobs and Growth*, another important policy to see us through our changing economy when it comes to job creation. By the time the coalition government decided in October 2013 to release a discussion paper about the creation of a Victorian PBO, we, as what was then a responsible alternative government, a credible alternative government, already had these plans in place.

Eventually, when the coalition introduced its own bill, the Parliamentary Budget Officer Bill 2013, it was for a temporary PBO, not a permanent PBO. We believe that the most democratic and efficient way of doing this is by establishing a permanent Parliamentary Budget Officer, because of course it means that political parties and MPs have the time to get their act together, to put together their alternative policies in a timely manner and make sure they are properly thought through and properly costed so that they can then put those plans out to the community early for their consideration, just like the former Labor opposition did, as I said, with those two major policies, *Project 10 000* and *Victorian Labor's Plan for Jobs and Growth*.

To add a bit of a local perspective as to why a Parliamentary Budget Officer is desperately needed, I take members back to before the 2010 election. The coalition had released a media release.

**Mr Nardella** — They released a media release — very good of them!

**Mr STAIKOS** — They did. I could say to the member for Melton that the coalition released a transport policy like our *Project 10 000*, but it did not. Its equivalent was this media release, a very long media release but a media release nonetheless. I could stand here and go through all its unfulfilled promises in the transport space — the media release after all was headed ‘Coalition to rebuild the basics of Vic public transport network’ — as the coalition actually did not do anything on this list. But there is one thing that really does stick out in this media release, and that is the \$13 million Southland railway station.

I remember when those opposite announced that they were going to build the Southland railway station for \$13 million. This was after the department had costed the Southland railway station at \$45 million, but those opposite said, ‘No, we’ll do it for \$13 million, and not only will we do it for \$13 million but this is what it is going to include: a two-way bus interchange, an enclosed waiting room on at least one platform, CCTV on both platforms, a secure Parkiteer bicycle cage on the city-bound platform, tactile paving on both platforms and a designated drop-off and pick-up area’. That is nearly a premium station, you could say.

**Mr Nardella** — And what other Tonka toys were they going to have there?

**Mr STAIKOS** — That is right, member for Melton. Who knows? But that is nearly a premium station. I know that the Attorney-General, who was then the Minister for Public Transport, tried to warn them. An article in the *Age* of 19 November 2010 states:

Mr Pakula said Mr Baillieu’s price estimate of \$13 million to build a station at the shopping centre ‘will get him nothing more than half a platform’.

We did try to warn them that the costings were all out.

These were the people who always tried to say that there are no better economic managers in the world than those opposite, but they got that hopelessly wrong. They then got into office. My predecessor — in a way I miss Elizabeth Miller — got to the car park at Southland and held up a sign that just said, ‘Southland station’ with the train whizzing past. There was no station; it was just a woman with a sign. They did not deliver it, years passed and we thought, ‘What’s happening with Southland station?’. What was happening was they realised \$13 million was not enough, so they asked Westfield, the shopping centre operator, to pay for it. We went round and round. There was no station built there. In the end the cost blew out to \$21 million, and they had to cut out the bus

interchange and all sorts of amenities you would expect to find at that station.

**Mr Nardella** interjected.

**Mr STAIKOS** — Absolutely. They did not even budget for signalling. The trains were not going to be able to stop at this station. It was a complete dog.

*Honourable members interjecting.*

**Mr STAIKOS** — I hear she is running for Brighton preselection for the Liberal Party. She wants to take over the leadership.

Back to Southland station, the previous government did not end up building it. The Andrews Labor government is going to build it, and construction has started. We have started construction, and we are doing it properly. If only those opposite had had a permanent PBO in 2010. We are only thinking of them. We want them to be a credible alternative government, because right now they are not. They are just a group of angry men, with a couple of women on the backbench for good measure. That is all they are. I commend this bill to the house and wish it a speedy passage.

**Mr NARDELLA** (Melton) — I support the bill before the house, the Parliamentary Budget Officer Bill 2016. One of the really interesting things is that if you are fair dinkum as a political party, you need to be fair dinkum about the costings of your policies. One of the great tragedies of those on the other side of the house is that they are never fair dinkum. They are never fair dinkum; they pull things out of a hat. They are very good at pulling things out of a hat that are uncoded. I remember the Honourable Ted Baillieu standing next to that brilliant, absolutely massive man, the Honourable David Davis, the shadow Minister for Health! They were together when they announced how many more hospital beds — —

**Ms Thomas** — Well, how many?

**Mr NARDELLA** — It was 800 hospital beds, uncoded. They were going to deliver 800 more beds on top of the ones that were already there during the four years they were going to be in office. It would have been great at that time to have had a Parliamentary Budget Office to say to Mr Baillieu and Mr Davis, ‘This is how much it is going to cost’, because what they then did — and it has come out since the last election — is provide for, I think, only another 20 beds. Out of the 800 that they promised, they only delivered 20 beds.

**Mr Edbrooke** — That’s their fingers and their toes.

**Mr NARDELLA** — That is all they could count to, my honourable friends. People would say, I think unjustly, that the Honourable David Davis could only count to his fingers and his toes and that is all they managed to do.

The PBO is extremely important to make sure that the policies that you put to the people of Victoria are costed, unlike in the old days — and I remember the old days because I am old; I have been around for a little while — when I remember the Honourable Alan Stockdale in 1996 and 1999 — Alan of the eyebrows — coming out with the Spendathon chart. Every day that he would be out there it would go up and up and up. We would have our costings, and he would have his costings. He obviously pulled them out of somewhere, but it was not out of a PBO, let me tell you. So you had this dishonesty at that time, certainly within the Liberal Party and the Liberal Treasurer, because they were not able to be honest with the Victorian people.

The thing that we can do as a government is provide that transparency and that honesty to the Victorian people. One of the things that my honourable friends on the other side have said is that people do not need to release this information to the Victorian people. That is correct. The bill provides for that, but I think it would be a very brave opposition — and that is one of the things that it is not — that would do a costing of a policy and then not provide it to the Victorian people. That is where the PBO, which is independent, can do these costings so we are then able to say to the Victorian people, ‘These are our costings. This is what it’s going to cost to do the things that we want to do, and these are the measures that we are going to take to be able to pay for them’, but what you would find is that those on the other side of the house probably would not need to go to the PBO all that often.

If you have a look at the four wasted years during the Geoff Shaw Premiership, you find that there were not a lot of things that they actually did. For example, in my electorate they did not buy one block of land for one school even though it is the fourth highest growth area in Australia. I know my colleague, the Treasurer, a former member for Tarneit — and the new member for Tarneit can support me on this — said they did not buy one block of land for a new school in that growth area, which probably has the highest population growth in Australia.

**Ms Green** — Nor in Yan Yean.

**Mr NARDELLA** — My honourable friend from Yan Yean says neither did they in the north, in Yan

Yean, where the population has grown from 30 000 to 45 000 people, and neither did they in Yuroke. My honourable friend from Yuroke is shaking her head; as they say at auctions, that is the wrong way to shake your head. But there was nothing in Yuroke either. It is incumbent on us to see that the PBO is used for those purposes.

If we look at the things the previous government did do, we see that it could have used a PBO for them. Those opposite could have put the Office of Living Victoria to the PBO. They could have said, ‘We want an organisation to be able to put all our — —

**Ms Thomas** — Mates.

**Mr NARDELLA** — Mates, yes — the snouts that are in the trough. They could have said. ‘Put all the snouts in the trough in this organisation, including The Nationals, the Liberal Party and The Nationals candidates, and we want a costing for this. Give us a costing so we can put all these people, all these snouts, in the trough’. Maybe the PBO would have come up with the \$27 million that was ultimately wasted, but they did not do that — although all those snouts in the trough were there.

Then we go to the big one. We go to the east–west dud tunnel. When you look at the history of the east–west dud tunnel, you see that no business case was released to the Victorian people. There were some cartoons and some diagrams, but there was nothing released. The figures were not all released. The way the former government was going to do it was not released. In fact, the side letter was not released until it was too late as well. Yet the former government could have put that to the people. The great problem was the Geoff Shaw government was so panicked by that stage that it was desperately trying to find something about which it could say, ‘This will be our legacy. This will be the thing that we have put in the ground. This will be the thing that we will say will fix up the congestion here in Melbourne’, but in actual fact the former government could not do that. The east–west link was a dud project. It wasted the \$1.1 billion days before we got into office. We did not waste it. We did not write any cheques. There was no money that came out of our Treasury in terms of the east–west dud tunnel.

The former government backed the truck up before the last state election and said to the consortium, ‘Here, take the billions and hundreds of millions of dollars because the Liberal Party is a great economic manager. We are so terrific that we love giving away hundreds of millions of dollars of Victorian taxpayers money to consortiums for dud projects’. Those opposite did not

go to the PBO for that, and they will be condemned to the day that they leave this Parliament, every single one of them — and especially the dud who was the Treasurer, who signed the letter on behalf of the Victorian government, who threw away those hundreds of millions of dollars, the \$1.1 billion of Victorian taxpayers money. I support the bill before the house.

**Mr CARBINES** (Ivanhoe) — I am pleased to make a contribution on the Parliamentary Budget Officer Bill 2016. In particular the contribution that I thought I would add to the debate on this bill relates to a report from the ABC radio program *The World Today* on Friday, 15 November 2002, by reporter Kate Tozer. It is important that we learn from the mistakes of history, and this incident shows why this bill that creates the Parliamentary Budget Office is of such great value. It is particularly so for those opposite, because they may well recall that back at that time the shadow Treasurer was an individual called Robert Dean. He might be remembered by many people here.

The Liberal leader at the time was Robert Doyle, and he has kicked on to elected office at Melbourne City Council. In relation to the particular initiatives that the member for Melton and several of my other colleagues talked about concerning the important role that the Parliamentary Budget Office can play, what is also important is the role it can play in providing advice and support to shadow treasurers. I think that is really important. But it is also important to get on the record that back in 2002 the shadow Treasurer at the time, Robert Dean — an aspiring Treasurer in fact — disqualified himself. I quote from *The World Today's* report of Friday, 15 November 2002:

Liberal leader Robert Doyle sacked his good friend, shadow Treasurer Robert Dean, after the aspiring Treasurer disqualified himself in the most foolish way; he failed to enrol to vote.

But while the Labor Party has been making the most of this political gift and Mr Dean's own colleagues have described the blunder as stupid, now questions are being asked about whether the MP actually lied about where he was living.

Be that as it may, the report goes on:

Residents of the street where Robert Dean told the electoral commission he was residing, say he has never lived there.

It is very important that those who aspire to control the purse strings of the Victorian Treasury, as the custodian of taxpayers funds, have the capacity to understand and meet the laws of the land, and the electoral commission's laws as well. When we go back in time, perhaps we can see part of the reason for the political chronology and why those opposite dragged their heels with regard to the Parliamentary Budget Office when

they were in government. Perhaps this goes to the fact that they do not want scrutiny, not even of their own people and their own shadow treasurers in relation to the work that they need to do if they want to sit on the Treasury benches and be custodians of taxpayers hard-earnt funds.

It is interesting to note that apparently at that time Robert Dean kept a low profile after he had had to resign as shadow Treasurer. The report on *The World Today* says:

He's not returning phone calls and Liberal Party media advisors say Dr Dean is no longer a member of the parliamentary party and they will not be arranging media interviews.

What was also noticed was that the Premier, Steve Bracks, was not claiming victory at that time. He said in late 2002:

I'm being realistic, and I'm being pretty frank ...

I think there's a fair bit of volatility. I don't think people have totally made up their minds yet.

We know from history that at that 2002 election the Liberal Party was slaughtered right across the length and breadth of the state of Victoria. A lot of that — not all of it, but certainly a fair amount of it — can be sheeted home to the shadow Treasurer, as he was then, Robert Dean. Perhaps there is a role that the Parliamentary Budget Office could play in the future in making sure those opposite get the opportunity to experience the value of this taxpayer-funded resource. Maybe they will also be able to use those resources to make sure that they are all on the roll and that they are all in fact eligible to sit in this Parliament of Victoria.

The points that the member for Melton raised that related to the Office of Living Victoria were very well made, and they just show the travesty that can result when there is no opportunity for that level of scrutiny to be applied to policy thought bubbles, such as those that were provided by those opposite, particularly by the Leader of The Nationals. I would not say that he covered himself in glory, but he certainly covered himself in something in relation to the Office of Living Victoria and the way in which that hideous organisation simply washed taxpayers money down the drain and did nothing at all to work towards improving issues of climate or sustainability here in Victoria.

In fact it just goes to the point made by the *Sydney Morning Herald*, and I quote from 3 September 2015:

The Andrews government wants back the half million dollars the former coalition government's water agency tipped into a

land development linked to the family of notorious property spruiker Henry Kaye.

Of course all this relates to the next part, and I quote:

Water minister Lisa Neville confirmed the move to recover grant money after a former Auditor-General, Des Pearson, found more than 90 per cent of the water projects bankrolled by the now defunct Office of Living Victoria were incomplete by a contract — —

**Mr Pesutto** — On a point of order, Acting Speaker, I just ask that you bring the speaker back to the subject of the bill.

**Mr CARBINES** — On the point of order, Acting Speaker, I was just making the point that in relation to policies implemented by governments that have gone awry, where taxpayers money has clearly been wasted, there are opportunities for parties when they are in opposition to have those policies tested by the Parliamentary Budget Office, and I am just outlining to the house what goes wrong when you do not provide the opportunity of having a Parliamentary Budget Office put the eye over and draw a bead on policies.

**The ACTING SPEAKER (Ms Thomas)** — Order! I now ask the member for Ivanhoe to continue to discuss the bill.

**Mr CARBINES** — Just in conclusion in relation to that quote, it was:

... found more than 90 per cent of water projects bankrolled by the now defunct Office of Living Victoria were incomplete by a contract deadline of June 2015, including the Kaye-linked 'Foscari', proposed for Melbourne's outer west.

It just goes to show what pitfalls can occur and the risks that exist for members of the Victorian public if oppositions come to government unprepared and come to government putting forward policies — I think this is also the reason — that are not tested. What I think is also helpful is that this provides an opportunity for governments when thought bubbles get put forward by the opposition, particularly to sort of ingratiate itself with its supporters under the guise of claiming it is a policy.

What we can see happening here is that governments can also say, 'Hang on a minute, opposition, I think you should put those policies up and have them tested by the Parliamentary Budget Office'. We can actually request and, I think, bring public accountability and public pressure back on the opposition and say, 'You need to put those policies to the Parliamentary Budget Office. Let's not have opinion pieces about it. Let's not just take your word for it. Let's actually put that to the test. Let's put it to the Parliamentary Budget Office and

disclose its findings and its thinking and its assessment of the policies'. If we can do that, we may be able to avoid some of the great travesties, the great crookery that occurred with the setting up of the Office of Living Victoria and the millions of dollars of taxpayers money that were wasted under that scheme devised and operated by the previous coalition government.

Of course, in record time for the past five decades, members opposite found themselves back on the opposition benches, in large part perhaps because they did not take the opportunity while they were in government to set up organisations like the Parliamentary Budget Office, which would have been able to provide them with some beneficial assistance. But it is not our role on this side of the house to provide support and encouragement and opportunities for those opposite to be a better opposition. Of course the better the government is, perhaps the better the opposition should be.

But what we do know is that if the coalition, when it had its record short period of time in government just recently, had taken the opportunity to establish the Parliamentary Budget Office, how much better its capacity would have been to develop policies that it could have put forward to such an office today. But of course, not only did the coalition refuse to set it up — it dragged its heels and dragged its feet in relation to setting up a Parliamentary Budget Office — while it was in government for that brief time but we also have found that while it has been in opposition it has not actually developed any policies to put forward to the Parliamentary Budget Office. But there are others in this place who will be able to take advantage of that arrangement, whether they are the Greens political party or whether they are Independent members, who have limited resources; they will have the opportunity to pursue support for and some assessment of their policy ideas.

Again we have seen examples, like the establishment of the Office of Living Victoria and many other policies, where the coalition did not choose to test its policies when it was in opposition prior to winning government and then in government did not choose to set up a parliamentary budget office. Labor will do that, as the great custodians of the taxpayers dollar that we are.

**Ms WILLIAMS (Dandenong)** — What a tough contribution to follow that one is! It is my pleasure to rise to speak in support of this bill. As we have heard from previous speakers, this bill delivers on a commitment that Labor made to establish a permanent Victorian Parliamentary Budget Office — an independent and credible body. As all of us in this place

know and have worked out by now, this is a government that keeps its promises, and it is becoming renowned for doing so.

This bill is a huge improvement on the bill put forward by the coalition in 2013 because it provides for a permanent office that will operate throughout the parliamentary term, not a temporary office that operates only during an election period. Despite making the creation of a Parliamentary Budget Office an election commitment in 2010, the former coalition government cannot be accused of having acted quickly on meeting that commitment. We know that it released a discussion paper in around October 2013. It should be noted that in its submission in response to that discussion paper the ALP made it clear it would only support a permanent Parliamentary Budget Office.

It is my understanding that the bill that was eventually put forward by the coalition at the end of 2013 — in about December, I believe — showed that the coalition had effectively ignored the suggestions for improvements that featured in many submissions, including the Greens submission and the Victorian Chamber of Commerce and Industry submission. Labor sought to amend the coalition's bill in February 2014 to establish the PBO as a permanent body but — surprise, surprise! — the coalition refused to negotiate and the coalition's bill lapsed. Labor maintained its commitment for a permanent PBO, and this new and superior bill acts on that commitment.

I have been really interested in listening to the debate to hear the perspectives of those on the other side of the chamber. I hope I am wrong, but I would swear that I heard more than one speaker suggest that what we should have done was just accept their inferior bill and then amend it once we came into government. Is that right?

**Mr Nardella** — That's right.

**Ms WILLIAMS** — I find that incredibly perverse. So rather than getting it right the first time, we should have added a greater administrative burden for the bureaucracy, created more work and taken up more time to fix something that those opposite could have just done properly the first time. Is that right? That is what I heard.

While I accept, with a roll of the eyes, that each time Labor comes to government it spends significant amounts of time cleaning up coalition messes, it is rather lazy of members opposite to be insisting that this process of cleaning be standard practice in the passing of legislation, that this is just what we should do — that

is, we should allow them to put forward substandard bills and just accept that we will have to clean them up when we get in. That is great. What members opposite are saying is, 'We can't be bothered getting it right. We don't want to listen to your amendments — that might mean doing some work, God help us! Can't you just fix it, can't you just make it better when you get in?'. No wonder they were voted out.

As we have heard from previous speakers, this bill is a significant improvement on that put forward by the coalition in 2013. This bill has a longer term vision. It allows members of Parliament to do their jobs in a considered iterative way. It facilitates a thoughtful approach to policy development and costing — something that the general public really, really craves in its elected representatives.

The other big positive to come out of this bill is that it safeguards the independence of the Parliamentary Budget Officer by enabling the employment of permanent staff. This is preferable to relying on seconded departmental employees and ensures that you have individuals with specific expertise and a clear focus on their task rather than people being pulled away from something else just to focus on this for a period of time around elections. Under the bill the PBO will be able to provide general costings and advice at the request of MPs rather than just election costings. The PBO will also be able to provide post-election aggregate reports.

The existence of a permanent budget office will enhance policy development and political debate in this state. I have no doubt of this fact. We have had the previous speaker talking about policy thought bubbles. I hope that the existence of a Parliamentary Budget Office might take us further towards a process where oppositions and minor parties, and government as well, can put consideration into policy at every stage of the term of Parliament, not just that period towards the end. As we have also heard, we have an opposition currently that has no interest in coming up with any ideas. In fact it did not come up with any ideas in government, so we should not have too high an expectation of the kind of alternative government it might seek to be.

The creation of this office is also about strengthening democracy and strengthening debate during the parliamentary term. It also, as we have heard from previous speakers, levels the playing field by providing financial expertise to both the government and the opposition, which should be appreciated by any opposition party or minor party or Independent, who through this bill will now have access to resources that will assist them in doing their jobs to a higher standard.

The bill also enables us as elected representatives to provide our communities with credible information in a timely manner. By doing this we will enable people to make considered decisions about how they will vote, and that is a great thing for democracy. It also means we are treating voters with respect and improving their access to information, and we are raising the tone of the debate. As policymakers it encourages us to take the time to develop sound, well-thought-out policies and cost them, and this will gain us credibility with the electorate. I think as members of this place, as elected representatives of our communities, we should always be mindful of what the community expectation is of us and always seek to meet that expectation or exceed it where possible.

Under this bill the Parliamentary Budget Officer will be an independent officer of the Parliament. The Parliamentary Budget Office can employ its own staff, and it can engage consultants as it needs to. The Parliamentary Budget Office will be a separate office within Parliament and will be overseen by the Public Accounts and Estimates Committee. It will have a mandate to prepare election costings at the request of parliamentary leaders and to prepare general costing and advice at the request of MPs. The PBO, as we have learnt, will be able to disclose costings and advice at the request of relevant MPs. It will have the power to correct public misrepresentations of its costings or advice, which I think is a very important role. It will also be able to obtain relevant information from the Victorian public sector but not commercial-in-confidence information, for obvious reasons. Importantly, the PBO will be exempt from freedom of information in relation to costings and advice except where that costing or advice was disclosed.

We know that the PBO will operate confidentially. When it is providing information, departments can require that the information be kept confidential. It is common sense that at election time, during an election-costing period, which under this legislation will run from budget day until the Thursday immediately before the election, the requests from parliamentary leaders for election policy costings will have priority over other work of the PBO. I think that is sensible, given the time sensitivity of that information at that particular point in time.

There is no automatic disclosure of costings, but rather costings and advice will only be publicly disclosed on the request of the relevant member of Parliament or a parliamentary leader. To clarify that, costing advice prepared by the PBO may only be publicly released on the request of the MP or party that requested it. The

only exception to that is post-election reports, which must be prepared for each party after each election, and these reports will increase transparency and ensure costings of all parties can be compared.

There has been discussion in this place by previous speakers around some of the contributions of those opposite, and those contributions have sought to run this tired, old lie about Labor being a poor economic manager. We all know that this is just bunkum. Others on this side of the house have addressed this, but I feel I have to add my voice to it because, really, when you come in as a new parliamentarian, as I am, on the back of a government that did what it did with the east-west link — a former government that held the state to ransom and effectively said, ‘If you don’t vote for us, we’ll make you pay’ — it is really hard to cop any accusation about being a bad economic manager. We talk about schoolchildren who lose the game and take the ball with them. Those opposite did not just take the ball with them; they put a pin through it. It was the biggest collective tantrum I reckon I have ever witnessed in politics in my lifetime.

All it goes to show is that the coalition parties are wreckers. They stamped their feet, they threw the tantrum and they did not get their own way, so what were they going to do? They were going to wreck what they could at the expense of hardworking Victorian people, and they were more than happy to do that. Victorians should think about that when they come to the next poll and about whether they give their support to those opposite.

**Mr WATT** (Burwood) — I rise to speak on the Parliamentary Budget Officer Bill 2016. While in principle it is clear that the coalition, the Liberal and Nationals parties, agree with the idea of a Parliamentary Budget Officer — this is why we introduced a bill prior to the last election for a Parliamentary Budget Officer — I find it interesting that the now government voted against that particular bill and now stands here and tells us how great a Parliamentary Budget Officer would be. The hypocrisy astounds me.

I have particular issues with a number of clauses in this bill and the effects of a number of things in this bill, but what I would say is that it would have been nice, quite frankly, if we had had a parliamentary budget officer before the last election so that there could have been some scrutiny of the current government’s policies. The government has a number of policies that it actually said something about before the election, but we found out after the election that the cost of those policies were much, much larger than people would have been led to believe. The issue is that if you have a policy in August

and then two months later you change the policy, it is going to be interesting for the Parliamentary Budget Office to determine which of the policies it thinks are actually real — so, which are the ones that can be believed, and which cannot?

Say that you were to say that if a contract were signed, you would not tear it up. That is a policy. I would imagine that when that is costed by the Parliamentary Budget Officer it probably would not be that much, because you are not going to tear up the contract, and everybody knows that. Then you fast forward two months and say, 'Actually, what we said about not tearing up the contract, well, we're going to tear it up'. Then those opposite turn around and say, 'It doesn't cost us anything. It's not going to cost us a cent'. 'Not one dollar' was what I heard. I have to tell you that the Premier was right. It was not \$1; it was \$1.1 billion. It would have been nice if the then Leader of the Opposition, the current Premier, had told the truth and told people what he was going to do and told them the real cost.

Unfortunately what we know is that the then opposition leader, at around about the time that he said he would not tear up the contract, was also trying to defeat a parliamentary budget office bill in this place so that when he actually did tell the truth about cancelling the contract no-one would ever know what it would cost, because guess what? There was no parliamentary budget officer to cost it.

When we talk about election promises and we talk about what we are going to do in the future, it also would have been nice, quite frankly, if the government had told people what it was going to do. Parliamentary budget officers are not able to look into the minds of politicians to work out which of the things that they say they will do they do or do not do and which of the things that they do not say they will do but will actually do. Things like cuts to frontline police — if you do not tell us before the election, it cannot be costed. If you do not tell us before the election that you are going to reduce the hours of the Ashburton police station from seven days a week down to two day shifts a week, it cannot be costed. If you do not tell people before the election that you are actually going to permanently close the Burwood police station, that cannot be costed.

The issue that I have with this particular model is that you can only cost the things that you say, and when governments get in and lie — when they do not tell the truth — you cannot cost that. But there is a cost to that, and the cost to that is an 8.1 per cent rise in the crime rate. The cost of that is a 47 per cent rise in the crimes against the person in the Ashburton area. A 47 per cent

rise in the crime rate — that is a cost. That is not something that the Parliamentary Budget Office would necessarily cost, but it is certainly a cost to my electorate and a cost to the safety and wellbeing of those in my electorate. Part of my electorate takes in Camberwell, which I share with the member for Hawthorn, who is listening. There is a 25 per cent increase in overall crime in the Camberwell area. If you look at that, you see that it is not something that the Parliamentary Budget Office would be able to cost, but it is certainly a cost that is borne by my electorate, so I have serious concerns about these costs that my electorate is bearing because of the current government.

Firstly, the fact that there is a decrease in frontline police, my electorate was not told about that before the budget. You cannot cost that because members opposite did not tell us, and then you cannot cost the effect of that, because the effect of that is an increased crime rate. I have great concerns around that.

**Mr Pesutto** — Sky rail!

**Mr WATT** — Sky rail — the member for Hawthorn reminds me of sky rail. If you do not tell people that you are going to put in sky rail, how can you cost it? Sky rail is an interesting project. I will leave sky rail and move on, because what I have a problem with are particular parts of this bill and the effects they will have. One of the things that is in the bill is a post-election report. One of the issues with that is knowing what the purpose is of costing the election promises of people who are not here in government. There are people who might not even be in the Parliament, but we might be costing their promises.

Let us say that the two members of the Greens do not make it back at the next election. I know the member for Melton and I are salivating at the thought of that, and the member for Kew would be salivating if he were here. But let me make this point. If the Greens do not make it back into this place, we are going to have a report on the costings of somebody who is not even here. We are going to waste of money costing policies that will never be able to be implemented. I do not see why we should be wasting money and time costing policies that are never going to be implemented. That is one.

Secondly, I note that the shadow Treasurer mentioned, about disclosure, that it is interesting that you have to get permission to disclose correspondence between the Parliamentary Budget Officer and even the person who requested the costings. If anybody was to actually contact the Parliamentary Budget Officer, ask for a costing and disagree with those costings, you would

then not be able to release the correspondence with the Parliamentary Budget Officer to be able to justify your position as to why you disagree with the costings of the Parliamentary Budget Officer in the first place. So we have got major problems around the probity of being able to explain to people why you disagree with somebody who, let us be frank, may be right or may not be. The problem we have got is that you cannot put out your own correspondence, which would include the assumptions I suppose that you would have had for the costings. That is a major problem with this.

Another major problem with it are the assumptions that are used. Lots of them may be in unpublished reports that members of the opposition or others may not be able to get hold of. You have to use the most up-to-date figures, but those figures are not available to every member of Parliament, so it is not an even and level playing field, and that is a major concern of mine. Another thing is when we talk about reports only being released on request. It was interesting to listen to the member for Dandenong. She said that reports will only be released on request except — and she put in this disclaimer — after an election, when they will actually release all of these policy costings. That is interesting because I am told it is going to be only on request, but not really. Either it is or it is not. That is another major concern for me.

We have some serious concerns with the Parliamentary Budget Officer Bill 2016. That does not mean that we do not agree with having a Parliamentary Budget Officer, because we do. That is clear, because we introduced a bill before the last election that actually would have introduced a Parliamentary Budget Officer and would have given the people of Victoria the ability to actually understand the real cost of some of the policies, given the fact that some costs are not monetary, some costs come down to wellbeing and some costs come down to when your police station is closed and your frontline police numbers are being cut. If you have not been told about them before the election, you cannot cost them after the election.

You cannot cost the feeling, you cannot cost the safety and you cannot cost things like an 8.1 per cent increase in the crime rate. You cannot cost a 5 per cent increase in the crime rate across the postcodes that cover my electorate. That is not something that the Parliamentary Budget Officer will be able to cost, but it is certainly a cost that is borne by the people of my electorate and a cost which the people of my electorate do not want to bear and should not have to bear because of the incompetence of the current government and its inability to employ the police that we all know it needs

to employ to bring the crime rate down and to make people feel safe.

**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.

**Motion agreed to.**

**Read second time.**

*Third reading*

**Motion agreed to.**

**Read third time.**

### FINES REFORM AND INFRINGEMENTS ACTS AMENDMENT BILL 2016

*Second reading*

**Debate resumed from 22 March; motion of Mr PAKULA (Attorney-General).**

**Motion agreed to.**

**Read second time.**

*Third reading*

**Motion agreed to.**

**Read third time.**

### SEX OFFENDERS REGISTRATION AMENDMENT BILL 2016

*Second reading*

**Debate resumed from 23 March; motion of Mr SCOTT (Acting Minister for Police).**

**Motion agreed to.**

**Read second time.**

*Third reading*

**Motion agreed to.**

**Read third time.**

**CRIMES LEGISLATION AMENDMENT  
BILL 2016**

*Second reading*

**Debate resumed from 23 March; motion of  
Mr PAKULA (Attorney-General).**

**Motion agreed to.**

**Read second time.**

*Third reading*

**Motion agreed to.**

**Read third time.**

**INTEGRITY AND ACCOUNTABILITY  
LEGISLATION AMENDMENT (A  
STRONGER SYSTEM) BILL 2015**

*Second reading*

**Debate resumed from earlier this day; motion of  
Ms ALLAN (Minister for Public Transport).**

**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.

**Livingstone Primary School**

**Mr ANGUS** (Forest Hill) — I raise a matter of importance for the attention of the Minister for Education. The action I seek is for the minister to provide funding for Livingstone Primary School to enable the school to construct a staff car park.

Livingstone Primary School, in my electorate of Forest Hill, is a very popular and fast-growing primary school in Vermont South. The school currently has just over 700 students represented by approximately 520 families. Enrolments at Livingstone continue to increase, heading towards an expected 800 students in

2017. This growth has resulted in consequential increases in the number of teachers and other staff employed at the school.

The school currently has no staff car park. There is space available within the school boundaries to accommodate a staff car park, with the school already having invested money to have car park plans and drawings prepared and soil tests completed, ready to proceed. Initial costings have shown a car park with spaces for 40 cars would cost less than \$200 000.

The school is situated in a very busy precinct of my electorate, neighboured by a large sporting complex, shopping centre, community house, library and kindergarten, and there is a sporting club across the road. This level of local activity has resulted in on-street parking being at a premium for local residents, users of the various facilities and school families, with local streets being congested. The construction of an off-street car park to accommodate the staff at Livingstone Primary School would go a long way to relieving some of this congestion.

I look forward to hearing from the Minister for Education and receiving favourable consideration of this request to provide the funding needed to construct the car park at Livingstone Primary School.

**Penalty rates**

**Ms KILKENNY** (Carrum) — My adjournment matter is for the Minister for Industrial Relations. The action I seek is for the minister to visit my electorate to meet with retail and hospitality workers whose incomes are under threat due to the Productivity Commission's report into industrial relations recommendations to remove Sunday penalty rates. As members would be aware, the federal government's employment minister, Michaelia Cash, did not rule out any changes, saying the government would not play the political rule-in, rule-out game. I think it is clear, however, that Prime Minister Turnbull and his government want to scrap weekend penalty rates.

In my electorate of Carrum many of my constituents, particularly young, casual and part-time workers, rely on penalty rates to support themselves and their families. If penalty rates are cut, the most vulnerable people in our communities will suffer the most. It is women who make up a disproportionate share of workers in industries which are highly casualised and who are going to be hit hardest. Let us have a think about those people this holiday weekend. Penalty rates help reduce inequality and the gender pay gap.

I look forward to welcoming the minister to my electorate to discuss penalty rates, the important safety net they provide and the way in which they reduce inequality, not to mention the gender pay gap, in Australia.

### **Yarram Primary School**

**Mr D. O'BRIEN** (Gippsland South) — My adjournment matter this evening is for the Minister for Education, and I am seeking that he visit Yarram Primary School, which is in my electorate of Gippsland South, to see the need for it to be upgraded. The school was originally slated by the department in about 1996 for redevelopment and rebuilding. It is now 20 years later, and nothing has happened. The previous coalition government provided funding for the design and development phase of this school rebuild in 2014, and the school has almost completed that full process. The design and development will be complete in about a week or two, which means the school will be ready, willing and able to accept funding for a rebuild from the budget this year.

The minister needs to come and see the school to see its state. It was built in the 1960s and is well beyond its use-by date. Areas of the school roof are leaking. Teachers and students regularly have to put out buckets when it rains. In some classes the kids are forced to go out into the corridor to do tests because there is not enough room for them in some of the classrooms. You can literally see through the walls of the prep building, which is a portable. Most recently the seals on a number of the girls toilets failed, and there are leaks coming from the toilets, which is not something that any school should have to put up with.

This is an important matter to be funded in this year's budget. I think the total cost will be about \$4 million, but it is important that the minister come and have a look at the school so he can get a full understanding of why it needs to be funded in this year's budget. I urge him to come down at his earliest convenience. I have certainly written to him several times on this issue.

While I am at it, I will mention that the minister has visited Korumburra Secondary College, which is also awaiting a second round of funding. The former coalition government provided \$5.6 million for stage 1 of the rebuild of Korumburra Secondary College, but we need stage 2 to be funded. There is no indication from the government or the department that that is going to happen. The minister has been there, and he knows how badly that funding is required. I reiterate the request for him to visit Yarram Primary School to see how urgently the rebuild of that school is needed.

### **Railway station escalators**

**Mr DIMOPOULOS** (Oakleigh) — I wish to raise a matter for the Minister for Public Transport. The action that I seek is for the minister to assist my community and others by providing additional options for accessibility, specifically escalators, at the proposed new train stations on the Cranbourne-Pakenham line. These escalators would be in addition to the lifts already provided for in the plans. I am glad to see the minister is in the chamber; I appreciate her time.

The plan to remove nine dangerous and congested level crossings between Caulfield and Dandenong is long overdue. This government is getting on with the job that was promised in 2014 — that is, to remove 50 level crossings. Some of the first crossings to go are in my community, which makes sense as they have been consistently rated as the worst in Melbourne. Removing the crossings continues to be the no. 1 priority for my community. I have appreciated looking in detail at the plans released in February. These plans have been made available to the community during local consultations, and numerous suggestions have been made about the project.

As the minister is aware, in conjunction with my discussions with my community I have developed a range of ideas which I believe will help make this great project even better. I ask the minister to assist in providing escalators at each of the new train stations at Carnegie, Murrumbeena, Hughesdale, Clayton and Noble Park. These new stations will be utilised to allow for the major increase in capacity expected when the 37 new trains arrive on this line. Of the 37 new trains, 50 per cent are to be manufactured in Victoria, which I think is fantastic. That is an extra 11 000 passengers during the morning peak.

I think it is vitally important that when we are building state-of-the-art infrastructure we make it the best it can be. I know that commuters in my community would very much appreciate escalators as well as stairs at all access points to the station platforms. I thank the minister for her commitment to removing the crossings and appreciate her working very hard with me and my community to get the absolute best outcome, because I know she believes in this project.

### **Cheltenham and Mentone level crossings**

**Mr THOMPSON** (Sandringham) — The matter I wish to raise is for the attention of the Minister for Public Transport. The action that I seek is for the minister or her representative to meet with residents,

stakeholders and traders association leaders in the Mentone and Cheltenham shopping precincts.

Following the announcement some three weeks or so before the last state election that an elected Labor government would grade separate rail from road at Balcombe Road and also at Charman Road approximate to the Cheltenham railway station, there has been much local debate in terms of the undertaking and fulfilment of those election commitments. A day before the election it was announced that those particular works would not be undertaken in the current political term, which was disappointing to those people who may have factored in their vote prior to the election grade separation taking place at those intersections.

I note that there have been a number of community consultations undertaken, and the members of the consultation teams have done an enthusiastic job as they have endeavoured to triage the answering of questions and to note, through the collation of post-it notes, the range of questions that people have had. I have had the opportunity to attend, along with the member for Mordialloc, numbers of those sessions, including in my case a couple at Mentone and one at Cheltenham — at the Cheltenham library on the weekend.

I noted in dialogue with numbers of people that there is a curiosity as to how there can be grade separation at the Cheltenham level crossing in Charman Road without works being undertaken just a matter of a few hundred metres further north at the Park Road intersection, which is a major truck route. In dialogue with local residents and local engineers there has been great interest in how, in engineering terms, this might be feasible. It will either have the proportions of the Big Dipper at Luna Park, with a quick height accretion and then a quick drop down to get to the Park Road height — also noting that trucks need to pass under or over that point — or there is a very keen interest in the works being undergrounded, which was the expectation of many people when the announcement was made prior to the state election. This would result in minimal intrusion to the local shopping precinct.

So on behalf of residents in the Sandringham electorate in Cheltenham and Mentone and those along the corridor, what I seek is the opportunity for them to make their representations directly to the minister or her representative so these matters can be taken on board.

### University Park Primary School

**Ms SULEYMAN** (St Albans) — I raise a matter for the Minister for Education. The action I seek is for the Minister for Education to support University Park Primary School in its efforts to upgrade its uneven concrete pathway and create in its place a playground and eating area which will bring students together in a safe space. The minister and I visited this school in the middle of last year, and we were struck by the passion and commitment of the principal, Andrea Federico, and the staff and all their efforts and dedication to make sure that the school's facilities match their high standard of teaching. I know the minister is committed to making Victoria the education state, and I ask him to support University Park Primary School in St Albans as part of this commitment.

### Cowes police station

**Mr PAYNTER** (Bass) — My adjournment matter tonight is for the Acting Minister for Police. The action I seek is that the acting minister commit to funding a new police station at Cowes on Phillip Island in the upcoming budget. Phillip Island has grown significantly over the last two decades. It has over 10 000 permanent residents, and the population swells to over 60 000 in the summer months and the holiday periods, like this Easter. I have personally visited the Cowes police station on a number of occasions. It is clear to me that the building is not fit for purpose. It was built for 4 officers and now employs 12, which increases to over 30 during peak event periods.

The building houses both male and female officers but has no adequate changing rooms for female officers. There is one unisex shower that is only accessible through the main corridor of the station. The current building does not have dedicated interview rooms that separate victims and perpetrators, and in some cases people are interviewed outside the building. It is simply overcrowded, lacks adequate officer amenities, is not suitable for modern policing and is poorly located. It is not classified to hold people overnight, which means that persons requiring to be locked up are transported to Wonthaggi, which is over 40 minutes drive away in good traffic conditions. This is particularly problematic during major events.

The current Cowes police station is tucked away from the main local and tourist activity areas and a station would be better located on a main road that is highly visible to the community. A local police station in a prominent location would be comforting for our community and visitors to Phillip Island. In October 2015 I received over 300 responses from Phillip Island

residents to myself and the shadow Minister for Police, Edward O'Donohue in the Legislative Council, demanding the construction of a new Cowes police station in the town centre. The need for a new Cowes police station is further demonstrated by the need to respond to increasing crime rates in Cowes and across Phillip Island. On Phillip Island our police do a fantastic job, but they also need to be adequately housed to do their jobs properly.

In May last year the Minister for Police stated that operational need is established through the Victoria Police strategic facilities plan, where projects are considered in the context of other police priorities across the state. It is crucial that the Cowes police station is placed at the top of this list. These issues have been raised with the minister previously, and I again ask the acting minister to support the Phillip Island community by funding this important and much-needed project.

### **Pascoe Vale South Primary School**

**Ms BLANDTHORN** (Pascoe Vale) — My adjournment matter tonight is for the attention of the Minister for Education. The action I seek is that the minister ensure that there is funding for master planning for Pascoe Vale South Primary School in the upcoming budget. The minister understands, as does the Treasurer, from visits to Pascoe Vale South Primary School the urgent need for master planning of new facilities for this school.

The school has a fabulous school community, led by principal Sue Spurr and assistant principal Anne Bashford, Kim Hurley as president of the school council and Michael Grant as vice-president, and of course, perhaps most importantly, the student leaders — Scarlett, Kevin, Eleana and Roman. All of them have made a very compelling case to me, to the member for Brunswick, certainly to the Minister for Education, as well as to the Treasurer directly, that their school, which has not received funding for either planning or rebuilding for decades, needs some money in the upcoming budget for master planning for new facilities that will turn this fabulous school community into — and allow students to learn in — a modern setting that suits the standard and quality of the teaching that clearly happens there.

### **Akoonah Park, Berwick, equestrian access**

**Mr BATTIN** (Gembrook) — I raise an adjournment matter for the Minister for Environment, Climate Change and Water. The action I seek from the minister is that she come out and meet with the equestrian group

for Akoonah Park, who are requesting access to a water trail through Akoonah Park and Inglis Road in Berwick. This is a trail that has been used for many years by local residents, usually for walking. During the Berwick show it has been used for fun runs, and it has been used for other activities through that area as well. However, this year for the first time Melbourne Water has denied access through that trail for a fun run, which is a 5-kilometre or 10-kilometre run to raise money for local charities. The Berwick show fun run has only been going for about four or five years, but there have never been any issues with access to that particular trail.

Melbourne Water denying access to the trail has also put on hold the equestrian trail, which was going to run through there as part of the master plan for the Akoonah Park and the Cardinia North parkland precinct, and responsibility for that master plan falls to the Minister for Environment, Climate Change and Water. The master plan does take into consideration the area which is owned, operated and controlled by Melbourne Water. It is vital to have a connection through these parks to make sure that people can have access to them. The equestrian trail would be not just for Akoonah Park or the residents of Berwick, because it actually continues over Inglis Road and through the new Cardinia North parklands, which has a current equestrian area. The trail also goes all the way up through the back of Guys Hill to Upper Beaconsfield.

At the moment the equestrian track is set back from the road, so it is a very safe area. It is ideal for horse enthusiasts in our area to use, and it does access Akoonah Park, which has a very strong history in equestrian events. Obviously with the Berwick show events have been held there in the past, but they are also held there of a Monday. We have now seen an extension of the equestrian program at Akoonah Park because of an increase in equestrian activities and a reduction in the availability of grounds and access in other parts of the City of Casey and the Shire of Cardinia.

I was approached by Gayle Joyce, who came into my office to speak about this issue. The equestrian group is very passionate about what it wants to see happen. It wants to make sure that riders continue to have the opportunities that have been there in the past. Over the years Melbourne Water has taken away the right to access tracks within the Cardinia Dam area, and we understand that was because of security issues. Removal of the access right inside the tracks happened within the last decade, but Melbourne Water worked with the local council to put some tracks around the outside to keep the equestrian trails going. To ensure that we keep a strong and vibrant future for equestrian

use through the area we really need access through this water trail. That trail is the essential part of the entire parklands. It is the centrepiece of the master plan, and we need to make sure we can have that connection. I encourage the minister to come out and meet with this group.

### Aberfeldie Primary School

**The DEPUTY SPEAKER** — Order! Before I call the honourable member for Niddrie, I want to wish him all the best for his fourth anniversary as a member in this house.

**Mr CARROLL** (Niddrie) — Thank you, Deputy Speaker. It is my honour to have your support. Thank you for all your support since my arrival in 2012.

On this fourth anniversary of my arrival in this place my adjournment matter is for the Minister for Education. The action I seek is that the minister fund in the upcoming budget much-needed works for Aberfeldie Primary School, including the school committee's plan for the Joan Kirner Memorial Arts and Creativity Hub. It was a pleasure to have the then shadow Minister for Education, who is now the minister, join me on a tour of Aberfeldie Primary School with principal Brett Millott in 2014, before the election of the Andrews Labor government, to show him around the school, introduce him to some of the students and teachers and have him see the great work going on at Aberfeldie primary.

Aberfeldie Primary School celebrated its 90th birthday very recently, and it was great to congratulate the school and see firsthand the quality education that the school is delivering to our local community. Some of the school buildings are more than 60 years old. Works are primarily needed for the school's grounds, art room, block B and the main hub building, which includes the library, classrooms and offices. The school was assessed in May 2012 as having only 39 per cent of buildings above the satisfactory condition threshold. By way of contrast, average Victorian schools have 74 per cent of buildings above this threshold.

Aberfeldie primary has a rapidly growing school population. There is increasing demand for school places which cannot be met. The school has a hardworking principal in Brett Millott, who is always in my ear about getting funding. Recently he has been writing to me very regularly, and he is ably supported by his diligent school council led by parent Peter Wood. The school council has engaged the Cube Group — a partner in the business, Nick Field, is also a member of the Aberfeldie school council — to create a

preliminary business case for a new building at the school, the Joan Kirner Memorial Arts and Creativity Hub. The school council proposes the demolition of an existing building and the establishment of a building linked to the current art block to create an arts and creativity hub.

The very first female Premier of this state, the late Joan Kirner — a former teacher and a former Minister for Education — grew up in Essendon and was a student at Aberfeldie primary. In 2012 at the Communities in Control conference she gave the social justice oration, where she said:

I lost count of the number of fundraising events I went to in the 1940s and 1950s, and the number of raffle tickets I helped sell to build the Essendon hospital and equip the Aberfeldie Primary School.

Joan recognised the importance of education to our society — that a quality, free, accessible and participatory public education system is important to all young people's lives.

In October last year I submitted a budget bid to the minister for capital works funding for Aberfeldie Primary School. The minister has been out to see the school firsthand. Many of the parents and school council members have written to the minister and also to the Premier. I frequently meet with the diligent school council president, Peter Wood. Brett Millot is very committed to ensuring that Joan Kirner's legacy at Aberfeldie Primary School is fit for the 21st century to ensure that in the future we may possibly have another female Premier coming out of Aberfeldie Primary School.

### Responses

**Ms ALLAN** (Minister for Public Transport) — I will start with the matter raised by the member for Sandringham. He referred to the program to remove 50 dangerous congested level crossings across Melbourne — an election commitment and program that can only be delivered by the Andrews Labor government. He mentioned the community consultation that is underway across the Frankston corridor, a corridor where, of course, we are already well advanced in removing 3 of the 11 level crossings that we intend to remove along the Frankston line. That takes the balance to eight level crossings to be removed, and that is why we are going out to the community right now to consult with them on their views and get their input into removing these level crossings.

I must say I was little bit disappointed in the member for Sandringham. I thought he was a little bit different

to your garden variety-type Liberal Party member of Parliament; I thought he was a little bit different to that. I thought he might have stayed away from some of the unnecessary, unreasonable and frankly wrong scare tactics that are being deployed by the Liberal Party along this corridor. Its members are going out there trying to whip up an unnecessary frenzy of activity along this corridor. I do not think they are succeeding particularly well.

What we do know through the community consultations is that we are listening very carefully to the community. Can I also advise the member for Sandringham that we will be taking advice on the final outcome along this corridor not from Liberal Party members of Parliament and not from Liberal Party branch members or candidates who are handing out flyers at these consultations. We will be taking advice from the experts and the engineers. Unless the member for Sandringham wants to advise me otherwise of the time he has taken to complete an engineering degree during his time here in Parliament — if he has done that, I am happy to have his input — I am going to take a punt that he has not done that and is choosing instead to engage in the politics of this issue rather than looking at what is the best outcome for these communities along the corridor.

That is what we are incredibly focused on, absolutely focused on. I would be delighted to have members of the Level Crossing Removal Authority meet with members of the community, because I know they already are. They are already out there. I am happy for them to meet further with as many people as is required along this corridor, as we continue to push on and remove those dangerous level crossings — something those opposite never did in their wasted four years in office — and we will not be deterred. We will not be deterred by weak scare campaign of those opposite trying to whip up a frenzy that just does not exist.

I would now like to turn to the matter raised by the incredibly hardworking and committed member for Oakleigh. The member for Oakleigh raised a matter concerning the removal of the nine level crossings between Dandenong and the city as part of our Caulfield to Dandenong level crossing removal project. He has been such a strong advocate for removing the level crossings in his community, but also doing it in a way that gets a really strong outcome and helps us to plan for the future. This goes to the matter he has raised this evening, which goes to looking at how improved access can be built into the project — in this case, escalator access at the station locations.

I am very pleased to receive this request from the member for Oakleigh and will be working with him and the Level Crossing Removal Authority on this issue in incorporating this into the station design. It does go to what we know — and the member for Oakleigh touched on this — that this is the busiest rail corridor in Melbourne. It is going to get busier, and this project, together with the high-capacity trains that will run on this line, will see an increase of 42 per cent in capacity along this line. It is a much-needed project. It is a project on which the member for Oakleigh is strongly representing the views and desires of his community to government, and this request is part of that. I will follow that up with both him and the Level Crossing Removal Authority.

The remaining eight members who spoke on the adjournment today raised matters for the ministers for education, water, police and industrial relations, and those matters will be referred to those ministers for their attention and action.

**The DEPUTY SPEAKER** — Order! I wish everybody a happy and a safe journey home and on the weekend as well. The house is now adjourned.

**House adjourned 5.28 p.m. until Tuesday, 12 April.**