

PARLIAMENT OF VICTORIA

**PARLIAMENTARY DEBATES
(HANSARD)**

LEGISLATIVE COUNCIL

FIFTY-SEVENTH PARLIAMENT

FIRST SESSION

Tuesday, 31 May 2011

(Extract from book 8)

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Procedures Committee — The President, Mr Dalla-Riva, Mr D. M. Davis, Mr Hall, Mr Lenders, Ms Pennicuik and Mr Viney

Legislative Council standing committees

Economy and Infrastructure Legislation Committee — Mr Barber, Ms Broad, Mrs Coote, Mr Drum, Mr Finn, Ms Pulford, Mr Ramsay and Mr Somyurek.

Economy and Infrastructure References Committee — Mr Barber, Ms Broad, Mrs Coote, Mr Drum, Mr Finn, Ms Pulford, Mr Ramsay and Mr Somyurek.

Environment and Planning Legislation Committee — Mr Elsbury, Mrs Kronberg, Mr Ondarchie, Ms Pennicuik, Mrs Petrovich, Mrs Peulich, Mr Scheffer, Mr Tee and Ms Tierney.

Environment and Planning References Committee — Mr Elsbury, Mrs Kronberg, Mr Ondarchie, Ms Pennicuik, Mrs Peulich, Mr Scheffer, Mr Tee and Ms Tierney.

Legal and Social Issues Legislation Committee — Ms Crozier, Mr Elasmarr, Ms Hartland, Ms Mikakos, Mr O'Brien, Mr O'Donohue, Mrs Petrovich and Mr Viney.

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

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

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

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

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FIFTY-SEVENTH PARLIAMENT — FIRST SESSION

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Tuesday, 31 May 2011

The PRESIDENT (Hon. B. N. Atkinson) took the chair at 2.03 p.m. and read the prayer.

ROYAL ASSENT

Message read advising royal assent to:

Dental Hospital Land Act 2011
Family Violence Protection Amendment (Safety Notices) Act 2011
Health Services Amendment (Health Innovation and Reform Council) Act 2011
Residential Tenancies Amendment (Public Housing) Act 2011
Victoria Law Foundation Amendment Act 2011.

QUESTIONS WITHOUT NOTICE

SPC Ardmona: future

Ms PULFORD (Western Victoria) — My question is to the Minister for Employment and Industrial Relations, Richard Dalla-Riva. I refer to the minister's answers to questions in this place last week. I assume he has since acquainted himself with details pertaining to the situation at SPC Ardmona in Shepparton. Can the minister advise the house what issues are the keys to ensuring that SPC has a profitable future in Shepparton and can continue to provide employment to its 2400 permanent and seasonal workers?

Mr Lenders — Good question!

Hon. R. A. DALLA-RIVA (Minister for Employment and Industrial Relations) — It was a good question. In terms of the relationship, both the former government and this government have had a long relationship with SPC Ardmona and have maintained the commitment to the food and beverage sector across Victoria.

Ms Pulford talked about our commitment to ensuring that jobs remain there, but I understand that the CEO of the parent company Coca-Cola Amatil, Mr Terry Davis, has warned that the local food manufacturers might have to consider shifting operations offshore. He listed three reasons for that: one is if the dollar remains high; the second is if private label groceries gain a bigger share of the market; and the third is — and I think it is important for those opposite to understand this — if the competitive position of local manufacturers is eroded by Labor's carbon tax.

I think it is important to understand how important a factor the potential carbon price is, not just for this company but for many companies in the manufacturing sector. It is true that SPC is currently undertaking a review of its three SPC facilities, which will be completed in July. Our government is working with SPC to understand what that review will be. Obviously the government cannot pre-empt the outcome of the review of SPC Ardmona, but it will continue to maintain contact with the company as it undertakes its review.

I can also say that Mr Vince Pinneri, the managing director of SPC, stated on ABC Rural radio on 5 May that SPC had 'no intent to move the stone manufacturing, stone fruit processing, overseas', but he did not rule out offshoring of other operations.

Supplementary question

Ms PULFORD (Western Victoria) — I thank the minister for his answer and particularly his reference to private labels and the role of the major retailers in that. The opposition's inquiries have allowed it to ascertain that issues of critical importance to the future of SPC include the conduct of the major retailers but also product labelling laws. With that in mind, I ask the minister: what discussions has he had since last week with Coles, Woolworths, Aldi or indeed the commonwealth to address these issues to ensure the future of SPC in Shepparton?

The PRESIDENT — Order! I draw the house's attention to the fact that the original question was also in the context of the minister's responsibilities for industrial relations.

Hon. R. A. DALLA-RIVA (Minister for Employment and Industrial Relations) — The fact of the matter is that we have communicated with the retailers. I understand from the food manufacturing aspect that they are concerned about some aspects of the retail industry, so that is correct. But there were three issues I raised: the high Australian dollar; I indicated the labelling of groceries; and the third one I mentioned was the carbon tax, which is a significant concern for manufacturers. Uncertainty over the carbon tax being proposed by the Gillard government is not helpful to business confidence.

The Australian Food and Grocery Council and the major food companies, such as Nestlé, want details of the compensation scheme and its impact on their international competitiveness. I indicated that the Coca-Cola Amatil chief executive, Terry Davis, has said it is difficult to deal with the carbon tax proposed.

The PRESIDENT — Time!

Health: commonwealth-state agreement

Mrs KRONBERG (Eastern Metropolitan) — My question is addressed to the Minister for Health, Mr Davis. Can the minister explain to the house the concerns Victoria has regarding the actions the commonwealth is taking that increase the number of bureaucrats but do not increase the number of doctors and nurses in Victoria, and is he aware of any other groups or organisations who share similar concerns?

Hon. D. M. DAVIS (Minister for Health) — I am pleased to answer the member's question, and I note her concern to see that our health spending is spent on doctors and nurses and not on bureaucrats. When the coalition came to government it reassessed many of the features of the commonwealth-state health agreement. Immediately after the heads of agreement had been signed the Prime Minister held a press conference during which she made a point of giving some solemn commitments that there would not be a growth in bureaucracy.

What we find has occurred is that the federal government has introduced into the commonwealth Parliament the National Health Reform Amendment (National Health Performance Authority) Bill 2011 without prior consultation with the states. We were disappointed to find that legislation pop up in the federal Parliament. That was not the spirit of the agreement that was signed in February. This was meant to be a collaboration — a genuine partnership with the commonwealth — as we sought to move forward and get the best outcome for Victorians. What is clear is that the commonwealth is seeking to erect an intrusive and overly large bureaucracy. It is clear that the riding instructions given to the National Health Performance Authority, as outlined in the bill, are not in the public interest and miss the point of the key aims that were part of the heads of agreement.

Victoria is keen to see a genuine partnership. We are keen to see that bureaucracy is controlled. We are keen to see that we do not excessively duplicate the functions and arrangements that are already in place through the Australian Institute of Health and Welfare. We need to make sure that the institute is in a position to do its work, and the question is: do we need an overly intrusive health performance authority that will act as a whole new layer of bureaucracy?

We are open to discussion on this, and we are open to working with the commonwealth. We seek to collaborate with the commonwealth on these matters,

but we do not want to see an overly intrusive and large set of new Canberra bureaucrats put up for the purposes of increasing commonwealth meddling and intrusiveness. It is not in the public interest, and these concerns are shared by the Western Australian government. Our government and the Western Australian government have both put submissions to the Senate inquiry which lay out a number of our concerns.

A number of the other states have also expressed concerns — publicly in some cases, privately in others — about the health performance authority, the approach of the department at a national level and the approach of the commonwealth health minister. We need to work through these matters. We are determined to be collaborative and we are determined to be cooperative, but we want a health arrangement that keeps bureaucracy down. We do not want new and intrusive bureaucracies. We want health arrangements that are focused on delivering services for the community.

Heinz Australia: Gargarre factory closure

Hon. M. P. PAKULA (Western Metropolitan) — My question is to the Minister for Employment and Industrial Relations. Can the minister advise the house whether he or his department was aware of the decision by Heinz to make 150 workers at Gargarre redundant prior to the employees being notified of the decision last week?

Hon. R. A. DALLA-RIVA (Minister for Employment and Industrial Relations) — I thank the member for the question, because it is important to understand that news of any job losses, in this case news of the job losses at Heinz in Gargarre, is extremely disappointing. We know there will be anxious days to come for many of the employees and their families. The government has spoken to Heinz, which has described the decision as being part of a global consolidation strategy, and the government has been advised that the Gargarre plant will close within the next 6 to 12 months. The Victorian government will be working with Heinz to assist those displaced workers.

Heinz has stated that all employees will be provided with support, including counselling, job search services, new skills training and retirement services, through its outplacement program. They will also be supported by the Victorian government. I ensured that a team was sent out to deal with these matters on Friday and to join the company in ensuring that these workers were being supported.

Hon. M. P. Pakula — On a point of order, President, I am pleased with the detail the minister is providing to the house, but I point out that the question was very specific. It was: was the minister aware prior to the decision being announced?

Mrs Peulich — That is not a point of order.

Hon. M. P. Pakula — It is a point of order, and I ask you, President, to draw the minister back to the question.

Mr Ondarchie — On the point of order, President, with respect to the Leader of the Opposition-in-waiting's point of order, the minister still has 2 minutes and 53 seconds left to answer the question. He should be given due chance.

The PRESIDENT — Order! I say to Mr Ondarchie that I have been here a while and I do not need a lot of help. I certainly do not need a lot of help in the context of a member suggesting that another member is a leader-in-waiting. That is out of order, as far as I am concerned. Nevertheless, the basic premise Mr Ondarchie puts forward is correct: the minister has 2 minutes and 53 seconds left. I think he is providing some relevant information to the house in respect of this unfortunate episode. I am not in a position to direct the minister on how he answers the question, but I note he is providing the house with information that is relevant to the question and the issue. I would hope that he might well address the specific aspect that was raised in the question.

Hon. R. A. DALLA-RIVA — As I indicated, Heinz is strongly committed to Victoria. The company said it would commit \$5 million to its Echuca plant's baby food manufacturing operations as part of its consolidation strategy. The company has also made arrangements with Cedenco Foods to accept this season's tomato crop from the local growers. In addition, the growers have been offered financial and other assistance to make the transition to alternative crops. We are continuing to work in partnership with Heinz. We will have further talks with Heinz tomorrow about information sessions to be held for all affected staff. I think the answer to the specific question that Mr Pakula asked is that I was informed at the same time that the federal Minister for Innovation, Industry, Science and Research, Senator Carr, was advised.

Supplementary question

Hon. M. P. PAKULA (Western Metropolitan) — I thank the minister for his answer and for his attempt to answer my question at the end of it. I note that he did not specifically go to the matter of whether he knew

before or afterwards, and that makes it difficult to frame the supplementary question. On the assumption that he was advised prior to the decision being made — —

An honourable member interjected.

Hon. M. P. PAKULA — He did not answer the question. But given that there were Department of Business and Innovation staff on site when the employees were told, we will work on the basis that he was aware, so I ask: what action, if any, did the minister take to attempt to persuade Heinz not to proceed with its decision to close the factory, in which case the jobs at Girgarre would have been retained?

Hon. R. A. DALLA-RIVA (Minister for Manufacturing, Exports and Trade) — As I have indicated, we spoke to Heinz Australia subsequent to its announcement of the closure. The advice we received was that it was part of a global consolidation strategy. I have spoken specifically to the managing director of Heinz to ask how we could help, but the decision had been made beforehand. I am just a bit concerned that members seem to be missing the big point here — —

Honourable members interjecting.

Hon. R. A. DALLA-RIVA — Those who are saying we did nothing should be getting on the phone to Ms Gillard, the Prime Minister, saying that this is having a real impact on manufacturing. When companies start to undertake reviews, global strategies or whatever, one of the things that comes to mind is the carbon tax, and the uncertainty of a carbon tax for manufacturers cannot be understated. Members need to understand the importance of this. We have heard the Australian Manufacturing Workers Union, Mr Dave Oliver, say how bad it is that the government — —

The PRESIDENT — Time!

Housing: Richmond estate

Mr ONDARCHIE (Northern Metropolitan) — My question today is for the Minister for Housing, the Honourable Wendy Lovell. I have visited many public housing estates in my short time in this Parliament and have been concerned about illegal drug activity, and we are working with the police on that. Today I have a question specifically about housing estates in Richmond, and ask: can the minister inform the house what the Baillieu government is doing to tackle illegal drug activity in housing estates in Richmond to make them safer for the community?

Mr Lenders — On a point of order, President, Mr Ondarchie has asked Ms Lovell a question relating

very much to the portfolio of the Minister for Police and Emergency Services. If Ms Lovell is answering questions on behalf of the Minister for Police and Emergency Services, we will also ask a question. My point of order is that it is beyond the scope of her portfolio.

The PRESIDENT — Order! I thank Mr Lenders for his point of order. I think there is some validity in his raising the matter in respect of a ruling I gave recently about ministers answering questions that are outside their specific portfolios. It is my understanding that the minister has organised a particular initiative that falls distinctly within her housing portfolio, and I suspect that is where she will go with her answer. I suggest that that might be what Mr Ondarchie was referring to in his question. I will allow the answer to proceed, and I am sure the minister is aware that if she starts to respond to police issues, then there is every opportunity for further questioning by the opposition in regard to police matters.

Mr Drum — On the point of order, President, would it not be advantageous for the Leader of the Opposition in future to wait until a minister has answered the question before he makes a statement like that?

The PRESIDENT — Order! I thank Mr Drum, but between the Leader of the Opposition, the minister and me it will probably be sorted out.

Hon. W. A. LOVELL (Minister for Housing) — I point out right at the outset of my answer that policing is not my responsibility. However, since becoming the Minister for Housing my office has taken phone calls on a daily basis from public housing tenants living on some of our public housing estates who are scared beyond belief. They are frightened and upset. They contact my office every day about the illegal drug activities that take place on many of our public housing estates. We hear stories of playgrounds that cannot be used by children because the drug dealers are plying their trade and users are shooting up in the playgrounds. We hear stories of hallways that are unsafe to walk down, even during the day. We hear stories of the remnants of drug activity — needles and syringes — littering areas and making them unsafe. These things are not tolerable on public housing estates. We will not tolerate illegal activity.

Richmond of course has a particular problem with drug activity, and the Richmond estate has become an intolerable place for people to live. That is why we have acted to fix the problem, and together with Victoria Police and other authorities we are working to

put in place a pilot program that will address a number of these issues.

On Sunday I announced this unique pilot program, which includes the installation of closed-circuit television cameras in the low-rise area of the Richmond estate and which allows the police to use one of the public housing properties as an outpost or command post to stage patrols from. We are also working with the Metropolitan Fire and Emergency Services Board on some issues surrounding the fire hoses on the estate, and there will be a greater focus on the comings and goings of non-residents, with fines for illegal parking on the estate to be enforced by the City of Yarra.

With the help of Victoria Police and the assistance of the local council, the housing estate at Richmond will no longer be a haven for illegal drug activity. The response of residents on Sunday was overwhelming, with residents coming up to us and saying, ‘For 11 years under Labor no-one did anything to address this illegal activity on our estate’. One woman burst into tears and hugged me; she was so relieved to see someone actually addressing these issues that are happening at the Richmond estate.

Members will also be aware that last Thursday this house passed amendments to the Residential Tenancies Act 1997 that will now allow us to evict tenants who are dealing in drugs in the common areas of public housing estates. These measures are a real and effective response to drug activity in Richmond and elsewhere, and as Minister for Housing I will not tolerate illegal activity that threatens the safety of families on public housing estates.

The PRESIDENT — Order! For the benefit of the house, I believe the minister’s response was entirely within her jurisdiction as Minister for Housing, so I do not believe she has in any way opened up a situation wherein she would be required to answer questions in regard to policing. I think that matter was entirely within her jurisdiction.

Jetstar Airways: jobs

Hon. M. P. PAKULA (Western Metropolitan) — My question is for the Minister responsible for the Aviation Industry. Can the minister advise the house whether he is aware of any threat to jobs or potential job losses at Jetstar Airways?

Hon. G. K. RICH-PHILLIPS (Minister responsible for the Aviation Industry) — I thank Mr Pakula for his question. Obviously employment in the aviation industry generally is a matter of interest to

the government and me specifically as Minister responsible for the Aviation Industry. In relation to that sector, airlines in particular are very volatile entities and have ongoing changes in their employment arrangements and employment levels. I have said to this house before that the aviation industry is a sector that is particularly volatile in terms of boom and bust cycles. As to the specifics of his question, no.

Supplementary question

Hon. M. P. PAKULA (Western Metropolitan) — I thank the minister for his answer. As the minister is aware, Jetstar has received facilitation assistance from the Victorian government to base its head office here in Melbourne. Can the minister reassure the house that there are no plans by Jetstar to move the bulk of its head office operations to Hong Kong?

Hon. G. K. RICH-PHILLIPS (Minister responsible for the Aviation Industry) — Not being the chief executive of Jetstar, I cannot advise Mr Pakula or the house of its corporate directions, but I am not aware of the matters he is referring to.

Teachers: excellence awards

Mrs COOTE (Southern Metropolitan) — My question is to the Minister for Higher Education and Skills who is also the Minister responsible for the Teaching Profession, Mr Hall. I ask: can the minister advise the house of what the Liberal-Nationals coalition government is doing to recognise and support Victoria's outstanding teachers?

Hon. P. R. HALL (Minister responsible for the Teaching Profession) — I thank my colleague for her interest in this matter and particularly for the opportunity to pay tribute to Victoria's outstanding teachers. We need to acknowledge the contribution they make to learning outcomes in this state and to the lives of young Victorians. It is also important to provide those teachers and school leaders with the opportunity to acquire skills and to build on the skills they already have.

With regard to the acknowledgement and recognition of the outstanding service teachers provide in my state, it was a privilege for me to attend a function on 13 May at which the Victorian education excellence awards were made. At that function I was joined by my ministerial colleagues Ms Lovell, the Minister for Children and Early Childhood Development, and Mr Dixon, the Minister for Education, and also by the shadow minister for the teaching profession, Steve Herbert, the member for Eltham in the Assembly. I

might add that the other shadow ministers in the education area were also invited along to join us at the function. It is important that in a bipartisan fashion we recognise the contribution Victorian teachers make in our community.

The event marked the outstanding contribution of many teachers; there were of the order of 300 teachers whose long service to education in Victoria was recognised. They received certificates recognising 35, 40, 45 and — believe it or not, some teachers have chalked this up — 50 years of dedicated service in the Victorian teaching service. That is an absolutely remarkable effort; to last 50 years in that job shows their commitment and love for the teaching profession, and I felt humbled in presenting to them a certificate to mark that award.

A number of particular awards were also given on the night, the main one being the Lindsay Thompson fellowship. Many members would be well aware that that fellowship is named after a former Premier and education minister of this state, the late Lindsay Thompson. That award went to Michelle Bootes of Euroa Secondary College. There were other awards throughout the night. The outstanding school leadership award went to Tony Bryant of Silverton Primary School; the outstanding school leadership team award went to Copperfield College, Rosehill Secondary College and Taylors Lakes Secondary College; the curriculum innovation award went to Huntingdale Primary School; the partnerships with parents and communities award went to Mansfield Secondary College. Another award went to Carrum Downs Secondary College, and the outstanding early childhood teacher award was presented by my colleague Minister Lovell to Gisella Benetti of Knoxfield Infant Welfare Preschool.

There were a number of other award winners, including one in Mrs Coote's electorate: Bronwyn Minihan of Hampton Park Primary School won the award for outstanding business manager. My apologies to those whose awards I have not read out, but I will be visiting each of the schools and meeting the teachers who have received awards under the various categories.

I particularly wanted to mention two of the various initiatives the department is pursuing in offering educational opportunities for Victoria's teachers and leaders. The Bastow Institute of Educational Leadership continues to thrive. It was started under the previous government and is well supported by this government. It provides an opportunity to participate in leadership programs, and I have been down and visited it to see one of the programs it was running. Equally important is an initiative called the Supporting New Teachers'

Practice program. In the eastern suburbs recently I had the pleasure of meeting 72 new teachers who are being supported in the first year of their endeavours under this program.

Housing: Richmond estate

Ms MIKAKOS (Northern Metropolitan) — My question without notice is for the Minister for Housing. I too would like to refer to the minister's announcement on Sunday of the new police command post at the Elizabeth Street housing estate in Richmond — and I note it is less than 500 metres from the 24-hour Richmond police station. I ask: what resources, in terms of capital and police personnel within the housing estate, will be dedicated to this proposal?

Hon. W. A. LOVELL (Minister for Housing) — If the member is asking where the funding is coming from, I can tell her the funding for this pilot program is coming from the department's existing budget. As I said before, we have committed to installing four closed-circuit television cameras and to allowing the police to use one of our vacant properties as an outpost on the estate.

Supplementary question

Ms MIKAKOS (Northern Metropolitan) — The minister completely ignored my question, which was around issues of capital and police personnel. My supplementary is: can the minister advise the house when the new command post will be open?

Hon. W. A. LOVELL (Minister for Children and Early Childhood Development) — To clarify for the member, as I said before, I am not responsible for police resourcing, so I cannot answer in relation to police personnel. The Office of Housing is currently working to identify a property for the use of police.

Victorian Manufacturing Hall of Fame: awards

Mr FINN (Western Metropolitan) — My question without notice is directed to the Minister for Manufacturing, Exports and Trade, Mr Dalla-Riva, and I ask: can the minister inform the house of the recent developments in relation to the Victorian Manufacturing Hall of Fame?

Hon. R. A. DALLA-RIVA (Minister for Manufacturing, Exports and Trade) — I thank Mr Finn for his question.

An honourable member interjected.

Hon. R. A. DALLA-RIVA — I take up the interjections from opposition members, who continually want to talk down manufacturing. I was pleased to be at the Victorian Manufacturing Hall of Fame awards to recognise and honour excellence in manufacturing. On Thursday night I had the privilege of attending the annual awards ceremony acknowledging the achievements of Victoria's most respected manufacturing companies. Industries represented included pharmaceuticals, automotive, food, electronics, foundry, power, chemicals and rail manufacture.

I would have thought Mr Viney would be interested in this, given that he has manufacturing companies in his region as well. It is important to remind members opposite how important this sector is. As we know, it is a major contributor to the economy. It is still the largest full-time employer in this state. In terms of aggregate value it is Victoria's leading export sector. The Victorian Manufacturing Hall of Fame awards are an opportunity to celebrate Victoria's manufacturing sector, including both companies and individuals that are leading their field locally and internationally.

Hon. M. P. Pakula — Did you wear a black tie?

Hon. R. A. DALLA-RIVA — Mr Pakula asked, 'Did you wear a black tie?'. I went to the Italian Chamber of Commerce and Industry in Australia, where everyone wore a black tie except somebody by the name of Mr Pakula, so let us not go there! I recall that, so Mr Pakula should be careful about raising it.

The Victorian Manufacturing Hall of Fame awards was a night of celebration for an industry that needs to be celebrated at the moment. Two new awards were given out — Mr Pakula would be aware of them — embracing the importance of emerging technologies in sustaining manufacturing excellence. There was also special recognition of the industry-nominated Young Manufacturer of the Year along with the announcement of the honour roll recipients.

I was pleased that the honour roll award went to Mr Gerry Ryan, OAM, the founder and managing director of Jayco Corporation, of which Mr Rich-Phillips and Mrs Peulich would be well aware. Mr Ryan has made a valued contribution to the manufacturing sector and the broader community over many years. Jayco began as a family business in 1975 and has designed and built 120 000 recreational vehicles out of Dandenong, becoming not only the leading supplier of caravan and camping trailers but also a top exporter. One of the things that fascinates me is the doom and gloom we hear from those opposite.

Jayco actually had growth in employment at its facility, and doesn't that hurt those opposite to hear that!

We are supportive of the Victorian Manufacturing Hall of Fame inductees. The Young Manufacturer of the Year, Jason Oliver, operations manager of Black Widow Enterprises of East Gisborne, made a fantastic speech, and Enabling Technology Young Entrepreneur of the Year, Agnel D'Sousa, rapid parts technician from AW Bell of Dandenong South for the enabling technology — —

Mr Viney — What have you done for jobs?

Hon. R. A. DALLA-RIVA — What have we done for jobs? I just said we acknowledged a company that has generated jobs over the last couple of years. I cannot believe it — Mr Viney wants to continually talk it down. It is amazing.

The other recipients included Australian Rollforming Manufacturers, Dandenong South; AW Bell, Dandenong; Backwell IXL, Geelong; Bombardier Transportation, Dandenong; Ego Pharmaceuticals, Braeside; Futuris Automotive, Port Melbourne; Hazeldene's Chicken Farm, Lockwood; Pantalica Cheese, Thomastown; Qenos, Altona; and Wilson Transformer Company, Glen Waverley.

We recognise the importance of Victoria's culture of success, hard work, ingenuity and innovation, and we will do everything we can to continue supporting the manufacturing sector in Victoria.

Housing: Richmond estate

Ms MIKAKOS (Northern Metropolitan) — My question is to the Minister for Housing. On Sunday the minister was able to provide very few details about the new police command post at the Elizabeth Street housing estate in Richmond, and she has failed to answer my questions previously. Can the minister provide some details as to how long Victoria Police will maintain its presence at the Elizabeth Street flats?

Hon. W. A. LOVELL (Minister for Housing) — I thank the member for her question because it gives me the chance to repeat, once again, how grateful the residents of Elizabeth Street are that the coalition government is moving to address the problems that exist with illegal activity on that estate, and that we are moving to make the estate a safer place for families to live. I reiterate that residents were coming up to me and telling me that for 11 years the Labor Party had ignored their pleas for help, that the Labor Party was prepared to leave the drug dealers and the drug users on their

estate, making it an unsafe place for the residents' families to live.

This is an innovative pilot program. This is a government working with the police to try to address the issues that exist on that estate. We were working with the police immediately upon hearing of the great problems that exist on that estate. I called a meeting with the local police, the Office of Housing and the regional office, and that meeting was held in my office. We talked about a range of initiatives that could assist the police to address the illegal activity on that estate. I would have expected bipartisan support from the opposition on this issue.

Supplementary question

Ms MIKAKOS (Northern Metropolitan) — We have heard a disappointing lack of detail from the minister around this important issue. By the minister's own admission, she has only set up a working group to address these issues. Given her previous answers to my questions, is it not a fact that this is a half-baked policy announced in a cynical attempt to manipulate the media cycle rather than to provide practical assistance to vulnerable members of our community?

Hon. D. M. Davis — On a point of order, President, the question from Ms Mikakos clearly contained a series of editorialising comments that were not seeking further information, as a supplementary question ought to. In fact this was just a rant, and I ask you to rule it out of order.

Mr Viney — On the point of order, President, a member has 1 minute to phrase their supplementary question. A supplementary question needs to be relevant to the original question or to the minister's answer. The member was framing her supplementary question, which she asked, and Mr Davis took the point of order before she had got the question out, but she continued and asked the question. The rest of it was her preamble to the question, which is perfectly in order.

The PRESIDENT — Order! On the point of order, I take Mr Viney's position on this one. Whilst the member may well have been rather argumentative, or may have invited argument in the way in which the preamble to her supplementary question was running, the fact is that she has 37 seconds left to put a specific question. In the event that a specific question does not materialise from what she has put, I suggest that what she has already asked questions the veracity of this initiative, whilst maybe not something the government would support, is nevertheless a valid question in itself.

I allow the member to continue with the question. I hope there is a specific question.

Ms MIKAKOS — I am getting frustrated by the lack of response from the minister around these issues. I want to ask the minister if she can provide us with some details about this program: how many police, for how long and how much will be involved? Can she provide some specific details?

The PRESIDENT — Order! I am more concerned now than I was before in so much as I am not sure that this supplementary question relates entirely to the original question. I think it takes a completely different and far wider ambit.

Ms MIKAKOS — On the point of order —

The PRESIDENT — Order! It is not a point of order, but I will accept an explanation.

Ms MIKAKOS — Can I provide some assistance? My original question related to how long Victoria Police would be maintaining its presence at this housing estate. My revised supplementary question related to how many police would be in place and for what period of time, and what funding would be associated with this commitment, given that the minister has failed to provide us with any information around these specific questions.

The PRESIDENT — Order! My problem is that this supplementary question is far broader, and I am not sure that it is entirely related to the original question. Nonetheless I will allow the minister to answer the question on this occasion.

Hon. W. A. LOVELL (Minister for Housing) — I think I gave a fairly substantive answer in my original answer, and I am not responsible for police operational issues. We are working with the police. We have provided them with the resources that they have asked for — the four closed-circuit television cameras and the additional command posts for them to man on the estate. I had expected bipartisan support for this initiative, which will provide safety to residents on the Richmond housing estate. I guess what particularly disappoints me about Ms Mikakos's questioning of this initiative is her lack of support for her own constituents.

Ordered that answer be considered next day on motion of Ms MIKAKOS (Northern Metropolitan).

Planning: Ballarat

Mr RAMSAY (Western Victoria) — My question without notice is to the Minister for Planning, Mr Guy. I ask: can the minister inform the house about actions

he has taken to increase the residential land supply in Ballarat?

Hon. M. J. GUY (Minister for Planning) — I thank Mr Ramsay for a very useful and informative question. I announce to this house again that the commitment of the Baillieu government to regional Victoria is solid and that it is one which we intend to follow through on, because we know housing affordability issues are not just issues for Melbourne but they are issues for regional Victoria as well, and they are issues which require a government solution and government action, not just government talk.

Members would be aware that Ballarat will be Australia's 20th city to surpass 100 000 people sometime in mid-2012. Three years after that, in 2015, Ballarat will be followed by Bendigo, with 100 000 people in its metropolitan area. It is exceedingly important that this government responds to housing affordability pressures which exist in regional Victoria. We are doing that. Since coming to government we have announced a number of measures on which we will work with regional councils to bring forward land release. Where the previous government had not worked for the last 10 years, this government will get on with the job of bringing forward land supply to maintain residential growth in regional Victoria.

I can inform the house that recently I spoke with the Ballarat City Council and fast-tracked the release of 750 hectares of land in the Alfredton West growth corridor in Ballarat. Mr Ramsay and I were there on a tour to see the growth corridor that would bring forward the land that will provide 4000 new homes for Ballarat. That is why this government is committed to land release. We are not just talking about it as our predecessors did; we are acting upon it. Mr Ramsay and I made an announcement in Ballarat on the new suburb, which is to be called Lucas. It is west of Ballarat central and will be exceedingly important for the people of Ballarat, the local economy and for residential land supply in Ballarat.

The government made another important announcement yesterday regarding the reform of our local developer contributions plans. Those plans will bring certainty once again to the market, investors, councils, developers and to the people who live in these growth corridors so that they know what will be invested and when.

I thank Mr Ramsay for his question. All this is proof positive that the Liberal-Nationals coalition government is acting on issues of serious importance to regional Victoria. We are not just talking about it as the previous government did. The 4000 homes and 750 hectares of

land supply for our third biggest city is proof positive that the Baillieu government does not just talk, it acts.

That the implementation plan in response to the 2009 Victorian Bushfires Royal Commission be taken into consideration later this day.

QUESTIONS ON NOTICE

Answers

Hon. D. M. DAVIS (Minister for Health) — There are 16 answers to questions on notice: 109, 112, 116, 179, 214, 241–47, 587–89, 641.

Leave refused.

Ordered that the implementation plan in response to the 2009 Victorian Bushfires Royal Commission tabled by the Clerk be considered next day on motion of Mr BARBER (Northern Metropolitan Region).

PAPERS

Laid on table by Clerk:

Bushfires Royal Commission Implementation Monitor Act 2011 — Implementation Plan in response to the 2009 Victorian Bushfires Royal Commission.

Crown Land (Reserves) Act 1978 —

Minister's Order of 22 May 2011 giving approval to the granting of a licence at Kings Domain Reserve.

Minister's Order of 19 May 2011 giving approval to the granting of a lease at Rosebud Tennis Club Reserve.

Minister's Order of 6 May 2011 giving approval to the granting of a lease at Sidney Myer Music Bowl Reserve.

Holmesglen Institute of TAFE — Report, 2010.

Judicial Remuneration Tribunal Act 1995 — Statement of Reasons, pursuant to section 14(2) of the Act.

Planning and Environment Act 1987 — Bayside Planning Scheme Amendment C99.

Statutory Rules under the following Acts of Parliament:

Petroleum Act 1998 — No. 30.

Transport Accident Act 1986 — No. 29.

Victorian Energy Efficiency Target Act 2007 — No. 31.

Subordinate Legislation Act 1994 — Documents under section 15 in respect of Statutory Rule No. 30.

Proclamations of the Governor in Council fixing operative dates in respect of the following acts:

Consumer Affairs Legislation Amendment Act 2010 — Sections 17, 18, 18A, 82 and 108 — 1 July 2011 (*Gazette No. S154, 24 May 2011*).

Consumer Affairs Legislation Amendment (Reform) Act 2010 — Division 2 of Part 2 and section 71 — 1 July 2011 (*Gazette No. S154, 24 May 2011*).

Mr BARBER (Northern Metropolitan) — I desire to move, by leave:

PRODUCTION OF DOCUMENTS

The Clerk — I have received a letter dated 30 May from the Attorney-General seeking documents relating to the federal government's Carbon Capture and Storage Flagships program.

Letter at page 1595.

STATEMENTS ON REPORTS AND PAPERS

Notices

Notices given.

Mr Drum having given notice:

The PRESIDENT — Order! I am informed that Mr Drum already has an existing notice from last week. Which one does he wish to proceed with?

Mr DRUM (Northern Victoria) — The one I put forward this afternoon, thank you, President.

The PRESIDENT — Order! Mr Drum is withdrawing his statement from last week. Can he please advise me what it was, in case other members had intended to talk on it? Was it the Office of Police Integrity report?

Mr DRUM — Yes.

The PRESIDENT — Order! Mr Drum's notice of today is the one that will proceed.

Further notices given.

BUSINESS OF THE HOUSE

General business

Mr LENDERS (Southern Metropolitan) — By leave, I move:

That precedence be given to the following general business on Wednesday, 1 June 2011:

- (1) order of the day 2, relating to government election commitments;
- (2) notice of motion 32 standing in the name of Ms Hartland relating to the introduction of the Environment Protection Amendment (Beverage Container Deposit and Recovery Scheme) Bill 2011;
- (3) notice of motion 99 standing in the name of Mr Barber relating to the production of advanced metering infrastructure documents;
- (4) notice of motion 92 standing in the name of Mr Somyurek relating to the Australian Synchrotron;
- (5) notice of motion 94 standing in the name of Mr Barber relating to the production of documents relating to the relocation of the VicForests office;
- (6) notice of motion 78 standing in the name of Mr Barber relating to a review of the operating rules for major water storages;
- (7) notice of motion 91 standing in the name of Ms Pennicuik relating to the production of Australian Grand Prix Corporation documents; and
- (8) notice of motion 85 standing in the name of Mr Barber relating to a review of the Members of Parliament (Register of Interests) Act 1978.

Motion agreed to.

Filming of proceedings

The PRESIDENT — Order! Just before I call members statements I might just reconfirm — and I know that one of the clerks has conveyed this information, and I thank him for that — the requirements of this house in regard to media reporting, and particularly the filming of the proceedings of the Parliament. Media outlets are allowed to film only members of Parliament. Under our standing orders that is permissible. But under no circumstances are they entitled or allowed to film members of the public sitting in the public gallery. I know that information has been conveyed to a media outlet that is not always present in this house, and I appreciate its cooperation. I thank it for that.

MEMBERS STATEMENTS

Battle of Greece and Crete: 70th anniversary

Mr TARLAMIS (South Eastern Metropolitan) — The month of May marks the 70th anniversary of the battle of Greece and Crete where a desperate and ill-fated battle to save the country from invasion and halt the advance of the fascists took place during the Second World War. I recently had the honour of joining other members of Parliament, members of the Greek

community, veterans of the Australian armed forces and thousands of Greek citizens to commemorate this event.

This battle saw Australian, New Zealand and British allies fighting side by side with Greeks and Cretans and was only the second — and last — time Australian and New Zealand forces united under the Anzac banner. During this battle the Greek mainland was ultimately occupied by the invading Nazi Germans, who then proceeded to invade the island of Crete. On the Greek mainland 320 Australians lost their lives, with 494 wounded and more than 2000 taken prisoner. Withdrawing to the island of Crete, the Allied troops attempted to fight off an airborne invasion where a further 274 Australians lost their lives and over 3000 were taken prisoner. These losses paled in comparison to the estimated 500 000 Greek and Cretan lives that were lost during the war.

Six Australian veterans from this conflict returned to Greece and Crete to mark this occasion, including Norm Maddock, OAM, from Bentleigh, who enlisted in the army in June 1940 aged 17 years and was captured and became a prisoner of war before escaping from Crete by boat. After many days at sea he landed on the North African coast, and he then returned to active duty to continue to serve his country. There are many more like Norm who fought valiantly to defend democracy and freedom, and we should never forget the contribution and sacrifice they made for the freedoms we enjoy today. The battle forged a mutual respect and great friendship between the Greek and Australian nations that has never wavered — a friendship that is as enduring and strong today as it was during that terrible conflict.

Leongatha Recreation Reserve: irrigation

Mr O'DONOHUE (Eastern Victoria) — On 7 May I was pleased to attend the opening of two irrigation projects at the Leongatha Recreation Reserve on behalf of the Minister for Sport and Recreation, Minister Delahunty, and to join the mayor of the Shire of South Gippsland, Cr Warren Raabe, and Cr James Fawcett. The government provided \$83 000 for the Woorayl Golf Club's new automated watering system and \$20 000 for the new irrigation system on the main oval of the reserve. I congratulate the president of the golf club, Graeme Winkler, and the committee of the Leongatha football and netball club — in particular Phil Poulton.

Alay-Kapwa: 21st anniversary

Mr O'DONOHUE — On another matter, on Saturday, 21 May, I was pleased to join the Alay-Kapwa Filipino-Australian organisation for its 21st birthday celebrations, which were held at the Italian club in Morwell. Alay-Kapwa helps to promote and share Filipino culture in the Latrobe Valley and Gippsland communities. It also raises money for a range of local and national projects. Previously it has raised money for Latrobe Regional Hospital, the Victorian Bushfire Relief Fund and other worthy local organisations. Alay-Kapwa is a wonderful example of cultural diversity in this state, and I congratulate its members on reaching this significant milestone. I thank the president, Maria Hague for the invitation to be there.

Animals: live exports

Ms PENNICUIK (Southern Metropolitan) — Australians who watched the *Four Corners* program 'A bloody business' will be horrified, appalled and angry. The courageous investigation by journalist Sarah Ferguson and Lyn White from Animals Australia documented sickening abuse of Australian cattle in several Indonesian abattoirs.

The program documented the callous abuse that is meted out to the animals and graphically conveys their fear and terrible suffering. The Greens and many others in the community have opposed the live export trade for years, and Senator Siewert will introduce a private members bill in the Senate today to have it banned. The response of the industry representatives in the *Four Corners* report was a disgrace, given what they were shown and already knew was happening to the animals they export.

Today the federal Minister for Agriculture, Fisheries and Forestry, Minister Ludwig, has suspended live exports to Indonesia, but this is not enough. The live export trade must be stopped completely, as it will not be possible to prevent more animals from suffering appalling cruelty. In the *Four Corners* report Sarah Ferguson said that it is sometimes said that in years to come we will look back with the same horror at the way we treated animals as we do now at the human slave trade. I disagree in only one way: it will not be in years to come; it is right now.

Energy: Gippsland forum

Mr SCHEFFER (Eastern Victoria) — I commend the Gippsland Trades and Labour Council (GTLC), led by secretary John Parker, and Professor Peter

Fairbrother and his RMIT University team on the community forum conducted in Morwell on 18 May. The forum was entitled 'Just transitions — opportunities and innovation in Gippsland's low carbon economy' and consisted of panel discussions on manufacturing and agriculture as well as a keynote speech from the federal Minister for Climate Change and Energy Efficiency, Greg Combet. Minister Combet told the participants that the national government was obligated to heed the advice of the vast majority of world scientists that human-generated greenhouse emissions were causing global warming and that action is necessary. Minister Combet said there were many economic positives arising from carbon pricing through innovation and investment and that trade-exposed industries such as steel would be shielded and given incentives to innovate.

In relation to coal Minister Combet said that emissions intensity needed to be reduced over time and that investment in moving from coal to gas needed to be supported along with carbon capture and storage technologies. The minister pointed to the European Union's recent carbon impost on Qantas resulting from Australia not having a price on greenhouse emissions as evidence that Australia will be disadvantaged by not having a carbon price. The EU, China and California have massive carbon emission reduction programs, and increasingly Australia will fall — —

The PRESIDENT — Order! I might be in need of new spectacles, but it would appear to me that the line of a camera was actually into the public gallery. I am not happy. If it happens again, the privilege will be withdrawn.

Mr SCHEFFER — The EU, China and California have massive carbon emission reduction programs, and increasingly Australia will fall behind if it fails to devise and implement a carbon pricing system. Forum participants welcomed Minister Combet's address and the discussion that followed, and the GTLC and RMIT deserve high praise for organising this important event.

National Reconciliation Week

Hon. W. A. LOVELL (Minister for Housing) — National Reconciliation Week is an annual celebration from 27 May to 3 June, and it is a time for all Australians to reflect on our shared histories, contributions and achievements. This week is framed by two key events in Australia's history which provide strong symbols of the aspirations for reconciliation. The day of 27 May marks the anniversary of Australia's most successful referendum, which was a defining event in our nation's history. The 1967 referendum held

under a coalition federal government saw over 90 per cent of Australians vote to give the commonwealth the power to make laws for Aboriginal and Torres Strait Islander peoples and recognise them in the national census. On 3 June 1992 the High Court of Australia delivered its landmark Mabo decision.

My home town of Shepparton is home to Victoria's largest indigenous population outside of metropolitan Melbourne. I have many indigenous friends and admire many of the elders in our indigenous community, and it is my ambition to see better outcomes for indigenous Victorians. Personally I find it offensive that someone I sat next to in school has a life expectancy that is 20 years less than my own purely because they are indigenous.

Governments at all levels and of all persuasions should be investing in programs that deliver better educational opportunities, health outcomes and employment opportunities for our indigenous community to ensure that our shared future is one of equality at all levels.

Bill Roycroft

Ms TIERNEY (Western Victoria) — I stand to speak on the sad passing of one of the true legends of Olympic sport in Australia, Bill Roycroft, who died on Sunday in Camperdown at the age of 95. Bill was Australia's oldest surviving Olympian and the patriarch of equestrian sports in this country.

Grant Baldock, Equestrian Australia chief executive officer, said:

He was a legend. The term does get thrown around lightly at different times, but he was certainly a legend in our sport and Australian sport.

Many would recall the story of Bill's infamous gold medal win at the 1960 Rome Olympics when he signed himself out of the hospital, where he was nursing a broken collarbone as a result of a steeplechase event, to then go on to win in a flawless final round of the equestrian event.

Bill grew up in rural Victoria as a farm worker in the tough conditions of the Great Depression and also served in the Second World War. It was not until Bill turned 45 that he could realise his dream and compete in the Olympic Games, which he did on many occasions.

I think I speak for all members in saying our thoughts and sympathies are with the Roycroft family. He will be sadly missed. Vale Bill Roycroft.

Heart disease: Go Red for Women

Ms TIERNEY — On another matter, I take this opportunity to encourage all members to wear a dash of red tomorrow to support the Heart Foundation's Go Red for Women campaign. The campaign raises awareness of heart disease as the no. 1 killer of Australian women and raises issues of risk, symptoms and treatments to help lower the rate of heart disease.

Bill Roycroft

Mrs PETROVICH (Northern Victoria) — I also rise to pay tribute to James William George Roycroft, OBE, who was better known as Bill Roycroft. Born on 17 March 1915, Bill passed away last Sunday, 27 May, at the age of 96.

You could say that Bill was Yea's favourite son. Bill Roycroft was one of Victoria's most successful and best loved equestrians. I am told that he was one of the only Australians to be welcomed to have a G & T with the Queen Mother without an appointment because she liked his jokes. He was a wonderful example of an Australian because of his sportsmanship, courage, loyalty and sense of humour, which were all demonstrated in the life of this great horseman.

He was the patriarch of Australia's most famous equestrian dynasty, a family who followed him in equestrian competition. He was one of Australia's greatest Olympians. As an equestrian champion he competed for Australia in five consecutive summer Olympics — 1960, 1964, 1968, 1972 and 1976. In 2000 Bill Roycroft was one of the eight people who carried the Olympic flag into the Sydney games opening ceremony. He also carried the Australian flag at the Mexico City opening ceremony in 1968.

Although seriously injured in a steeplechase event during the 1960 Rome Olympics which left him concussed, he got back on his horse to finish the round. He was then rushed to hospital. Despite protests from doctors, Bill left his hospital bed to compete in the showjumping, the final event. He had even threatened to leave the hospital in his underwear if he was not allowed to go. Bill rode with a broken collarbone — an amazing feat — and completed a flawless round. Many said the Australian team could not have won gold in Rome without him. Roycroft simply said, 'You had to have three in a team, so it was me or no gold'.

Animals: live exports

Ms DARVENIZA (Northern Victoria) — I take this opportunity to congratulate those involved in making

last night's edition of the ABC program *Four Corners*, which exposed the inhumane and cruel treatment of Australian animals that are exported live and subjected to cruelty in the slaughterhouses of Indonesia. The footage was horrifying and extremely disturbing.

I welcome the decision announced today by the federal Minister for Agriculture, Fisheries and Forestry, Senator Ludwig, to halt the trade of live animals to facilities identified in the footage and his action asking orders to be prepared that will enforce the complete suspension of live animal exports to the facilities identified in the evidence gained by Animals Australia. I also welcome his decision to appoint an independent review panel to investigate the complete supply chain for live exports up to and including the point of slaughter.

As I said, this disturbing and horrific program exposed the extreme cruelty and inhumane treatment of animals that are exported live and slaughtered in Indonesia. This cruel and inhumane treatment of our live-exported animals has to stop.

Bill Roycroft

Mr RAMSAY (Western Victoria) — I also rise to acknowledge the sad death of Bill Roycroft on Sunday at Camperdown, aged 96. It was with great fondness that I remember working and riding with the Roycroft family as I jackarooed up at Hexham in the early 1970s. I know his love of livestock and horses was representative of many farming families across western Victoria.

As has been said, Bill was most famous for his first Olympics, when he led the Australian team in Rome to a gold medal, despite riding with some serious injuries that he had suffered in competition the day before. He competed in four more Olympics with his sons and achieved further medal success. I understand that he became Australia's oldest medallist and oldest Olympic competitor at the age of 61 years, when he won the bronze medal at the Montreal games. He remained actively engaged in his sport, and his legacy is among the most inspiring and tenacious in Australian sporting history.

Ballarat: soccer facility

Mr RAMSAY — On another matter, I also acknowledge the Minister for Sport and Recreation, Hugh Delahunty, who made a very important announcement in Ballarat on Friday which fulfils an election commitment by providing \$2 million in funding for stage 2 of the Ballarat regional soccer

facility. Soccer fans in Ballarat and surrounds were extremely excited and had looked forward to that announcement. I congratulate the minister on making the announcement, and I congratulate everyone involved in the project.

City of Banyule: volunteer awards

Mr ELASMAR (Northern Metropolitan) — On 11 May, together with some of my parliamentary colleagues, I attended the Banyule community volunteer awards dinner, which was held at The Centre Ivanhoe, the former Heidelberg town hall. The mayor of Banyule, Cr Peter McKenna, welcomed everyone and presented the awards to all the wonderful people who have given freely of their time to help those who are less fortunate than themselves. Banyule City Council has demonstrated a commitment to building stronger communities, promoting active citizenship and recognising volunteering as an essential element of a vibrant, healthy and connected community. I congratulate the volunteers of Banyule.

Ilim College: facilities

Mr ELASMAR — On another matter, I was delighted to participate in the official opening of the new science and language building, multipurpose hall and other staff and student amenities of Ilim College in Dallas. Held on 17 May, this occasion was also attended by federal and state parliamentarians together with officials from the Turkish-Australian community. The new buildings will provide first-class teaching facilities that will enable the college to further enhance its already excellent record of academic achievement. This will ensure that Ilim College graduates make their mark on Australia and in doing so make a better life for themselves and their families for generations to come.

Milos Todorovic

Mrs PEULICH (South Eastern Metropolitan) — I take this opportunity to welcome a couple of people to Melbourne, Australia. Firstly, I welcome Milos Todorovic, a father of three and grandfather of four. He is a survivor of a Second World War children's concentration camp and is a resident of the Republic of Serbia and Bosnia-Herzegovina. He also happens to be my uncle — my mother's brother — who sits in the gallery today.

Eric Zupon

Mrs PEULICH — The other person I welcome to Melbourne is Eric Zupon, a graduate intern who is doing some time in my office and will subsequently

spend some time with the Minister for Mental Health, Mary Wooldridge. Mr Zupon is visiting from the University of Utah. He is a fine young man of whom his family is no doubt very proud.

Victorian certificate of education: Premier's awards

Mrs PEULICH — On another matter, I congratulate all the recipients of the Premier's Victorian certificate of education awards, announced yesterday, and in particular I congratulate those from South Eastern Metropolitan Region. They have been able to achieve their outstanding success on the basis of their commitment, passion, talent and hard work as well as with the support of their principals, parents, families, friends, heroes and inspirational public figures. Some of the recipients of the awards included: Brendan Clarnette, Victoria Collins, Ashley Davies, David Delmenico, Sade Dikmen, Michael Edwards, Robert Foyster, Natalie Gombos, Jessica Hellier, Rosa Hwang, Jia Qi Lee, Alexandra Longhouse, Jayden Lynch-Cooper, Andrew Saw, Liana Selimi, Dane Sherburn, Jake Spain, Sharon Tan, Ella Wardlaw, Andrew Wong, Li Jian Wong and Janahan Shanmugananthakumar. Congratulations to them all; they should be very proud.

Royal Melbourne Yacht Squadron: breakwater

Mrs COOTE (Southern Metropolitan) — Last Friday the Minister for Environment and Climate Change, Ryan Smith, announced that the Royal Melbourne Yacht Squadron had been granted approval to commence stage 1 of the reconstruction of its breakwater in St Kilda harbour. The new breakwater will be an extension of the existing structure and will improve safety for boating and other water-based activities in the St Kilda harbour precinct. Accompanied by another member for Southern Metropolitan Region, Georgie Crozier, Commodore Stuart Tait and yacht squadron members, we viewed the area and had a very good opportunity to see what this new development will be.

Australian Women's Keelboat Regatta

Mrs COOTE — Whilst at the yacht squadron I met with Linda Goldsmith, who took the opportunity to tell me about the 21st Australian Women's Keelboat Regatta, which will be held in June this year. It is the only annual sailing event in Australia held over three days for all-female crews. The regatta attracts women aged between 15 and 60 years of age, with over 180 individual competitors each year. It is the most popular event for women who want to learn about and

participate in keelboat racing in Australia. As well as encouraging the participation of women in the sport of sailing, the regatta encourages the participation of women in the management aspects of the event. It is one of the few regattas in Australia with a female principal race officer.

All associated with the Royal Melbourne Yacht Squadron are to be congratulated.

CRIMES AMENDMENT (BULLYING) BILL 2011

Second reading

Debate resumed from 5 May; motion of Hon. R. A. DALLA-RIVA (Minister for Employment and Industrial Relations).

Hon. M. P. PAKULA (Western Metropolitan) — It gives me pleasure to rise to speak on this bill and to indicate that the opposition supports it. As the chamber knows, this bill is the culmination of efforts by government, by the Parliament and by the legal community more generally to ensure that the statute book of this state is able to deal with the kind of disgraceful behaviour that occurred at Cafe Vamp in Hawthorn back in 2005–06 and that it is able to deal with all incidents and behaviour of a similar nature wherever they occur in the state of Victoria.

I think all members of the house would recall with great sadness that at Cafe Vamp a 19-year-old woman, Brodie Panlock, was subjected to a campaign of abuse, workplace bullying and intimidation by three tormentors — Nicholas Smallwood, Rhys MacAlpine and Gabriel Toomey — who, amongst other disgraceful acts, spat on her, poured beer and oil on her and offered her rat poison. We can only imagine what other degradation and disgraceful behaviour that poor woman was subjected to. As has been well publicised, in 2006 at the age of 19, Brodie took her own life.

It has also been well publicised that those three tormentors and the owner of the cafe, Marc Luis Da Cruz, were all charged under occupational health and safety laws. They were fined a total of \$335 000 — \$250 000 of which was applied to the owner of the cafe and \$85 000 of which was applied to the perpetrators of the behaviour — but none were charged under the Crimes Act 1958, and obviously as a consequence none of them received a custodial sentence. Understandably, Brodie's family, particularly her parents, Damian and Rae, have bravely been campaigning for a change to the law since the WorkSafe prosecution occurred.

Last year the former Attorney-General provided the Victorian Law Reform Commission with a reference on the question of serious bullying and potential legislative reform. For all of us in the Parliament who desire legislative change in a timely way, it is pleasing to note that as a consequence of that reference the law reform commission has now formed the view that the issue of bullying can be dealt with by an amendment to the existing crimes act, that the law reform commission has concluded it does not need to conduct an extensive inquiry and that a bill that amends the Crimes Act 1958, as this bill does, will be capable of dealing with any such situation that may arise in the future.

It is pleasing that the law reform commission supports this bill. I note also that the Australian Council of Trade Unions, which has a strong commitment to stamping out workplace bullying, supports the bill. The ACTU wants to be satisfied of course that the passing of this bill is not seen in any way as a green light for employers to shirk or reduce their own responsibilities for providing workers with a safe workplace. It is also important to note that the Victorian Employers Chamber of Commerce and Industry also supports the legislation. It has indicated that it would also be interested in the pursuit of a uniform national approach. It would undoubtedly be worthwhile to give further consideration to whether there can be a uniform national approach to these matters. All relevant stakeholders, including of course the Panlock family, are very supportive of this bill.

The change proposed in the bill will effectively amend the stalking provisions of the Crimes Act 1958. It will do that by adding the offences of making threats, using abusive or offensive words or performing abusive or offensive acts — that is, all the behaviours that most of us would recognise as bullying. It also adds the offence of acting in a way that could reasonably be expected to cause physical or mental harm to the victim, including the kinds of activities that could cause the victim to engage in self-harm.

There has been some suggestion that perhaps the existing stalking provisions might have been sufficient to have captured the behaviour that occurred at Cafe Vamp. But let me be clear about this: the opposition entirely supports any attempt to clarify that matter and to put it beyond doubt. I am confident that that is the government's intention in bringing forward this bill, and for that reason we support it wholeheartedly.

Let me also say that stalking behaviour is behaviour which is punishable by up to 10 years in prison, and it is important to note that the inclusion of bullying behaviour in the stalking provisions provides another

potential recourse to victims in that it allows them to avail themselves of the intervention order provisions under the stalking provisions of the act. This is important work by the Parliament.

We are pleased that to the limited extent an act of Parliament can help to heal the hurt felt by the Panlock family and other victims of bullying, the Parliament is able to do that. I should say I do not believe any act of Parliament or any change to the law can ever compensate for the loss of a loved one, but I think all of us can feel some small satisfaction if the changes we are proposing to make today help to ensure that potential victims in the future are not subjected to the relentless campaign of bullying that Brodie Panlock was subjected to.

I say this in the most respectful way given the interest that is being shown in this matter by the family of Brodie, nevertheless it is incumbent on me to put on the record a couple of minor concerns that the opposition has. It was indicated in the Assembly that the opposition remains concerned that there not be mixed messages sent out. We are concerned that funding for JobWatch has been reduced for the reason that it is an organisation which for a very long time has supported victims of bullying as well as other types of workplace misdeeds. It is an institution that has done some very important work in this field over a period of time.

Since this matter was debated in the Assembly it has become apparent that JobWatch will be able to continue, albeit in a more limited form than the one it has operated in the past. Whilst its funding has been reduced, it has not been reduced to zero, which was the concern that both that organisation and the opposition had previously. It is my fervent hope that even on a reduced budget JobWatch is able to continue to provide services to employees, who have been the victims of bullying and who call that organisation, and continue to carry out the other important work that it has done for 30 years.

We are pleased that the government did not proceed with its original intention to re-tender the cyberbullying campaign conducted by the Alannah and Madeline Foundation. We are grateful for the fact that the government decided to announce that the project would continue in the form in which it was originally intended and for which \$10.8 million had been set aside. That is also important work. As we all know very well, bullying does not just happen face to face and it does not just happen in the workplace; increasingly it can occur over the internet via cyberbullying. Programs to educate young people in particular about the dangers of cyberbullying and the very real damage that can be

done by cyberbullying are very important programs. We are pleased that the Alannah and Madeline Foundation, which had initially been chosen to run that campaign, will be able to run that campaign in the manner in which it was originally chosen so to do. We welcome that decision in the same way that we welcome this bill.

To restate the matters that I raised earlier in my contribution, we want to be convinced — and I am absolutely sure the government would agree — that it is important that nobody takes the view that this legislation by stiffening up the provisions of the Crimes Act 1958, in any way diminishes anybody's responsibilities to deal with bullying. Nobody should see this as a green light to turn a blind eye. Nobody should see this as now being somebody else's problem. This is an augmentation of all our current responsibilities and all our current laws in regard to bullying, not a substitution. Whether someone is an employer or a union official, or someone who witnesses or hears about bullying in the workplace, they should not believe that anybody's responsibilities in that regard have been diminished in any way because we are now amending the Crimes Act 1958.

This is an important piece of legislation. This is about strengthening the ability of Victoria Police, the government and the courts to deal with bullying and to ensure that those individuals who take it upon themselves to make other people's lives a misery, in whatever manner they choose to do it, feel the full force of the law. For that reason, we wholeheartedly support the bill.

Ms PENNICUIK (Southern Metropolitan) — The Greens will be supporting the Crimes Amendment (Bullying) Bill 2011. As we know, the amendments that the bill makes to the Crimes Act 1958 and to the Stalking Intervention Orders Act 2008 will be known as Brodie's law as a result of the horrendous campaign of bullying, harassment and humiliation that Brodie Panlock endured between the ages of 18 and 19 at the hands of three of her coworkers at Cafe Vamp in Hawthorn, one of whom she was having a relationship with. The employer at the time, according to the coroner and from all that we can see in the evidence before us, did nothing to prevent it. Tragically it resulted in Brodie Panlock taking her own life.

I take the opportunity to extend my deepest sympathies to her parents, Rae and Damian Panlock, and to all her family and friends, who must still be suffering daily from the loss of Brodie and in particular the horrendous experience and circumstances that led to her death. It is apt that these amendments are named after her. It is as a

result of what happened to her and the series of events afterwards that have led to us having the bill before us today.

It is also sad that in the last week we have heard about the experience of another young man, 17-year-old Allem Halkic, who also took his life. His parents were awarded compensation by the Victims of Crime Assistance Tribunal due to its ruling that his death was the result of a violent act, that act being cyberbullying, to which he was subjected to an amazing degree and which resulted in him taking his life. These are very important issues that are before us as parliamentarians. Cyberbullying has not been around long — it has only been around since we have had cyberspace — but bullying itself has been around for a long time. It has not perhaps had the attention that it deserves.

I was also pleased to hear that the Alannah and Madeline Foundation will be continuing its work on cyberbullying. I would not like to see that dropped, because it is an important area and perhaps needs to be expanded. It is young people we are talking about — two young people in this instance, one 19 years old and one 17 years old. It is young people, vulnerable people and people who are not sure of themselves, who are in a powerless situation and are most often the victims of bullying. Bullying can only occur when one person or group of people feels they have power over another person — they may have such power due to age or position in the hierarchy of a workplace, for example — and they exercise that power over the other. It is totally unacceptable when it results in ruining that person's life, making their life a misery or, as in these two cases, in the death of the victim.

Thousands of people experience bullying at home, at school, in the workplace or in other settings, but the workplace is probably the most common or obvious setting where bullying can occur. The bill before us does not restrict itself to workplace bullying, but that is where most of the attention has come from. Mr Pakula mentioned that the previous government sent a reference to the Victorian Law Reform Commission to look into the issue of bullying and how it could best be addressed, and the VLRC made the finding that the best way to deal with it was to amend the Crimes Act 1958 in the way that is before us today in the bill. However, it should be noted that the VLRC's website only says that the Attorney-General has withdrawn the reference and makes no mention of the views of the commission regarding the merits of the review.

If we had had time for a full review, I would have been surprised if the Victorian Law Reform Commission had come out with just that recommendation and had not

gone further and recommended other preventive measures that could be put in place or reviewed the current preventive measures to determine whether they were good enough, in particular those under the occupational health and safety (OHS) legislation in Victoria.

Clause 3 of the bill before us will amend section 21A of the Crimes Act 1958 by inserting four key types of very serious bullying, including threats, abusive or offensive words and abusive or offensive acts, which will be part of a course of conduct which constitutes stalking. The description of such a course of conduct will include any conduct which 'could reasonably be expected' — that is, be objectively judged — to cause a victim to self-harm. The mens rea element of stalking via bullying will be addressed by including the intention to cause the victim to self-harm alongside the existing intentions of causing the victim physical or mental harm. Mental harm will include causing psychological harm as well as causing the victim to engage in suicidal thoughts. Under clauses 6 and 9 the Stalking Intervention Orders Act 2008 and the Personal Safety Intervention Orders Act 2010 will be amended to allow intervention orders to be issued by a magistrate to stop bullying conduct quickly and prevent it from continuing.

It is worth thinking about what bullying is. WorkSafe defines it as 'repeated unreasonable behaviour directed towards a worker or group of workers that creates a risk to health and safety'. It notes that it can take many forms and can be directed at anyone in a workplace, be it a manager, worker or coworker. However, as I said, it would be very rare that a person would be able to bully somebody who is in a more powerful position; it is the more powerful person who perpetrates the bullying.

I have had quite a lot to do with bullying. In my previous occupation at the Australian Council of Trade Unions (ACTU) in the occupational health and safety unit we conducted a national campaign on workplace bullying in the year 2000. That campaign was called 'Being bossed around is bad for your health — The workplace is no place for bullying'. The campaign was run that year as a result of findings of the previous campaign in 1997, 'Stress at work — Not what we bargained for', where the ACTU ran a campaign and had 10 000 survey responses. 'What is the cause of stress at work?' was one of the questions we asked in our survey, to which there were 10 000 responses, and the biggest cause of stress at work was management action against workers. One of the other biggest causes was working hours, so we followed that stress campaign up with campaigns on working hours,

workloads and also, I think, the first national campaign in the world on bullying in the workplace.

Along with that campaign we ran a survey as well, and the ACTU received over 3000 responses from a range of unions representing the health, education, finance, manufacturing, clerical and administration sectors, both public and private. Over half the respondents reported an unhappy and oppressive workplace, and 54 per cent said that intimidating behaviour — shouting, ordering and belittling people — happened in their workplace. Almost a third reported abusive language.

Forty-four per cent said that people were afraid to speak up about these behaviours in their workplaces or about working conditions in relation to health and safety. Around a third reported pressure of impossible targets and demands to perform tasks for which they had not been adequately trained. Twenty per cent had been threatened with the sack, 10 per cent had experienced physically threatening behaviour and 5 per cent reported being assaulted at work. Almost 70 per cent reported that either a manager or supervisor had carried out the bullying behaviour, and 14 per cent said it had been the employer. Less than 30 per cent said the bullying had been carried out by fellow workers or by clients or customers.

A large range of symptoms were reported as a result of being bullied, including feeling stressed, 73 per cent; feeling angry, 67 per cent; feeling depressed, 59 per cent; sleep difficulties, 48 per cent; headaches and feeling helpless, 45 per cent; feeling fearful, 29 per cent; and stomach problems, 24 per cent. Sixty per cent said that the workplace bullying was affecting their home and social life, and 44 per cent said they had taken time off due to bullying. Most of those respondents — 39 per cent — had taken sick leave, 8 per cent had used recreation leave, 6 per cent had taken leave without pay and only 4 per cent had received workers compensation. Only 18 per cent of respondents overall said anything was being done to stop the bullying behaviour.

On publication of that survey and the launching of the campaign we also advertised, as we always did, the ACTU helpline. We staffed the helpline with industrial officers from a range of unions and the staff of the OHS unit, including myself. We also had some telephone counsellors on stand-by. We were expecting quite a big response. However, we really do not even know what response we had, because within two weeks we had had 2000 calls, and there were many, many missed calls we could not get to; the lines were too busy. People were staffing the lines into the night. I took a lot of those calls myself, and I was astonished at the sorts of things that people were reporting had happened to them. I

have to say many of them reflected the sorts of behaviours that Brodie Panlock was subjected to in her workplace.

In a motion we had a couple of weeks ago on JobWatch Ms Pulford was talking about several workers she knew who had been bullied — and in fact, I think, assaulted. If you pour something on someone, set them on fire, hit them or throw something at them, you have gone past bullying; you are assaulting someone. That is a much easier issue to deal with, because it is very clear in the Crimes Act 1958 that you cannot assault people. It is also pretty clear what assault is. It is a little bit harder with bullying. That is why during that campaign we were trying to raise this issue. Bullying was something that it had been said to us was occurring in the workplace.

I found the helpline very distressing over the first two weeks. The campaign in fact went on for about six weeks, but it was very intense in the first two weeks as people called this helpline as a result of hearing about the campaign in the media or receiving one of our leaflets, which had the helpline number on it. That was in 2000, as I have mentioned. We are now in 2011, and this is still a very big workplace issue, which I would suggest has not been addressed anywhere near enough.

Only just this year *Trends in Bullying in the Victorian Public Sector — People Matter Survey — 2004–2010* was released. That was a survey, as the title suggests, taken between the years 2004 and 2010. The report on the survey, released by the State Services Authority, is unsurprisingly a very large document. In a section of the executive summary entitled ‘Trends in bullying since 2004’ the report says:

There has been very little change between 2004 and 2010. Around one in five People Matter respondents report having experienced bullying and one in three, witnessing bullying in their workplaces. This is despite the survey sample changing each year in composition of organisations and respondents, changes to the question wording ... and the inclusion of the current definition of bullying ...

Members may recall me saying earlier that in the 2000 ACTU survey in answer to the question of who does the bullying most people said the person who did the bullying was a manager, a supervisor or an employer and that only around 30 per cent said it was a coworker. In the ‘People matter’ survey, which covered the period 2004 to 2010, in answer to the question about who people were bullied, by around 32 per cent — the range was 31, 33 and 32 — said it was a fellow worker and only 7 per cent said it was a group of workers. The type of terrible campaign that Brodie Panlock was subjected to therefore where a group of people gang up on one

person, tends to occur less often, although it can of course be the most serious type in terms of the effect on the person. It can tend to happen not so often but be very serious in its ramifications.

In the ‘People matter’ survey the figures on the question ‘Who were you bullied by?’ were that 22 per cent reported having been bullied by the immediate manager and 21 per cent by the senior manager. If you add those two together, you get 43 per cent, so you are coming up to half of the survey respondents. This followed the very large ACTU survey results and the even larger ‘Stress at work’ survey results in showing that managers, supervisors and employers are the biggest perpetrators of bullying in the workplace.

I raise this issue because it makes this matter difficult to deal with. Under the occupational health and safety legislation the employer has a duty of care to provide a safe workplace. The implication is that it is the employer’s duty — and it certainly was the employer’s duty in the Brodie Panlock case — to put a stop to the bullying. This is especially so if the employer knows what is going on — and the evidence presented to the coroner in the Brodie Panlock case was that the employer did know but did nothing to prevent it. It is a bit more difficult, however, when the employer is the perpetrator; in that case they must provide a safe workplace by stopping doing what they are doing. That is one of the cultural issues we have to deal with in terms of bullying in workplaces. We need to have a much higher recognition on the part of employers about what is appropriate behaviour on their part and what is not.

Mr Pakula mentioned the support of the ACTU and the Victorian Employers Chamber of Commerce and Industry (VECCI) for this bill and its proposed changes to the Crimes Act 1958. It is true the ACTU supports the bill, but ACTU president Ged Kearney also emphasised that while the ACTU supported the new laws it strongly believed employers must continue to be held responsible for the provision of a safe and harassment-free environment for all their workers. On 12 April VECCI issued a statement saying that the state Parliament’s antibullying legislation should be used to create a federal model to ensure national consistency. It also wanted more details about the laws.

In the first few years after the 2000 ACTU campaign, the ACTU was pressuring the National Occupational Health and Safety Commission to implement a national code of practice and national standards on what bullying in the workplace is and what is required of employers and employees. The state trades and labour councils were also pressuring their various occupational

health and safety regulators. It has been a very uphill road for representatives of unions to get something done that has actual teeth in terms of OHS law. For example, the Victorian law provides that the employer must provide a safe workplace, including protecting workers from psychosocial hazards, but it does not define bullying in the act. It does so in the South Australian act. I put it to the government that in addition to this measure that it is putting in place, it should look at strengthening the OHS act in terms of the duties of employers.

In terms of employer representatives — such as, in my experience, employer representatives from the Australian Chamber of Commerce and Industry in particular as well as VECCI — I would have to say that they have consistently resisted any strong standards about bullying being put in place. They have been dragged kicking and screaming to agreeing to have a code of practice, and there is now a code of practice in Victoria. However, in terms of getting anything more substantial in OHS law regarding bullying, they have resisted it the whole time. They support this bill, but they do not support stronger laws requiring them to act to prevent bullying in the workplace and, in addition, to take note of their own behaviour in the workplace.

What I learnt from the long time I spent working on this issue over eight years in the ACTU is that bullying behaviour by employers is rife. I am sure that some people will get up and say, 'Well, there are good employers', and there are. There are very good employers; I agree with that. But survey after survey from Australia and around the world has shown that many of them do not recognise that their own behaviour in terms of the way they speak to their staff, the way they treat them and the way in which demands and pressures are put upon them, can also be regarded as bullying behaviour. As employers are in a position of power — and they are in a position of power because they are the employer — they need to act in a responsible way to make sure they are not causing problems with their employees.

I would also like to make some comments about the regulator here in Victoria, which is the one I know most about. We approached WorkSafe for some statistics on prosecutions with regard to bullying. From the figures I have been able to obtain so far, from 1999 until July last year there were 30 prosecutions regarding bullying, not all of which were successful. That is not very many in that time, given the extent of the problem.

In summary, in 2010 there were six prosecutions, which were all successful, but a majority of them were the Brodie Panlock offenders. One was in relation to a

young apprentice mechanic who had been set on fire by coworkers. As I said, I would suggest that that is assault. In 2009 there were four prosecutions, but none of those were successful. Charges were withdrawn against two-thirds of those people involved, and the third was committed to trial but not convicted. That case was in relation to a harassment complaint, including sexual harassment and internal mishandling of the complaint by Emergency Communications Victoria, by a call centre worker against her manager. In 2008 there were two prosecutions. Both were successful and guilty pleas and convictions recorded, but the fines were low — \$5000 plus costs for each offender. There were no prosecutions in 2007. I do not want to go into any more detail. I just say that there were not many prosecutions under the OHS act. When it comes to workplace bullying, that is where it should be occurring. WorkSafe needs to more proactive.

The Trades Hall Council's OHS unit has been following up with WorkSafe regarding its high level of concern about the investigation of bullying complaints, the types of notices being issued, whether the substantive issue is dealt with, the amount of time taken, whether recommendations for prosecutions are made, what is necessary for such recommendations to be made and so on. There is often some overlap between bullying and breaches of section 76, which is in regard to occupational health and safety representatives. There are the same sorts of issues with the investigation and resolution of complaints, and it is concerned about the lack of strategic prosecutions by WorkSafe on bullying and section 76, what is needed, how the cases are referred and so on.

I know that the Trades Hall Council's OHS unit has written to WorkSafe asking it to conduct a review of three cases, and one of those is in relation to a person called Christopher Hodge. Christopher Hodge has sent me a large ringbinder of documents which outlines his experience of bullying in his workplace, which went on for in excess of two years. He has written to the Ombudsman regarding his case, and there are charges pending. Obviously I am not able to say too much about the case, but I would like to read a quote from his letter to the Ombudsman, which he has provided to me. He wishes me to raise the matter of his case, because he is concerned about the number of people who are suffering from bullying in the workplace and not getting enough help.

He said in his letter to the Ombudsman:

... I am writing to you in the hope that my experience might initiate an independent review of WorkSafe's actions and processes and result in some change for the better. I know anecdotally through discussions with other health and safety

representatives, workers, OHS professionals and my union that I am not the only person to suffer this kind of response or lack of it from the OHS regulator we are supposed to be able to turn to when the workplace is unsafe. I would not want what has happened to me to happen to anyone else if it can be prevented.

He said at the end of his letter:

I am aware that the government is looking to make changes to the Crimes Act to increase the level of accountability and penalties for people who engage in bullying, and while that may send a strong message about the potential consequences of this behaviour it will not necessarily drive prevention of bullying in workplaces. At the end of the day prevention is about what WorkSafe does and what they require employers to put in place and how they deal with these issues when someone comes to them with a complaint about behaviour that is going on right then and action needs to be taken. I am concerned that changes to the Crimes Act will not necessarily improve the situation for someone who is exposed to the situation I found myself in.

That is all I can say about Mr Hodge's case, given that there are charges pending, but suffice it to say by his account he is another person who has been subjected to a long period of humiliation, harassment and intimidation in his workplace. There are thousands of such people, so we have a big issue in front of us.

In terms of workplace bullying, employers need to improve their understanding of what is appropriate behaviour both in terms of their own behaviour and recognising bullying of their staff, in particular young workers. Young workers do not have experience of the workplace or of life. They can be very vulnerable and reluctant to speak up because they want to make a good impression or they do not know what to do, or there could be many other reasons.

JobWatch is the service people have felt they can turn to by ringing up and getting help. It is important that JobWatch continues to be supported by the government, because we cannot just rely on the Crimes Act 1958 or the Occupational Health and Safety Act 2004. There is also the antidiscrimination legislation, such as the Equal Opportunity Act 1995. These are all areas where people can go.

The government needs to look at how to raise awareness of the issue in the community similarly to what was done with sexual harassment. We have made it such that sexual harassment in the workplace or the community is just not on any more, but I do not think we have gotten to that stage with bullying. The issue needs to be brought out into the open in order to support this legislation.

The government needs to run public health campaigns about bullying so that people become aware that the

terrible behaviour that was perpetrated against Brodie Panlock and thousands of other people in Victorian workplaces — and Australian workplaces for that matter — is not on. That is what has to happen. It is good that people who engage in bullying behaviour will be punished at the end of the day, but it would be better if people did not engage in that behaviour so that it does not escalate. Everyone else around them — not just the legal system, not just WorkSafe, not just the Victorian Equal Opportunity and Human Rights Commission, but everyone — needs to send them the message that it is completely out of order. I would hope we never have to use this legislative provision. I would prefer it if we moved to a situation where people understood that that type of bullying is unacceptable.

I have a lot of information in front of me. I have concerned myself with this issue over a long time. There is so much to say and so little time. I hope I have been able to convey my feelings for the family of Brodie Panlock. I feel for them. I understand how they are going, but then of course I have no idea what they must suffer every day. My heart goes out to them. I hope they can find some comfort from the passing of this legislation today.

I say to members of the government: they are the government now. A lot of workplace bullying and cyberbullying is going on; there is a lot to do. This is one step, but it is not the end of the road — there is so much more to do. I urge the government to take up that challenge and spend the rest of its first term working out how we can stamp out bullying in all its forms.

Mr O'BRIEN (Western Victoria) — It is with mixed emotions that I rise to speak to the Crimes Amendment (Bullying) Bill 2011. The bill is a response to the issue of serious bullying and its devastating effects on our community. The issues which this bill seeks to address have most tragically been witnessed with the suicide of Brodie Panlock as a result of appalling workplace bullying in September 2006. Hers is not the only case that has led to the introduction of the bill. However, her family — in particular her parents Damian and Rae Panlock — have painfully undertaken a campaign to seek justice in relation to their daughter's tragedy. Their call for the introduction of what has been appropriately called Brodie's law is a testament to their persistence and courage in doing something for other families so as to reduce the prospects of Brodie's tragedy being repeated.

I will answer some of the concerns that have been raised by the opposition and the Greens. Before doing so I thank them for their support for this bill. I also take this opportunity to join with them in expressing our

sympathies — the sympathies of the government and this house — to Brodie Panlock's family and friends.

The bill does not in any way undermine the existing programs or laws on workplace bullying or occupational health and safety. It supplants and extends those laws by putting workplace bullying into the Crimes Act 1958, specifically setting a maximum 10-year penalty for this offence. By doing so it recognises that bullying is not just a workplace issue but can extend well beyond the workplace, and wherever serious bullying occurs, it is a crime.

In bringing forward this bill the government has taken decisive action to redress this important issue in a timely manner. I commend the Attorney-General and his department and staff for prioritising this important legislation both as a testament to Brodie, her parents and their campaign and to prevent further bullying.

In the short time I have remaining I will briefly touch on aspects of Brodie's life. She was a vibrant 19-year-old woman who became the victim of a persistent campaign of appalling bullying in her place of work. The coroner investigating her death found that she had been systematically bullied by her coworkers and in addition that the owner of the cafe at which she worked had turned a blind eye to the bullying and had done nothing to prevent it.

The subsequent prosecutions under the Occupational Health and Safety Act 2004 were the focus of intense media interest and generated concern within the community that the four men convicted and fined under the OHS act should have received harsher penalties for their actions. Specifically it was said that the serious bullying conducted by them should in the future attract prosecutions under the Crimes Act 1958, with potential jail terms available to prosecutors.

In late 2010 the Victorian Law Reform Commission was asked to review the adequacy of Victoria's laws relating to serious bullying, and following the election of the state government the new Attorney-General acted to address this serious issue by amending the stalking provisions in the Crimes Act 1958 to encompass serious bullying.

Brodie's death has provoked a serious wake-up call to the community about the consequences that flow on from serious and appalling bullying. Bullying can cause a person to become less productive at work, to be less confident or to feel scared, stressed, harassed, anxious or depressed. It can also cause people to want to stay away from work and increase their sick leave or non-attendance. It can impact upon relationships

outside of work and lead to physical signs of distress, like headaches or sleep disorders. Most tragically it can cause someone to begin or exacerbate a tendency to self-harm. This act directly clarifies the fact that bullying conducted in a serious manner will constitute a crime.

The impact is not only felt by the victims themselves but also extends to their families, friends and communities. Whilst bullying is often malicious, it is sometimes undertaken by a second or third person in a thoughtless manner and in a way that they subsequently regret, particularly when the consequences of their actions are played out in tragic circumstances. By putting specific references to bullying into the Crimes Act 1958, this legislation will bring to the attention of the government and the community the serious consequences of such behaviour, but will also allow stalking and intervention orders to be obtained at an earlier stage so that the resources of the police, the courts and the community can be called in at the earliest opportunity to prevent such behaviour.

It does not bear thinking about how alone young Brodie must have felt in the hours before she took her life. As outlined by speakers in this place and the other place, the pain and loss felt by Brodie's parents will continue long after the passage of this bill. It is only hoped that through the passage of the bill the pain of serious bullying may be prevented from occurring to other persons and families.

The bill has a number of purposes. Firstly, the bill seeks to extend the definition of 'stalking' in section 21 of the Crimes Act 1958 to include threats and abusive or offensive words or acts. Secondly, the bill seeks to extend the description of a 'course of conduct' to include any conduct that could reasonably be expected to cause the victim to self-harm. If you act in a way that could be reasonably expected to cause a person to physically harm themselves, you will be guilty of an indictable offence. This most clearly regards, but is not limited to, circumstances where a person has put bullies on notice and in which the bullies' conduct is causing that person suicidal thoughts. Any behaviour that can continue or exacerbate that, or worse, make a mockery of such pleas for help, ought to be and will be, under this legislation, the subject of an indictable offence.

The bill extends the fault element to include the intention to cause a person to engage in self-harm. The current law addresses the intention to cause physical or mental harm to the victim. Whilst there has been some speculation as to whether this amendment was precisely necessary, it will put beyond doubt the notion that an intention to cause harm extends to cover an intention to

cause the victim to harm themselves, and aligns with the expanded description of relevant conduct.

Finally, the bill expressly provides that for the purposes of this offence in the Crimes Act 1958 'mental harm' includes psychological harm and causing a victim to engage in suicidal thoughts. As it stands, the Crimes Act 1958 does not define the term 'mental harm'. Bullying, by its very nature, is calculated by the bully, who will often be in a position of power over the victim in which they make the victim feel worthless and powerless. The bill does not confine itself to bullying that occurs in relation to situations of power imbalance; rather it occurs under section 21A(2) of the Crimes Act 1958 in relation to any offender and in any circumstances that:

... could reasonably be expected —

- (i) to cause physical or mental harm to the victim, including self-harm; or
- (ii) to arouse apprehension or fear in the victim for or that of any other person ...

That is what section 21A(2)(g) of the Crimes Act 1958, being inserted by clause 3, will say.

Sometimes a sense of despair can lead a victim to act out by harming themselves. This amendment clearly spells out that mental harm includes psychological harm and causing a victim to have suicidal thoughts. The bill also amends the Stalking Intervention Orders Act 2008 to allow potential victims to apply to the Magistrates Court for an intervention order to address serious bullying and to prevent it from occurring. I touched on the importance of this earlier. This is in conjunction with other amendments that the government will introduce in other pieces of legislation that will encourage the earliest possible intervention in these cases. This will give victims the power to reach out and protect themselves from someone who has started to display serious bullying conduct towards them.

By extending the Stalking Intervention Orders Act 2008 in this way a breach of any such intervention order can then be charged as a separate and further criminal offence. As I said earlier, bullying is not confined to the workplace, but the bill recognises that the circumstances that occurred in Brodie's case and that occur in many other cases can have their origin in the workplace. In this regard we remind all employers and employees of their responsibilities. Everyone has a right to feel safe and free from violence, harassment and intimidation in their workplace. It is the government's opinion that a bystander who stands back and watches serious bullying occur without intervening

is as guilty as the bully themselves, particularly if their behaviour is encouraging or intimidatory. The government refuses to be a bystander.

A question was put to the minister during a hearing of the Public Accounts and Estimates Committee about JobWatch, and I will allow the minister to answer that. It has never been the government's intention to disband that important organisation, and we put that notion to rest. We are intervening on behalf of the victims of bullying by saying enough is enough.

In closing I commend the Attorney-General for bringing this bill forward in a timely manner. I commend the bill to the house. I recognise the continuing pain that will be suffered by Brodie's family and friends for the rest of their lives. I note that whilst justice has come too late in relation to Brodie Panlock's case, hopefully this bill will prevent future incidents from occurring for the rest of Victoria.

I also note comments that have been made that this bill could be a model piece of legislation for other states, and I urge those states to watch the passage of this bill and work with the Victorian Department of Justice to assist in implementing their own legislation at the earliest possible opportunity.

Mr ELASMAR (Northern Metropolitan) — I also rise to speak on the Crimes Amendment (Bullying) Bill 2011. Schoolyard and workplace bullying and cyberbullying appear to be a widespread phenomenon these days. Bullying is increasingly being brought to the attention of the public. No-one in the Victorian community thinks that bullying is okay. It is not okay. It can precipitate mental illness, physical injury and in some extreme cases even suicide.

We all know about the tragic death of Brodie Panlock. My deepest sympathy goes to her family, relatives and friends. This 19-year-old woman was so intimidated and humiliated that her life became so unbearable she took her own life. At that time there was no-one in the justice system to whom she could turn to protect her from intense harassment by people who should have known better.

This bill codifies bullying as a criminal offence with a maximum jail term of 10 years. Bullying not only affects the victim; it also affects the victim's family and, in the end, the community as a whole. The bill calls for a criminal code to be enacted to protect fragile members of the community from serious bullying, and in doing so it strengthens the existing stalking law in the Crimes Act 1958.

Bullying is defined as repeated verbal, physical, social or psychological attacks upon a person that causes the person distress, fear or dread. We are now seeing this monstrous behaviour in the school system, workplace and cyberspace. This behaviour is normally perpetrated by older, more mature workers against young, vulnerable school leavers. The Occupational Health and Safety Act 2004 has a provision whereby perpetrators of bullying may be punishable by conviction and fined if found guilty. However, if the offences are found to be more serious, offenders may face prosecution under the stalking provisions of the Crimes Act 1958.

This bill takes seriously the effects of bullying on victims. It proposes to stamp out, eradicate or at the very least minimise instances of this form of insidious brutality in our community. Unfortunately, if proper respect for the individual cannot be taught, it must be enshrined as a principle or, in extreme cases, enshrined in legislation to ensure the safety of the community. All civilised societies are ruled by boundaries and limitations. Misdeeds must have consequences. This bill prescribes lawful punishments for individuals who ignore fundamental human rights. I support the bill.

Mrs PETROVICH (Northern Victoria) — From the outset I will say that this is a very important piece of legislation and our commitment to it is complete. It deserves bipartisan support. This government is committed to addressing serious bullying in our community. It is an unfortunate indictment of our society that we have to introduce this type of bill to the house. The treatment of Brodie Panlock, as discussed in this place today, is a serious indictment of our community and our society. I find it reprehensible that anybody could believe that sort of behaviour is acceptable in any form or any place.

Bullying is a widely used term. It is defined as conduct involving repeated verbal, physical, social or psychological attacks upon a person that causes the victim distress at the time and into the future because of the fear of further occurrences. Bullying can be committed by people in a range of ways. It affects a variety of victims, but it also involves people of a variety of ages. As discussed in detail today, Brodie Panlock, a young 19-year-old woman, has passed tragically. I offer my deepest sympathy to her parents, family members and friends. This is a tragedy. Unfortunately this legislation comes too late for Brodie, but I hope the fact that we have this bill before us today is testament to the campaign that has been run by those people associated with Brodie.

This government has acted swiftly to resolve the issues before us. As part of its commitment to community

safety, the Baillieu government will strengthen the criminal law to ensure that bullying, be it in the workplace or anywhere else in our community, is treated with the seriousness it deserves. Therefore this bill will make sure that the act of serious bullying is now encompassed by the Crimes Act 1958.

Mr O'Brien gave a detailed account of the clauses of the bill, so in the short time available to me I would like to speak about some issues affecting my own community. Unfortunately, many young people endure bullying on a daily basis. Research released last week by the Victorian Department of Education and Early Childhood Development reveals that 44.6 per cent of young Victorians aged 10 to 17 had experienced bullying. In the Loddon Mallee region this figure is as high as one in two.

The far-reaching and long-term effects of bullying are demonstrated by higher levels of anxiety in victims, reluctance by young people to attend school and a reduction in school performance. The long-term impacts of bullying can include depression, non-suicidal self-injury and suicidal ideation. According to the research, the Loddon Mallee region has double the rate of hospitalisation due to non-suicidal self injury compared to the rest of Victoria.

Often young people are reluctant to report incidents of bullying due to feelings of shame or embarrassment or because they feel that bullying will either escalate as a result of telling or the response will be inadequate. Hence a conspiracy of silence still exists. This silence can result in some serious implications that impact on individuals in schools and in the broader community. As I said earlier, it is an indictment of our society that people feel it is okay to bully others, and it goes on.

The research says that people bully for a number of complex reasons. It says that some do not know that what they are doing is wrong, some seek power and control within a social group; and some young people bully to prevent being bullied themselves. Current research suggests that contrary to public opinion some bullies have a very strong sense of self-esteem and identity; however, they lack a sense of empathy and concern.

There are a range of issues that I am very concerned about in my community, which include cyberbullying. This is something that young people are experiencing at a very high rate. Young people have embraced technology, and therefore it is part of their lives. It certainly complicates things for people like me who are not as adept at those means of communication, but I do

understand that they are a big part of life and it is very easy to press the button.

In the place where I live, in the Macedon Ranges shire, the Live4Life mental health initiative and the CyberLife pilot project are excellent examples of school and community partnerships. If we are truly to combat bullying in our communities, it needs to be a partnership and all of us need to take responsibility. This legislation goes a long way towards addressing that, but there are a range of issues we need to address.

The CyberLife project tackles the issue of cyber safety and ethical digital citizenship in the classroom and the community by developing the practical tool kits of parents, teachers and most importantly our young people to enhance their interpersonal skills within an online context. CyberLife promotes responsible conduct, effective conflict resolution techniques, managing your digital footprint, developing empathy for others and enhancing an understanding of self. It is the aim of the project to minimise the frequency and severity of cyberbullying incidents and increase the resilience of those who may encounter such experiences.

I strongly support the introduction of Brodie's law. There need to be serious consequences for this type of abuse, but let us not stop here. This is everybody's responsibility. Bullying is endemic in all layers of our community, whether you are an employee or an employer, a parent or a teacher, a young person or a peer of a young person.

There is no doubt that legislation needs to keep up with community concerns. The type of bullying we were exposed to when we were younger was significantly different from what we see today. Communication between young people today means that cyberbullying can occur 24 hours a day. Bullying now heads home with young people and continues on their mobile phones, iPods and laptops, which many use in the privacy of their bedrooms. Despite no-phone policies which exist in many schools, it occurs on their mobile phones in the classroom and out in the schoolyard. I encourage all of us to consider the investment at the prevention end to include school and community partnerships.

Last week 120 year 7s from my electorate were asked to list the three most important issues impacting on their lives as 13-year-olds. It was not surprising to see bullying come in as no. 1, followed by peer pressure and family break-up. As adults we all have a responsibility to protect our children. They are telling us that bullying is a major issue, so I do not want to let

them down. The Baillieu government has made this commitment today, and I ask that all people in this house support this most important bill.

Ms MIKAKOS (Northern Metropolitan) — I rise to speak on the Crimes Amendment (Bullying) Bill 2011, which is supported by the Labor opposition. As members of this house would be aware, this bill has come to be known as Brodie's law, in memory of Brodie Panlock, a 19-year-old woman who tragically took her own life after enduring countless acts of relentless physical and psychological workplace bullying by three of her coworkers. I too wish to express my sincere sympathy to the family and friends of Brodie Panlock.

I think it is important for members to reflect on the seriousness of the bullying that Brodie endured. Brodie worked as a waitress at a cafe, and the coronial inquest found a shocking case of abuse. WorkSafe Victoria found that she had been subjected to persistent physical and psychological bullying that included direct verbal insults, degrading sexual comments, offensive comments about her appearance and direct physical bullying.

The horrific acts of bullying that were involved in this particular case made me reflect on the seriousness of the case and how, as a society, I believe we all failed Brodie. It is a tragic reminder of the serious consequences that bullying can have on the victims, their families and the community. The four men responsible for bullying Brodie, including the then cafe owner, were fined a total of \$335 000, which is a small price to pay for someone's life. Whilst fines were issued under the Occupational Health and Safety Act 2004, no criminal charges were laid under the Crimes Act 1958 and none of Brodie's tormentors received a custodial sentence.

Whilst arguably the existing stalking provisions set out in the Crimes Act 1958 are broad enough to include the type of behaviour that Brodie endured, no charges were in fact laid, and that brings us to the legislation that is before the Parliament today. The opposition supports the bill insofar as it seeks to put the question of the scope of the Crimes Act 1958 beyond doubt and strengthen its existing provisions.

The bill seeks to make changes to amend the stalking provisions in section 21A of the Crimes Act 1958 to include the offences of making threats, using abusive or offensive words or performing abusive or offensive acts as part of a course of conduct that may constitute stalking. It also adds the notion that acting in a way that could reasonably be expected to cause physical or

mental harm to the victim, including self-harm, could be prosecuted under the act. Stalking behaviour is punishable by up to 10 years imprisonment, and the inclusion of bullying behaviour in section 21A will enable a victim to also access intervention orders under the stalking provisions.

In my research in preparation for my contribution on the bill I came across a JobWatch study that was conducted in May 2004 entitled *Fast Food Industry — A Research Study of the Experiences and Problems of Young Workers*. The findings of that study are really very confronting, and I am sure other members are aware of it also. The JobWatch research back in 2004 looked at the problems experienced by young workers in the fast food industry.

Based on a survey of 599 young people from 278 different fast food outlets across 146 suburbs in metropolitan Melbourne and country Victoria, the findings were quite astounding. Over 35 per cent of respondents had experienced some form of workplace violence or bullying at the workplace, with the main forms of bullying including verbal harassment, psychological harassment, sexual harassment and assault. According to the survey 45.8 per cent — that is almost half — of those who perpetrated the bullying behaviour were people in positions of authority, with 30.3 per cent being work colleagues. Close to 70 per cent of those respondents who had experienced some form of workplace violence or bullying admitted to not reporting these incidents to somebody in their workplace.

That last point is one of the shocking aspects of this report. The fact that such endemic bullying is occurring is in itself shocking, but the fact that so much of it goes unreported is truly startling. It is something that all of us as a society need to address to give young people — employees — the courage to step forward and report these matters and end this terrible behaviour. Given that the retail and hospitality industries employ such a big proportion of young people and that for many young people it is often their first experience of the workforce outside of school, it is important that we address this issue urgently. It is distressing to think about how many people are having such a negative experience in their first workplace.

I too want to address the broader issue of bullying as it is occurring in our schools, as Mrs Petrovich did, and to reflect that bullying is occurring in schools and in other social environments. If we need to look for evidence of how important it is to address the issue of serious bullying in our schools, I ask members to recall the incident surrounding the young Sydney schoolboy

Casey Heynes, who earlier this year became an internet sensation after a video emerged of him body-slaming another student during a verbal and physical attack.

As the shadow minister for children and young adults, I believe the Baillieu government, and in fact all governments at all levels, should focus their attention on the issue of bullying in our schools, including the issue of cyberbullying as has been addressed by previous members during the course of this debate.

I recall attending a Youth Parliament organised by the YMCA in July last year. I was the Acting President during a session where a bill was introduced by young people calling for urgent action around the issue of cyberbullying, and I was quite shocked when a young woman who I think was in year 10 stood up and said that she had received messages on the internet — I assumed they were emails — telling her to die. This was a young girl of 15, and clearly she was quite confronted by that experience. I said to her afterwards that it took a great deal of courage to get up and share that experience with her peers.

I share the sentiments expressed by Mrs Petrovich. I believe all of us as responsible adults have a responsibility, whether as legislators, parents, school principals or others, to take this issue of cyberbullying very seriously and to stamp it out. We keep reading stories in the papers on a regular basis about what proportion of young people are on Facebook at the moment, and it alarms me greatly that very young people are having unsupervised access to social media that is enabling cyberbullying to become quite endemic.

I say in conclusion that I welcome this bill. The Labor opposition welcomes this bill. Anything we can do to ensure that employees in the workplace are never again subjected to the torment that Brodie Panlock suffered is worthy of our support as parliamentarians. As I said, we all have a responsibility to ensure that this type of behaviour is stamped out from our workplaces, from our schools and from broader society.

I would also like to see the police, WorkSafe, JobWatch and other regulators ensuring that when complaints like this are made, they are taken very seriously and investigated and that prosecutions follow.

Ms CROZIER (Southern Metropolitan) — I rise also to speak on the Crimes Amendment (Bullying) Bill, but before I do, I would like to acknowledge the Panlock family and recognise what must have been the unbearable grief and pain they have endured after the tragic death of their daughter Brodie, and for their

subsequent bravery in highlighting this issue which has led to providing much of the framework of this law.

I also would like to thank members of the chamber for their contributions in this debate and for recognising the nature of serious bullying and in doing so recognising that in 2011 serious bullying, whether in the workplace, over the internet or in schools, and no matter the age of the victim, should not be tolerated by our community.

This bill provides for the criminalisation of serious bullying and has a number of purposes. Firstly, it amends the Crimes Act 1958 in relation to the offence of stalking and then makes consequential provisions which my colleague David O'Brien has highlighted in detail. I want to mention that the bill adds those new provisions to the Crimes Act 1958 so that the course of conduct and intention that constitutes stalking encompasses the behaviours of serious bullying. The bill also adds the same provisions to the Stalking Intervention Orders Act 2008 and the Personal Safety Intervention Orders Act 2010, so that the three acts are consistent and that victims of serious bullying can make applications for the issue of intervention orders.

The bill inserts into the Crimes Act 1958 a number of definitions of the offence of stalking, including making threats to the victim, using abusive or offensive words to or in the presence of the victim, performing abusive or offensive acts in the presence of the victim, and directing abusive or offensive acts towards the victim. Importantly, the bill includes in that definition acting in any other way that could reasonably be expected to cause physical or mental harm to the victim, including self-harm, or to arouse apprehension or fear in the victim for his or her own safety or that of any other person.

The bill also provides for the purposes of bullying to include mental harm. Mental harm includes psychological harm causing the victim to engage in suicidal thoughts. Importantly, it also allows steps to be taken to prevent serious bullying through intervention orders in repeated bullying incidences. The bill allows for intervention orders that have been breached in such circumstances to be charged as a separate criminal offence, and that is also important to note.

The appalling physical and psychological bullying suffered by Brodie Panlock on a sustained basis demonstrates why this bill will provide more protection for victims of serious bullying. It also sends a very strong and clear message to those perpetrators who engage in such cowardly and intimidatory behaviour that if found guilty of such a charge they will then be

subjected to the serious penalties that will apply, including up to 10 years imprisonment.

This government went to the last election on a number of key issues. One of those issues was law and order. The public was undoubtedly concerned about the increasing violence occurring within our communities. People were also concerned about the order within our society and the breakdown in many parts of our communities of the basic elements of respect and tolerance that should apply to any civilised society. Bullying and serious bullying should not be tolerated by our communities.

This bill seeks to apply to incidents of serious bullying which occur not just in the workplace, over the internet or in schools but in all Victorian environments. We have heard from a number of members today who are particularly concerned about the rising instances of cyberbullying, as I am. Several young people I know have been subjected to cyberbullying. It is concerning that the number of reported instances of severe bullying has increased in recent years. It has a significant impact on people of all ages, especially teenagers and young adults, and it needs to be addressed. The dreadful and horrific circumstance of Brodie Panlock's death is just one example of the tragic consequences of serious bullying. However, sadly there have been other cases where young people have also taken their lives under similar circumstances.

Making serious bullying a criminal act aims to prevent cowardly and shocking acts of bullying from occurring in the future. This legislation applies to the most serious cases of bullying whereby, as the bill states, the course of conduct could reasonably be expected to cause a victim to physically harm themselves. It does not apply to a workplace situation in which an employee may not agree with a one-off decision or direction they are given by management, allowing that employee to then accuse their manager or supervisor of serious bullying behaviour. It does not give the green light to disgruntled employees who might think they can automatically subject their managers to criminal prosecution.

Such workplace disputes, which are not uncommon, can and should be managed through the appropriate channels, whereby under the Occupational Health and Safety Act 2004 the complaint would be subjected to current Victorian workplace laws and dealt with accordingly by WorkSafe Victoria, which defines workplace bullying as:

... repeated unreasonable behaviour directed towards a worker or group of workers that creates a risk to health and safety. In most cases, this behaviour is persistent and happens over a period of time.

Reasonable management action that is carried out in a fair way to counsel, dismiss, transfer or not promote an employee is not considered bullying.

Employers have an obligation to make employees aware of their rights and responsibilities under current regulations, and each case of bullying should be assessed in the context of the individual circumstances. The shocking story of Brodie Panlock and how she was continuously subjected to horrific bullying in her workplace highlighted the seriousness of workplace bullying and quite understandably prompted public outrage. Victorians want to know that their children and colleagues can be protected from cowardly and intimidatory behaviour such as that which Brodie experienced. Parents, especially, want to know that their children are protected from serious bullying, whether it be in the schoolyard, over the internet or, as was the case with Brodie, in the workplace.

Like all Victorians, young Victorians should know that they will be protected from serious bullying and that behaviour that constitutes serious bullying is recognised as a crime and has serious penalties attached to it. This government has listened to community concerns and acted to address this very important issue. This is an important piece of legislation, and I thank those opposite for supporting it. I commend the bill to the house.

Mr EIDEH (Western Metropolitan) — I rise to speak on the Crimes Amendment (Bullying) Bill 2011. There should be no need for us to have this bill before us today. However, unfortunately bullying in the workplace is not unusual in the real world. It exists, and people suffer needlessly. Regrettably people have been seriously injured and some, such as Brodie Panlock, have paid the ultimate price — a beautiful young life lost due to bullying. This is Parliament's fault, because it is to us that the community looks for leadership, and we have not been tough enough or forward thinking enough. Hopefully this bill will be the catalyst which will make bullying a thing of the past. I am pleased that this bill is being referred to as Brodie's bill.

This bill gives greater effect to the policies in which we all believe to stamp out bullying. We need to tell everyone that bullying is immoral and illegal, whether an employer is a sole trader, a business, a corporation or even a government department. For anyone and everyone, bullying is not acceptable and will not be tolerated. There can be no excuse to justify bullying. Calling something a practical joke when it causes harm is bullying. It is not acceptable anywhere within the jurisdiction of the Parliament of Victoria.

The changes proposed in the bill amend the stalking provisions of the Crimes Act 1958 by adding the following offences: making threats; using abusive or offensive words; and performing abusive or offensive acts. They further add the offence of acting in a way which could reasonably be expected to cause physical or mental harm to the victim, including self-harm. We are serious about stamping out bullying: it will not be tolerated. Any employer who thinks otherwise will learn that we are united in our resolve against such unacceptable behaviour — period; no exemptions and no excuses. However, we on this side of the house argue that these changes are not enough and that more should be done, not half-measures.

We need to ask ourselves such questions as: how will these new changes be put into effect, and what policies and programs will now be created and delivered to enforce what we are otherwise all in agreement about here? Should we argue that bullying that leads to death is, at the minimum, manslaughter — if not murder, which is what Brodie's family has asked for? Will the government commit absolutely to fighting cyberbullying? Will the government show its unwavering support for a host of campaigns and projects to fight bullying? We have already seen evidence that unless we, the opposition, are tough and observant, we cannot expect the government to follow through in all areas. Hopefully we will be proved wrong and we will be given the opportunity to congratulate the government on fighting bullying. Only time will tell, but let the time on this issue not be long.

Victims of bullying can be those who are weaker, both in society and in the workplace. Younger workers are inexperienced in work and inexperienced in life. Sometimes disabled workers attempt to demonstrate their many skills in an environment that is not always friendly, and aged workers are often not as fit as they once were but are eager to prove themselves. Members of ethnic communities may have limited English language skills and therefore cannot understand a simple occupational health and safety sign. The changes in this bill, combined with the Occupational Health and Safety Act 2004, make it clear that bullying will not be tolerated under any circumstances. I commend the bill to the house and advise all employers that they will be expected to follow its provisions without question.

Mr P. DAVIS (Eastern Victoria) — As previous speakers have said, it is unfortunate that we are considering the Crimes Amendment (Bullying) Bill 2011. It should not be necessary to have this debate, but apparently it is. Any society that we regard as a civil society should not need to pass legislation to protect

people from the sort of behaviour that Brodie Panlock endured prior to her tragic suicide several years ago. I take it that nobody in this house has any sense that it is regrettable that we should be considering this legislation, but we are here because of a particularly high-profile incident.

As regrettable and tragic for the family and for society as that particular incident was, it is regrettably only a public indicator — the public face — of what goes on in society pervasively. It seems to me that a lot of antisocial behaviour, within which the definition of bullying falls, is deeply rooted in a tradition of bullying that is about imposing one's individual will against the good order of society and the rights of others — whether it is hoon driving and tearing up the bitumen or gravel road in front of someone's house or whether it is something like a 30-strong brawl in the township of Lakes Entrance at 11.45 p.m. on a Tuesday night, as was reported in one of my local newspapers, the *Lakes Post* of 25 May. It is just unbelievable that that could happen — and on a weeknight.

A report in *East Gippsland News* of 18 May, headlined 'Teenagers film attack on netballer', tells the story of a 13-year-old girl who was beaten up in the change rooms before going to play netball. While she was halfway through changing a great mob of other girls grabbed hold of her and started beating her up. Not only did they beat her up, but they filmed it and posted the film on the Net. That sort of behaviour, frankly, brings me to the point of wondering why we as legislators bother. Do we really think that legislating is going to change that sort of behaviour? It is not; it is clearly not.

I guess the trigger for this bill, which is an important bill in its own way, is in fact a lack of civility in society today, which I have spoken about before. I remember speaking about this type of incident a few years ago, when I described what happened to the family of a police sergeant based at Sale in my electorate. The story was quite prominent in the Melbourne media at the time. The son was attacked in a nightclub in Sale simply because he was the police sergeant's son. He was attacked from behind, he was hit across the back of the head and he received severe injuries.

That was the story I told in Parliament. I remember speaking about how terrible it was. But that was not the end of the story. The next chapter was that the family was subjected to incredible harassment when that case went to court. When the assailant was actually convicted there were a number of incidents — in an environment of bullying — of the sister of the victim being threatened. Again, that was simply because she was the sister of the victim of an incident about which

there had been a conviction and because she happened to be the daughter of a police sergeant.

On what basis can anybody living in a society expect any respect for themselves if that is the way they behave? You wonder if there is not something more fundamentally wrong with our society today. It does seem to me that that is the case. There is something very wrong. I would use as a premise the idea that society needs to understand four words; society needs to understand the need for dignity, integrity, pride and respect. They are very simple words and they are very simple to understand, and they should be the basis on which society governs itself — without regulation, without legislation — and the basis of the way that we respect each other and behave towards each other.

We do not have a majority of practising Christians in our society today. We have a majority of people who claim some allegiance to a Christian faith, but the reality is that so few people worship today that very few people remember all of those good lessons that are taught as a fundamental part of our religious ethic.

Mrs Peulich — The Ten Commandments.

Mr P. DAVIS — Yes. You do not even have to know what they are, but most people, even those who profess atheism, know what the Ten Commandments are. The Ten Commandments are a simple code by which society regulates itself — or ought to regulate itself. I am not here to give a sermon, but I am here to say, in a secular way, without reference to my own faith, that as members of the society in which we live we should all respect each other.

I have kids who are not much older now than Brodie was when this terrible tragedy took place, so on a personal level, as a father of daughters who have worked in the hospitality industry, who have worked in cafes, I related very much to this story. My daughters live in cyberspace. I cannot understand, frankly, how they find the time to send all the texts and messages and do all the Facebooking —

Mrs Peulich — They are girls. They can do two things at the same time.

Mr P. DAVIS — The interjection is that they are girls, so they can multitask. It is true. I have actually seen them texting, talking on the phone and emailing all at the same time — whilst listening, by the way, to very loud music, which I cannot bear.

Having said that, I come back to the central point: why we are here. We are here because we feel as legislators a need to pass a bill to address something that occurred

recently which was horrific and tragic. In terms of my own view, I support the bill strongly. I think it is good legislation; however, it barely touches the fundamental endemic problem we have in society today. All you have to do is walk down Bourke Street at any time of the day or night, but more so at night, or walk down King Street, and you can see the horrors of what our society has become.

I am not talking about any particular colleague who is here who might be caught down in King Street late at night; I am talking about the behaviour of people who cannot control their alcohol and drug consumption and do not believe that they need to live by the code of respecting the people around them. To be verbally abused, as many people in our community are, just because they happen to be in the wrong place at the wrong time, meaning they are near some foul-mouthed person, is unacceptable. It is even more unacceptable that many people choose not to come into the city precinct at night anymore because of verbal and physical intimidation.

It is arguable that the situation is better than it was. I am not sure whether it is or is not. It does not concern me so much because, like many people, I am uninterested in participating in that end of town where people behave in a way that is simply not civil. It is not civil. I like to go to locations where it is quite acceptable to have a quiet conversation and enjoy the company of the people around you, even if you do not know them, and where you can participate in a discussion without getting an earful of abuse.

We have a problem and it is not confined to people of any demographic, age group or social group. It is a behaviour with which there is almost a view about an anarchist, libertarian society where it is okay to do anything, say anything and behave in any manner, no matter how disrespectful that is of the rights of others. What is fundamentally flawed in our society today, and the reason we have this bill before us, is that many people in society do not respect the rights of others, but they will impose their own opinion or will upon others in a very negative or detrimental way.

In conclusion I bring my remarks back to saying if only we could teach the values of dignity, integrity, pride and respect that in my view are fundamental to a good, ordered society to our young people from the time that they are starting to form opinions, then we would perhaps have a much better respect for society as a whole and of society for many of those young people who behave in antisocial ways. I do not think it is important today that we solve every problem immediately, and we cannot. We chip away at the

problem with various pieces of legislation which may remedy some aspects of antisocial behaviour.

However, I think it is important that there is a collective will to reset the basis on which our community operates, and that is to understand that there will always be diverse opinions and there will always be people who dress and behave in different manners, and perhaps in manners that we are not used to because of our own background, ethnicity or social community relationship. But all those people who we do not seem to align ourselves with as a cohort have the same rights as we do, and it comes down to a fundamental respect for everybody in our society.

I support the bill. I think it is important, but I really despair that it is not going to make a significant difference in changing that basic pattern of human behaviour which, in my view, has become so embedded in contemporary society that it is going to take much more than a few very pointed, narrow pieces of legislation to change it.

Ms PULFORD (Western Victoria) — It is with a heavy heart that I speak on the Crimes Amendment (Bullying) Bill 2011. I find myself unusually in furious agreement with much of what Mr Davis had to say. It is a terrible thing that we live in a society that requires a law like this, and with the time allocated to me I am not sure if I can go to all those questions as well as to the detail of the law. The Labor Party is supporting this legislation today. The bill provides for the criminalisation of serious bullying. As previous speakers have indicated, it comes very much in the shadow of the tragic death of a young woman, Brodie Panlock, who was a victim of serious workplace bullying — systemic and prolonged bullying — by coworkers during her employment at Cafe Vamp.

Bullying has become an increasingly high-profile issue in recent times and cases like that of Brodie Panlock are part of raising the profile of bullying. Bullying occurs in workplaces but also in schools and, as previous speakers have indicated, in a sinister and harder to notice, harder to monitor kind of way through the internet and social media. The tragedy of Brodie Panlock's story is compounded by the fact that those responsible were unable to be charged with a serious criminal offence under the Crimes Act 1958. Members and others will remember the images of the prosecution on the nightly TV news. They were proceedings that occurred under the provisions of the Occupational Health and Safety Act 2004. What this case has done for all lawmakers in Victoria is highlight the need for tougher penalties for those who engage in serious bullying behaviour.

This bill has bipartisan support and is the result of work done by the previous Labor government and the current government, the Parliament and Victoria's legal community. In late 2010 the former Labor government referred the question of serious bullying to the Victorian Law Reform Commission, which was asked to review the adequacy of our criminal law in dealing with serious cases of bullying. I am advised that the law reform commission formed the view that an extensive inquiry was not required and that the issue of bullying could be dealt with adequately through amendments to the Crimes Act 1958 — the amendments that we have before us today.

The bill amends the Crimes Act 1958 to clarify and strengthen provisions so that serious bullying can fall within the definition of stalking and provides a penalty of up to 10 years imprisonment. The bill adds new provisions to the Crimes Act 1958 so that the course of conduct and intention that constitutes stalking encompass the behaviour of serious bullying. The bill adds the same provisions to the Stalking Intervention Orders Act 2008 and the Personal Safety Intervention Orders Act 2010. All three acts will be consistent and victims will be able to apply for intervention orders.

The use of intervention orders can help to stop the conduct of serious bullying. It can provide a marker in time where the victim of such behaviours is able to put formal proceedings in place and interact with police and the court system to bring about formal recognition of behaviours that are completely unacceptable and need to be dealt with. It is envisaged that this would be a trigger therefore to allow workplace bullying to be dealt with as a criminal matter.

The bill amends the stalking provisions in four key ways. Firstly, it clarifies that threats and abusive and offensive words are acts that may form part of the course of bullying conduct. The definition of 'bullying' is really important. Ms Pennicuik touched on this in her contribution to the debate, but one of the challenges when we first met one another working in the area of workers' compensation and occupational health and safety was how to prove something that is often quite intangible — for example, the complaint, in my experience in a workplace bullying scenario, might come across as 'he looks at me funnily' or 'he talks to me in a really unpleasant way' or 'she has turned everyone against me'.

These experiences are real and significant problems for the victim, and impact on the victim because they come at the end of a long series of behaviours and actions that have contributed to that dynamic between those two

people. Anything that seeks to define and clarify what we mean by 'bullying' is very helpful for us all.

The second way is in broadening the description of 'a course of conduct' to include any conduct that would be reasonably expected to cause a victim to physically harm themselves. The third is to provide that the fault element includes the intention to cause the victim to physically harm themselves. The fourth is to expressly provide for the purpose of this offence mental harm.

Many high-profile bullying cases that members will be aware of involve physical abuse. Indeed when we had a debate in this place about JobWatch not that long ago, we heard about the experiences of apprentices who have been bullied in the workplace and who have suffered extreme physical abuse.

The bill defines psychological harm and describes conduct causing the victim to engage in suicidal thoughts as mental harm. Again, this is an important evolution in the way we think about bullying in workplaces and in other places. I am informed that Victoria is the first state to introduce a bill for the criminalisation of serious bullying. That is good, and it is good that we are doing it in a way that is widely supported by the community and across the Parliament.

The bill will provide greater protection to victims of cyberbullying. Everyone deserves a safe workplace. Serious bullying is not only a crime but an occupational health and safety issue. Serious bullying in a workplace setting affects a lot of people because of the many relationships that exist in a workplace. It is important to note that this legislation does not detract from the importance and the need for employers to provide a safe workplace.

This bill in no way seeks to replace the arrangements that place that responsibility on employers. It in no way seeks to replace the role that employees and coworkers have in reporting instances of bullying and inappropriate behaviour in their workplaces. However, I hope this bill will encourage employers to be more vigilant in preventing workplace bullying and reducing its incidence, and encourage employers to execute the responsibilities they are required to uphold in order to avoid any legal liability.

Mr Davis talked about the rules of society and the circumstances that have in some way led to this bill being before this place. There are a number of things we can do to promote the type of society where bullying is unacceptable and where it is nipped in the bud by the first person who sees it.

A lot of good work has been done with young children through their school communities on understanding what bullying is and that it is completely unacceptable. As a mother of a seven-year-old and a nine-year-old I hear the conversations of my children and their friends, and I appreciate they have quite a sophisticated notion of what bullying is and what unacceptable behaviour is. One struggles to read a weekly newsletter without gaining insight into the values that are heavily promoted throughout their school community and, I can only imagine, in most others as well. In relation to the types of things that Mr Davis was talking about — respect, tolerance, dignity and valuing the proper treatment of one another — there is plenty of good work going on in our schools, and I certainly hope that continues.

Supporting families to encourage the right kinds of behaviour is also important. We need to provide young people, and not-so-young people too, with good role models and good behavioural standards to which they can aim in their own dealings in life. People need to be provided with the resilience they need to interact with others in a way that is appropriate.

I am very sad that we have to be debating this legislation here today, but I am pleased that the legislative gap that existed for those involved in Brodie Panlock's case, and no doubt others, will now be filled by this legislation. As I said at the outset, I am concerned that this kind of legislation needs to exist. The behaviour that people were getting away with at Cafe Vamp should never have been accepted and should never have been allowed to evolve into the horrific treatment that was ultimately meted out. I hope the passage of this legislation in some small way assists Brodie Panlock's family, her friends and all those who knew and loved her to find some peace. I commend the bill to the house.

Mrs PEULICH (South Eastern Metropolitan) — I rise to speak briefly on the Crimes Amendment (Bullying) Bill 2011, and like other speakers I place on record my regret at the experiences that led to the tragedy of Brodie Panlock's loss of life and the grief her parents had to endure, but I also commend them in converting that grief into something that will serve the greater good. No doubt they have found the whole process excruciatingly difficult, and as a mother I share that with them, although I cannot imagine what it would be like to lose one's child.

Unfortunately human needs are complex and varied, as are the myriad ways in which people interact with others and with the world outside as they strive to meet their needs. Hopefully most of them are legitimate, but

many of them are not. Nonetheless, they shape the way we interact with one another. How we interact with other people and the world outside depends in many ways on a range of factors — life circumstances and how blessed we are to have the parents or family that we have or otherwise. Brodie was very blessed to have loving and devoted parents, family and friends. Sadly, many children are not so blessed; many live in vastly dysfunctional families.

Our interaction with the world is impacted by our education, both formal and informal, and how we, as children, are socialised into the world, into relationships and how we interact in those relationships. As adults and role models we always have to remember that 80 per cent of what children learn is from what they see, and only 20 per cent is from what they hear. The lessons we teach them are more the result of the way we conduct ourselves than the way we tell them to conduct themselves.

A significant fact that obviously impacts on how people interact with the world is culture and experience. Australia is a multicultural society which has a history of opening its doors to people from all over the world, as it did to me and my parents, and providing refuge from often very violent places where people have been victims, have witnessed violence or in some instances have been perpetrators of violence. The fact that we are an immigrant nation unfortunately complicates the issue of bullying. It is complicated also because immigrants to Australia bring their different cultural understandings of relationships between men and women, relationships between parents and children, how people should interact and, importantly, how conflict and problems are resolved.

What this boils down to is how we equip people to make the best decisions they can in the context they are in so as to have their legitimate needs fulfilled and to enable them to deal with conflict. Learning the importance of self-restraint is so important in a world where many of us are going to be in situations of conflict with other people who are also beavering away to have their own needs fulfilled. That element of self-restraint is so important in a complex society.

What is always helpful for me in understanding these matters is Maslow's old hierarchy of needs. This proposes that the most basic need and entitlement of every human being is the right to food and shelter. When those basic needs are denied to people they can become pretty mobilised and can use all sorts of means — some of them not pretty — in order to have those needs fulfilled. The next need is the need for safety and security. Clearly that was denied to Brodie,

and of course many people are in a similar situation in this country and in many countries around the world.

As young people grow there is also the need to belong to their peer group — they need that sense of belonging — and the need to establish their own identity. Safety and security intersect and graduate into the urge to belong. When you belong there is a corollary, which is that some cannot or do not belong. When young people establish a group of friends and a sense of belonging there is always someone who does not belong. How people have learnt to interact with the world will very much determine how that manifests and how people cope with it.

I am fortunate that my son is a very strong-minded individual who is also very sensitive, especially to those who are victimised and bullied. As a new immigrant — having migrated to Australia as a 10-year-old — I was beaten up every Friday at school by a girl called Melanie. That happened throughout grade 6, because I was a weedy little kid, but at the end of the year I was given the courage and encouragement to stand up for myself. I pushed the aggressor into the rubbish bin, and she never lifted a finger against me again.

Unfortunately this sort of thing happens all too often. It is very sad that we have to use the legislation to send a very strong signal about it. This is only one of the many measures with which we as a society, trying to deal with a whole range of issues involving people from a vast range of backgrounds and who have had a vast range of experiences in lots of different circumstances, can somehow make our expectations of what is acceptable, what is tolerated and what is not, more explicit. The introduction of this legislation, which recognises types of serious bullying as an indictable offence, is a very strong message we are sending to our community, and it will hopefully go some way to protecting the rights of people who are victims of bullying and in particular victims of serious bullying.

I would like to make some comments on some initiatives I have seen as being very important both from the general community perspective and in particular in relation to education. First and foremost the Baillieu government saw community safety as a very important priority at the recent election. As part of its agenda, the government has announced the employment of protective services officers and transit police. Every day people are bullied and are the subjects of violence. There are people who have given up on reporting such events. Hopefully we will turn that around, and people will have the right to feel safe as they move about their everyday business.

We have empowered school principals to offer greater support to students by, for example, searching students for weapons so that schools are safer, and that is very important. There was a vigorous debate in this place about that. I remember as a schoolteacher being on yard duty and seeing one group of year 7 students being very violent and aggressive. I reported it to the principal at the time and said, 'There's something going on there. They are either doing alcohol or drugs. We need to do a locker search and get to the bottom of it'. The situation was ignored, and the principal said to me, 'You are just being Stalin-esque. These are just kids'. Several weeks later we found out that those children had been bringing bottles of alcohol to the school and drinking during lunchtime, and there were some very severe consequences. The use of alcohol and drugs exacerbates other issues and increases the incidence of bullying. As adults and employers with a duty of care we must exercise that duty at all times, be vigilant and make it known what sort of behaviour is acceptable and what is not.

We have also launched an inquiry into Victoria's vulnerable children and proposed laws barring certain persons from licensed premises. We have announced a \$14.5 million Stamp Out Bullying program which includes \$10.5 million for cyberbullying in Victorian schools. My mother re-established contact with a distant relative on Facebook; she would never have imagined she would be able to do that. Very soon they came to discussing, via Facebook, some old emotional baggage, and the reasons why they had lost contact were resurrected. In her wisdom my mother turned around and said, 'This Facebook is really not all it's cracked up to be. Basically it means we can argue 24/7, and there is no reprieve'. I thought that was a fairly wise comment from a 76-year-old woman.

The Crimes Amendment (Bullying) Bill 2011 is just one additional step in the process of making our community safer. I will not go through the various types of bullying; everyone knows what it is. It exists throughout our community — in schools, workplaces, family homes, sporting clubs and even the various levels of government. There is a difference in degree between vigorous conduct within the confines of one's role and behaviour that crosses those boundaries. Bullying does not respect those boundaries.

This legislation tries to draw a line in the sand to make it clear what we will not tolerate. It is about enhancing community safety and offering protection to people by providing serious consequences for those involved in the bullying of others. It will ensure that wherever bullying occurs it is treated seriously. It strengthens the criminal law by amending the stalking provision in

section 22 of the Crimes Act 1958 to specifically enable the offences of making threats, using abusive or offensive words and performing abusive or offensive acts to be considered courses of conduct that may constitute stalking.

The notion of stalking is embedded in the culture of our society. In other cultures a man pursuing a woman — for example, in a relationship — would be incongruous with our understanding of stalking. We must understand this multicultural overlay when we are framing law, outreach programs, education and so forth. In many other cultures not pursuing a woman vigorously would be considered a sign of disinterest. We have to make sure we communicate Australian laws and expectations to those who, through no fault of their own, have a very different understanding of what is acceptable.

The bill broadens the definition of harm caused by the offence to include self-harm and suicidal thoughts. It adds the offence of acting in a way that could reasonably be expected to cause physical or mental harm. Similar changes will also be made to laws allowing victims to apply for intervention orders to make it clear that a victim can seek an order to protect themselves from serious bullying.

Cyberbullying has been mentioned by a few members. Its extent was recently highlighted by research conducted by Holmesglen Institute of TAFE. This research was referred to in one of my local newspapers, the *Mordialloc Chelsea Leader*, in an article headed 'Crackdown on bullies in Kingston' published on 21 March. It found that 50.5 per cent of year 8 and year 9 students in the city of Kingston had been cyberbullied; 77 per cent of victims were bullied on a social networking site such as Facebook; 83 per cent of victims knew the person who initiated the bullying; and 88.5 per cent of students who had bullied had done it deliberately.

Bullying is not only limited to students but is hitting Victorian staffrooms, with dozens of teachers off work after coming under online attack from students. Departmental WorkSafe claims data shows that from 30 June 2010 to 28 February 2011 an estimated 35 teachers lodged claims that were associated with instances of bullying by students. A *Sunday Herald Sun* article of 20 March headed 'Teacher quits over cyber attacks', by Hamish Heard, revealed that at least 32 teachers in Victoria had taken time off due to cyberbullying since June last year.

The coalition has recognised that many are at risk of bullying, especially cyberbullying, and it has

announced a \$14.5 million Stamp out Bullying plan. Under the coalition government's \$14.5 million plan, \$4 million will be invested in reviewing and updating bullying policies and programs in Victorian schools over the next four years. The plan also includes a \$10.5 million investment in the eSmart cyberbullying program, developed by the Alannah and Madeline Foundation, across government and needy Catholic schools.

A young man in my electorate, Tom Wood, writes for *Girlfriend* and is an expert on cyberbullying. We as a government and the community must use these role models to get that message out to the community. Under the coalition's plan \$4 million will also be invested to review, update and expand the suite of antibullying plans and strategies that operate across Victorian schools. Schools must be safe places for students, for whom we have a duty of care. The Auditor-General's report last year indicated that the average number of absent days per student was growing; offhand I think it was 18.3 school days per year. That is a phenomenally high number of days absent, constituting nearly four weeks of school.

Schools need to take this matter in hand, and the community needs to be a partner in that. We own the problem, and we must participate in a comprehensive, integrated program to make it clear that safety and security are the right of every individual, irrespective of their circumstances and irrespective of the context. This bill is one tool in that suite of measures that are needed. Most importantly we must understand that we are home to a vast number of people from all over the world who have very different cultural understandings of relationships and how to resolve conflict, make the best decisions and engender the emotional intelligence that is crucial to a stable society and good relationships. I commend the bill to the house.

Mr ONDARCHIE (Northern Metropolitan) — I rise to speak on the Crimes Amendment (Bullying) Bill 2011. It is sad that this bill has come about because of the fact that Victoria lost a beautiful young woman, Brodie Panlock. It is clear that the community just did not get it right, and this bill seeks to do something about that. I am not sure it will address every issue, but it seeks to do something. My thoughts go to Brodie's parents. I have children of a similar age, and I cannot imagine their thoughts right now. I commend my colleagues in the house — members on all sides — for the sensitive way in which they have dealt with this today. It is good that we are in concurrence.

I know something about bullying. I went to a white, Anglo-Saxon school, and I was the only one there who

did not have white skin. For my entire school life, my schoolmates called me 'Chocco'. I met somebody recently in the city, given my new job, who said to me, 'I went through six years of school with you, and I didn't know your real name. I thought it was Chocco'.

When I started work I was a young and vulnerable employee. On my second day I was sent by my colleagues to the equipment store with a requisition for what I thought was 'long weight'. I waited for an hour and a half before I realised that the requisition was for a long wait. While that story in itself is not of any great significance, it is a statement about workplaces where staff are prepared to bully young, new and vulnerable people, and that is not good enough.

In my sporting life I have watched bullying. I have watched it at training and on the sporting field. I am aware of an incident at a club where an older player bullied a younger fellow. The older player was a good cricketer, but the club suspended him for four matches because it believed bullying was not good enough.

I know bullying takes many forms — physical, social, verbal and psychological — and occurs in cyberspace on things I am not familiar with like MyFace, MySpace, Facebook, Facelift, Twitter, Tweeter, or whatever it is called these days. It happens there and in text messaging. Let us make no mistake, this is a criminal offence.

Bullying is a term that is used to describe conduct that involves verbal or social attacks on a person that cause them immediate distress as well as distress about further future occurrences. This bill will strengthen the stalking laws under the Crimes Act 1958 to include bullying in order to provide serious consequences for bullying. It amends the Crimes Act 1958 in four ways to deal with threats and abusive or offensive words or acts that may form part of a course of conduct. It reflects that the course of conduct can be broadened. It includes any conduct that could be reasonably expected — that is, a situation where there is an objective expectation — to cause the victim to physically harm themselves or engage in self-harm as a result of that conduct. It prescribes a fault element and includes the intention to cause the victim to self-harm. It includes reference to mental harm, including psychological harm and causing a victim to engage in suicidal thoughts. Bullying behaviour is calculated to cause mental harm — and for Brodie it was too much.

The bill provides for a preventive measure against bullying — that is, the issuing of intervention orders in circumstances where the applicant is being seriously bullied and there is the likelihood of continuance. The

bill will allow for an intervention order to be issued under the Stalking Intervention Orders Act 2008, and the breach of an intervention order will be a separate criminal offence. As a result of these measures, bullying will be punishable by up to 10 years imprisonment. This bill broadens the scope of stalking to include bullying and thereby increases the punishment to create a greater deterrent. It toughens laws to ensure that workplaces are safer and more secure. The Occupational Health and Safety Act 2004 looks at workplace bullying and holds employers responsible; however, this legislation targets the perpetrators of bullying. The bill takes into account both physical and mental harm. Employers, too, can face heavy penalties if they turn a blind eye to bullying.

Enough is enough! As a parent, I cannot fully comprehend what Brodie's parents are going through, but I can tell them that the thoughts, prayers and love of the Ondarchie family are with them. I commend this bill to the house.

Hon. R. A. DALLA-RIVA (Minister for Employment and Industrial Relations) — Apart from an occasional break, I was pleased to be here throughout the debate on this bill. However, it was not so much a debate as the completion of a small but important bill. I thank honourable members for their well-thought-out and varied contributions and for speaking about their own experiences. I think many of us would have been through similar experiences.

As we know, for Mr and Mrs Panlock, who have been listening to the debate in this house, it has been a long journey to get to this point of seeing Brodie's law passed through the house tonight. I thank members from all sides of the chamber for their support.

It is the view of the government that this bill puts to rest any uncertainty with regard to the existing stalking laws that relate to serious bullying, especially when the bullying results in the victim harming themselves. As we have heard tonight, the former government took action on this matter and referred it to the Victorian Law Reform Commission. We know it had concluded that this bill was unnecessary and that we could move an amendment under the existing law without the need for an extensive inquiry, hence the legislation that has been debated today.

We have heard members' concerns about how the bill would be applied, whether there would be assistance et cetera. The bill is not necessarily just for workplaces, although we did hear evidence that bullying occurs predominantly in workplaces. I think we heard that about 48 per cent or 50 per cent of bullying occurs in

the workplace. Aside from workplace bullying, there is also cyberbullying and bullying in community groups. The pattern of behaviour results in certain activities which are outlined in the bill before the chamber.

I would like to acknowledge again the work of the Attorney-General in bringing this bill before the chamber. I think it will send a clear message to the community. We heard before from Mr Philip Davis and others that society seems to regard bullying as the norm these days. We need to impose some level of intervention from this house and this government and, indeed, from all sides of the chamber.

As Ms Pennicuik said in her contribution, there are occasions where matters can be prosecuted under WorkSafe. However, this bill makes it very clear that there is the capacity for an intervention even before it gets to that point. The stalking provisions outlined make it very clear that under the Crimes Act 1958 those who follow a course of conduct that involves systemic bullying, no matter when or where it occurs, will be subject to this legislation. In effect, as of now, Brodie's law takes effect, and I wish it quick passage through this chamber.

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

Third reading

Motion agreed to.

Read third time.

FISHERIES AMENDMENT BILL 2011

Second reading

Debate resumed from 26 May; motion of Hon. G. K. RICH-PHILLIPS (Assistant Treasurer).

Mr BARBER (Northern Metropolitan) — We are dealing with a bill which relates to matters of enforcement under fisheries law. Fisheries officers are an essential part of maintaining ecologically sustainable marine environments. Bills like this that change policy settings are important and no doubt discover some important gaps in the enforcement process, but they mean very little if there are no properly trained fisheries officers out in the field who are visible and make their presence known to those of us who enjoy fishing and want to ensure that it is well regulated.

It has been said to me by people I have spoken to in Victoria that in some cases they have been fishing for

decades and have never encountered a fisheries officer. I grew up spending most of my time fishing in northern New South Wales, and I can tell you the situation there is very different. Each summer when we were up there and out fishing over several days we were pretty sure that we would see a fisheries officer on patrol and that we would regularly get stopped. That seems to contrast with the experience that some people report in Victoria.

Earlier speakers on this bill in the other place said they hoped these harsher penalties would prevent people from committing illegal acts. Simply changing the law is not going to do much without having more fisheries officers in the community. Fisheries officers are also necessary as they play an educational role, which is particularly to tell people what the changes to the law are as well as what the current law is. In my experience in northern New South Wales, one of the things fisheries officers will do is check that you are carrying the right equipment to measure fish. They ask if you have a ruler with you so you can ensure that you comply with size limits and so forth. With this bill there are greater penalties, but without more enforcement I am not hopeful that there will be either better enforcement of the law or a better understanding of the right behaviours.

Given the time scale we have been talking about in relation to this issue, it is also important to realise that marine parks were created in Victoria in the early 2000s, and these created an additional enforcement requirement. As we know, fishing becomes more popular each year. According to some research done by Ernst and Young and commissioned by VRFish, there are 721 000 recreational fishers in Victoria. We received some information from the government that there are currently 72 fisheries officers operating in Victoria. You can divide one by the other.

Also, in 2003 it was stated that fisheries officers have around 30 000 contacts a year with recreational fishers — 'contact' meaning to find somebody in the field and speak to them or check on them. I would like the minister to let me know, if possible, whether 30 000 contacts is still the current enforcement target for fisheries officers to achieve in a given year. If that information is not available tonight, I might submit a question on notice and track the answer down later on.

The minister was able to give me some rapid-fire responses to some of the questions I flagged, including that there are 72 fisheries officers, 4 fisheries operations managers and 10 specialist fisheries investigators. Some of those positions are funded out of consolidated revenue, and the Recreational Fishing License Trust

Account currently supports 13 full-time equivalent positions from those numbers I mentioned earlier.

The well-known fishing enforcement phone number, 13FISH, is reported to have received 10 000 calls from the time it was set up in 2003 up until the middle of last year. The minister's answers also stated that as a result of calls to that line 112 prosecutions have been launched, 803 infringement notices have been issued and around 1900 intelligence reports have been developed. Some fisheries officers are involved in more proactive and investigative-type activities as opposed to your regular speed-cop-type enforcement activity.

I notice that the coalition's agriculture policy promises to ensure that 100 per cent of revenue raised from fishing is reinvested in fish restocking programs and infrastructure. One hundred per cent of the money from fishing licences is required by law to be spent on programs that benefit fishing, but those programs are more than just simply restocking and infrastructure, so I have had cause to ask some questions in relation to that spending.

Over the last six financial years fisheries officers and field services accounted for about one-fifth of the trust's disbursements, according to our analysis. That is a bit over \$1 million a year. That figure is not adjusted for inflation. It is difficult to provide that money from the fund, which means it is difficult to continue sustaining this number of positions.

The Community and Public Sector Union (CPSU) mounted a campaign over this back in 2003. At that time it set a long-term goal for 77 field officers and 8 investigators. The information provided to me shows the number of fisheries officers has not significantly increased from 2003 levels. At that time the CPSU claimed there were 72 officers. These are reasonably expensive positions to maintain. They are not 9-to-5 jobs. By definition they involve working evenings, weekends and holidays, as this is when many people are out there fishing. But if that public money is well spent, it means we can preserve our marine environment for the benefit of our grandchildren's grandchildren.

I am told that around 80 per cent of fishing activity occurs around Western Port bay and Port Phillip Bay. There are, I think, a few dozen boat ramps around those two bays, and it would seem possible to cover most of those boat ramps on a given weekend if needed, even with the current number of officers provided. Again we have this conundrum where fishers tell me they do not see a high level of enforcement activity. Apart from that concentrated area of fishing activity, you then have a

very large coastline all the way to the west and to the east, which would be a huge task for anybody to cover with the remaining regionally based officers.

Hon. P. R. Hall interjected.

Mr BARBER — Thank you for that prompt, Minister. It would be interesting to see the level of enforcement or contact activity that applies in each subregion or out of each regional office. That information was provided at the time of the 2003 submission by the CPSU, and if such detailed information is not available tonight, we might put a question on notice and examine it at some future date.

In speaking on this bill the former minister for fisheries and agriculture, the member for Ripon in the other place, Joe Helper, said:

With the possible exception of the fruitloops of the Greens political party, strong fisheries compliance has the support of the Parliament of Victoria.

It was convenient for Mr Helper down there in that exclusive club, the Lib-Lab society: the Labor and Liberal parties got together at the last election to ensure that they kept it exclusive, of course, and that they kept the Greens out of the lower house. But it is a pity for Mr Helper that he does not have to make those sorts of statements in a chamber with Greens members in it, because he would then have to sit around and listen to the response. He has about as much considered opinion as the front pages of the *Australian* or the *Daily Telegraph* these days. Of course we support the compliance measures in this bill.

It is important to remind both sides of the house that when it came to the VRFish election scorecard, the Greens scored higher than both the coalition and Victorian Labor on the range of issues that VRFish put forward as the most important priorities in relation to recreational fishing.

Mr Koch interjected.

Mr BARBER — Mr Koch might like to go back and seek an explanation from VRFish about how it arrived at the score. That is the kind of research Mr Helper needs to do before he opens his mouth. As I said, I will be doing a little more research as to the performance of Mr Helper in this area since 2003.

In its *Pursuing the Great Outdoors* policy statement the Brumby Labor government, just like the coalition, promised greater powers for fisheries officers, but when it came to more staffing the only promise was for mobile squads of fisheries officers. Generally, they are pretty mobile. There was no detail about what that was

to entail, but it apportioned \$50 000 a year, which is clearly not a lot of money relative to the scale of the task I am talking about here. In fact I cannot see it even paying for one fisheries officer. Maybe it could buy a Hilux and a dinghy or two.

If you look at all the fisheries promises thrown around during the election, those promises would have just further stretched the workload of existing officers. It is a bit like one of those promises where the batteries are not included. In this case, the batteries represent money. If it were any other area of policing, I am sure we would all recognise that with higher demands there are greater police numbers required, not simply police powers. Question 7 of the VRFish election survey referred to the fact that the Greens also shared VRFish's disappointment with fisheries enforcement levels across Victoria. This is a quote from our response:

Increased officers are necessary to protect our fish resources by ensuring compliance with catch size, catch limits and prohibition from existing no-take zones.

Some of those go back a long way, and some were voted for by the coalition in the early part of the 2000s — possibly around 2003, which then led to the CPSU's campaign for more officers.

The bill provides for stronger penalties for obstructing the work of fisheries officers, including destroying evidence and assaulting officers, and that is good. It will close a loophole by making it an offence to present a knowingly false or misleading document to fisheries officers, and that is good. Currently officers have the right to seize fishing equipment; now under this bill they will have the right to seize fish and noxious aquatic species along the way. That is another subject on which I could give a long treatise, but I will not do so tonight. The corresponding process for ordering forfeiture of these items will change slightly. It is a bit like with drug seizures where the owner has a right to make a case for why any forfeited items should be returned. If not claimed, the items will be automatically forfeited, so the onus is in the other direction. Furthermore, an officer is able to request a court for forfeiture.

The bill creates a new penalty. A 12-month prohibition on fishing can be ordered by a court simply deeming such a punishment to be appropriate. There will be a new sentencing power for a court to order rehabilitative or enhancement works to be carried out where appropriate, and that is an interesting measure. I would like to see the courts making good use of that and ensuring that people who perpetrate a particular crime are given plenty of time while making redress, perhaps

through some sort of coastal or marine conservation project, so they can be punished accordingly. Also, a court may prohibit someone from engaging in recreational fishing. I do not know whether this has a crossover to whether or not they could continue to work as a commercial fisher.

The Fisheries Act 1995 has indictable offences in it, but when an assault occurs against a fisheries officer, with these new penalties the offence no longer attracts a 3-month maximum sentence but a 12-month sentence. That is well below the five-year standard in the Crimes Act 1958 for a regular assault, which makes you wonder whether the coalition has gone tough on crime but just not against fisheries officers. It may be copying the new plan in New South Wales, which is to create higher offences for assaults against police officers. In any case, in Victoria the coalition has made a small move in that direction in relation to fisheries officers. A person who assaults or threatens to assault someone with intent to commit an indictable offence is liable for up to five years in prison under the Crimes Act 1958, as I noted. These are all good measures.

We need more fisheries officers to back them up and to back up all the different measures in the act that are designed to ensure the sustainability of our fisheries. That could include bag limits, size limits, no-take zones — which I certainly support — and at times limits against taking certain species. All of that, as everybody agrees, requires a sufficient number of fisheries officers so that there is at least some chance that offenders will be caught, without which legislation like this does not have a particularly deterrent effect.

Mr LENDERS (Southern Metropolitan) — I advise the house that the opposition will not be opposing this bill. My remarks on it will be very brief, because the details of the bill were fairly succinctly outlined in the minister's second-reading speech on 24 March. Furthermore, the opposition's position was quite clearly outlined by the member for Ripon in the other place, Mr Helper, on 24 May. The comment I will make on the bill is that it is a sensible tightening up and review of the legislation. I will not repeat what is in it.

I will make two comments — one negative and one positive — about the government. On the positive side, the Minister for Agriculture and Food Security and his office were very fulsome in presenting information that the opposition sought, and they delivered on that information. What I find strange is that this was a bill of massive urgency in the Assembly. It was crunched through with less time than the normal consultation period, but it then took eight weeks to get to this house.

In this chamber we have expedited it to be dealt with today rather than it taking the normal length of time.

However, as I said, it is not a controversial bill, and why it is worth supporting has been clearly outlined in the minister's second-reading speech and in Mr Helper's reply. On this side of the house we will certainly not be opposing the bill, and I wish it a speedier passage than the eight weeks it has taken to get here from the Assembly.

Mr RAMSAY (Western Victoria) — It is with great pleasure that I rise to speak to the Fisheries Amendment Bill 2011. I do so with some amazement because the lead speaker for the Labor opposition was not even in the chamber when called, which allowed the Greens' Mr Barber to be able to speak for a considerable amount of time — in fact perhaps a little shorter than the normal time, but 45 minutes at least, which I thought was an extraordinary free kick.

After reading the Legislative Assembly *Daily Hansard* of Tuesday, 24 May, I can report that without exception all the Labor opposition speakers in the Assembly supported this bill. In fact the lead speaker for the opposition, the member for Ripon, Mr Helper, said, 'the opposition is not opposing this bill'. What do we find? We find the opposition voted against the bill and a division had to be called, so I am a little unclear about exactly what the Labor opposition is standing for in relation to this bill.

This bill makes changes to the Fisheries Act 1995 that will strengthen and align penalties for breaches of the act. The bill provides a new firmness on fisheries crime and gives a robust and improved set of penalties. In my region of western Victoria we have some of the most beautiful coastlines in the world as well as many inland lakes and rivers that provide a plethora of recreational fishing opportunities. I commend the Premier for investing \$4 million into restocking programs across the state. In fact 700 000 people engage in recreational fishing — which generates in excess of \$2 billion to the economy — of which my family is a very active participant.

The bill's sole purpose is to protect and provide a viable and sustainable fishing sector in Victoria that will protect our exports and domestic markets. The seafood industry has embraced the government regulator on quality assurance, PrimeSafe, and so too should the recreational fishing industry. Members of this house embrace this bill, which strengthens the work done by Fisheries Victoria with more robust penalty and compliance, all in the name of good sense and sustainability.

The act now provides for automatic forfeiture of prohibited fishing equipment, and the amended act will include fish and noxious aquatic species. It also provides that if an owner of a thing seized under the act fails to apply for its return after receiving a disposal notice, that thing is condemned as forfeited to the Crown. Under the act a court can make an order to prohibit a person from carrying out fishing activities or fishing.

These provisions are preventive in nature, but it has to be firstly established that the offence is of a serious nature and that the person is likely to commit further offences against the act if such an order is made. To overcome this there is a new penalty provision that allows the court to issue an order to revoke recreational fishing privileges for up to 12 months. The bill also creates a penalty provision for a court to order a person to carry out restorative or enhancement activity as a penalty, which is in line with the Environment Protection Act 1970.

I support clause 7 of the bill, which increases the penalty for obstructing an authorised officer from 50 penalty units or 3 months imprisonment to 120 penalty units or 12 months imprisonment, which provides a greater priority for the wellbeing of the officers, whereas the current act provides greater safety for the fish. This imbalance needs to be corrected.

The bill, as well as increasing penalties for obstructing officers, also makes it an offence for a person to produce to fisheries officers or others exercising or performing a function or duty under the act a document that the person knows to be false or misleading. It is appropriate that the Department of Primary Industries has reviewed the operation of the Fisheries Act 1995 and recognised the need for improvements and has consequently through the minister put to this house the Fisheries Amendment Bill 2011. I look forward to a bipartisan approach in this place and commend the bill to the house.

Mr ELASMAR (Northern Metropolitan) — Victorians take very seriously acts of violence or destruction of proof of illegal activities. The Fisheries Amendment Bill 2011 seeks to further protect our Victorian fisheries officers in the performance of their duties. Because the present penalties are paltry and outdated there is clearly no disincentive to poachers to desist from their activities. In strengthening the current Fisheries Act 1995, the bill contains provisions to make assaulting an officer and/or destroying equipment used in the commissioning of a crime a more appropriate deterrent. These amendments apply a more realistic penalty which will be applied in situations that are

remote or at sea. These amendments go towards addressing the conservation of the state's fisheries resources. They will deter perpetrators from destroying evidence and, importantly, minimise injury to fisheries officers. As the Leader of the Opposition has indicated to the house, we are not opposing the bill.

Hon. P. R. HALL (Minister for Higher Education and Skills) — In reply, I would like to thank all members of the chamber for their indicated support for the bill: Mr Barber, Mr Lenders, Mr Ramsay and Mr Elasmarr.

Mr Barber posed a question in his contribution. He sought some information about the number of contacts per year between fisheries officers and recreational fishers. That question has been posed to some of the advisers in the box. If an answer is not able to be directly provided to Mr Barber, I give an assurance that that issue will be followed up.

I also thank members for their cooperation in terms of the way in which this bill has been dealt with. Firstly, Mr Barber indicated he had some questions and submitted them to me beforehand, and we have provided a written response to those questions, which has been circulated to the opposition as well. I also thank members of the opposition for their succinct comments in terms of support of this legislation.

This is an important piece of legislation which relates to the sustainability of fisheries in Victoria, and I am pleased that we all share an interest in improving the area of sustainability and fisheries. I thank all members for their support for the bill.

Motion agreed to.

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

Third reading

Motion agreed to.

Read third time.

BUDGET PAPERS 2011–12

Debate resumed from 24 May; motion of Hon. D. M. DAVIS (Minister for Health):

That the Council take note of the budget papers 2011–12.

Mrs PETROVICH (Northern Victoria) — I am very pleased to speak on the Baillieu government's delivery of its first budget. The Victorian coalition has

achieved an enormous amount despite some very difficult economic conditions and is committed to delivering on all of its election commitments during these tough times. We continue to fight for Victorian families, and we continue to work towards ending the waste of the previous government. We are fixing Labor's mess, addressing its incompetence and plugging many of the black holes Labor created in its previous term.

This budget is a responsible budget, and it cares for Victorian families. The Victorian coalition government's 2010 election commitment set out a detailed four-year program, of which I am very proud, to strengthen the quality of life for all Victorians. These commitments were delivered in the 2011–12 Victorian budget, despite a massive \$4.1 billion cut to GST revenue made by the Gillard government and a series of financial black holes totalling \$2 billion left by the former Labor government. The previous Treasurer has left the chamber. Perhaps he does not want to hear about some of the issues that government members have had to confront; maybe he knew, or maybe he did not.

The budget is funding the largest ever recruitment of Victoria Police officers in a single term of government, with 1700 police to be hired to protect Victorian families, which is a great commitment to making our Victorian streets safer. In addition 940 protective services officers have been recruited to keep railway stations safe. As the parent of children who use public transport, this measure affords me much comfort.

This budget includes a record \$13 billion for health spending in 2011–12, including new programs to improve health services delivery and drive down waiting lists. We all know about the waiting lists behind waiting lists in the days of the previous government. We also know about the HealthSMART system — a complete disaster — which cost hospitals and the community much but did not function appropriately.

This budget also delivers on the coalition's commitment to a \$100 million minimum surplus each year to reduce spending growth, which averaged 8 per cent a year over the last decade, to 3.2 per cent currently. The coalition government is proud it is delivering on its commitments to Victorian families. We are fighting for Victorian families, and we will continue to do so. In this budget the coalition government has funded a \$1.2 billion package to measure and ease the cost of living pressures on Victorian families. We are committed to ending waste. The coalition government's budget cuts unnecessary wasteful spending by \$2.2 billion, including savings

from a reduction in ministerial staff and media costs. We have all been aware of the spin and hype that was part of the previous government's modus operandi, as well as Labor's marketing positions, consultants, government advertising and political opinion polling, not to mention travel expenses and the cost of office floor space and consumables.

This government has also terminated Labor's wasteful plan to spend \$20 million on fairy lights for the West Gate Bridge and immediately halted taxpayer-funded party-political advertising.

Mr Elsbury — They are so embarrassed they have all left.

Mrs PETROVICH — There is not one member of the Labor opposition in the chamber.

The cost pressures facing the budget were compounded by \$2 billion black hole left by the former Labor government's incompetence, mismanagement and underfunding of infrastructure projects. No wonder its members have left the chamber.

Because of Labor's incompetence many Victorian major projects are subject to serious cost blow-outs. We are all aware of the myki debacle, which this government is endeavouring to fix. I have already mentioned the HealthSMART system, and there is also the cost of the regional rail link, the relocation of the Melbourne wholesale fruit and vegetable market to Epping, the upgrade of the West Gate Bridge, the desalination plant and the project I spoke about on many occasions in the previous term — the north-south pipeline. The pipeline took water from the north of the state to Melbourne because the previous government failed to acknowledge we had a drought and leapt into that project without any consideration of what it would do to those farming communities.

Labor conducted 1100 reviews during its time in office. Given that the reviews already completed by the coalition government have revealed that Labor's incompetence and mismanagement in government were even worse than we previously thought, it is no wonder Labor is very nervous about these reviews. The mess may have been the fault of the former Labor government, but the coalition government is determined to fix that mess.

I turn to my electorate of Northern Victoria Region, and I will list the highlights of this budget for areas in the north of the state — an area of which I am very proud. Some \$1 billion will be available in the Regional Growth Fund from July. There is also funding of \$259 million to upgrade regional health services,

\$16 million to provide extra ambulance stations and \$151 million to hire 340 new ambulance officers. There is funding of \$140 million for regional highway upgrades and \$20 million over four years for the Regional Aviation Fund. The budget also delivers on the first stage of the government's commitment to slash stamp duty for eligible first home buyers by 50 per cent, with an initial reduction of 20 per cent.

There is \$1.2 million to extend the first farm grant, which is a great boon for our rural communities. There is a young farmers stamp duty extension and \$3.5 million to help address the recent decline in regional tourism. The budget provides \$602 million to recruit 1700 more front-line police and the 940 protective services officers who will help make our railway system safer.

The budget provides \$30 million to build and upgrade police stations around Victoria, \$65.8 million to upgrade and build more than 60 Country Fire Authority (CFA) stations, \$32.8 million over four years to continue the delivery of vocational education and training in government schools, \$239.5 million for the growing non-government school sector to create a strong and diverse education system in Victoria and \$100 million for the school maintenance fund to address years of neglect of schools under Labor.

I am very proud to represent in this place the area of Macedon, which is in my electorate. Motorists will benefit from major safety improvements to the Melbourne-Lancefield Road, which will be delivered through \$5.2 million of funding. During the election process the community told us very strongly that this road had been neglected for many years. Cars were being damaged on a daily basis, and there were many accidents. The coalition acted on that message; it committed to the project and it is delivering. Lancefield and Newham will have their CFA stations upgraded as part of a \$65.8 million commitment, and the government has committed and allocated the first \$2 million for the Melbourne-Lancefield Road.

A \$19.75 million public safety infrastructure fund has also been set up to provide grants of \$250 000 to assist councils in improving security infrastructure, such as CCTV (closed-circuit television) cameras in the city of Sunbury, which that community had called for. The police and the traders association were supportive of their introduction, and we will be delivering on CCTV cameras in the near future.

Whilst talking about Sunbury it is important to also highlight the issue of the Sunbury out of Hume campaign, on which the community was denied a

plebiscite by the previous government. A plebiscite was promised by former Premier Steve Bracks but never delivered. We will be delivering on that in this term of government. I know, having spoken to Jeanette Powell, the Minister for Local Government, that things have already started to move on that issue. The Sunbury community will be very grateful that we are true to our word. It might restore some faith in government at this point.

Commuters will benefit from a \$403 million boost for public transport and plans to provide regional rail links. This commitment has been outlined in government media releases today. From a rural perspective, specifically for Northern Victoria Region getting heavy vehicles off the roads is very important. Along the Calder Highway, from Melbourne right up to Mildura, and also along the Hume Highway there is very heavy traffic. It will be a great boon if we can actually get a reduction in the number of heavy vehicles.

We will also receive \$160 million over four years in Macedon Ranges to upgrade country roads and bridges, reversing years of neglect by the former Labor government, with 40 rural councils each eligible for \$1 million each year under the Local Government Infrastructure Fund. I am very proud of all of this. We have delivered on all of those commitments we made during the election. We will be working towards some further announcements in this term of government, but we are very committed to providing what we said we would provide.

One of the issues I spoke about many times in this chamber while in opposition was the Wallan-Kilmore bypass, and I am very proud to say that we have allocated \$3.4 million to commence a planning study for this project. The project is complex and the area is a growing one which suffered from a lack of planning under the previous government. It is work that needs to be done. Those communities have an expectation that we will deliver, and we will honour that. I have been pushing for this bypass for a very long time, and it gives me great satisfaction to know that we will be working towards that in a very constructive way.

After all the obfuscation of the previous government, particularly the previous member for Seymour, Ben Hardman, the community was confused and did not understand what had been committed to because there were so many proposals and initiatives put up by the previous government. After getting a commitment for a bypass in 2005, the community ended up with a link road that took all the heavy traffic right past the school precincts and emergency services precincts, placing everybody in jeopardy. Very clearly that was not

appreciated, and people voted in droves for the coalition, delivering the new member for Seymour, Cindy McLeish, to the lower house.

We are very proud also to announce for that area the 24-hour ambulance station at Wallan and \$24.5 million for an expansion of the Northern Hospital's emergency department. Many people in the Seymour electorate travel to the northern region for assistance and go through that emergency department, so it is very important that the project be delivered. That hospital has an enormous workload. The staff there do a fantastic job, but they have been neglected for a long time and need every bit of our support.

There is also \$7 million for stage 2 of the Seymour P-12 college. We need to acknowledge that Wallan is a rapidly growing area and needs a professionally staffed ambulance station. All these provisions will certainly facilitate medical assistance. Educational facilities there also need to be considered. There was a commitment to the Wallan Secondary College, and that will be delivered in the first term of this government.

It is important to note that a lot of these communities are commuting towns. The \$403 million boost for public transport and plans to boost regional rail links are very important to those commuting populations. Many of these towns have become dormitory suburbs, which is fine, but planning needs to be put into providing adequate infrastructure in terms of roads and rail transport, which was much neglected by the previous government.

The Mitchell Shire Council will also share in \$160 million over four years to upgrade country roads and bridges, as will many other councils. Forty rural councils will be eligible for that \$1 million from the Local Government Infrastructure Fund each year to help ease the funding burden. As we saw during the flood crisis, many of these small rural shires are extraordinarily cash-strapped and need every bit of help they can get, particularly as they have repaired many of these roads up to three times.

I will finish shortly. As I said, I am very pleased to see this amount of development going on in these two areas. I am very keen to see the works going on across the northern region. This area has been affected very badly by a whole range of things, including drought, bushfire and three flood incidents now, so it needs our support. We are out there working with those communities that are recovering. Today we have seen the announcement of the bushfire recovery task force. It is very much on-the-ground work, commitment to the

community and working day by day that ensures that these things are delivered. People are actually getting what they want. I think it was one of the big failures of the previous government that the consultation phase was something it did not consider very important. Quite frankly, from my community's point of view, it is very important to understand what communities need, and what their hopes and desires are and to make sure that you are delivering what they actually want.

On that basis I commend the budget to the house. As I said, I am very proud to be part of the Baillieu coalition government delivering its first budget.

Sitting suspended 6.29 p.m. until 8.02 p.m.

Mr EIDEH (Western Metropolitan) — I would like to make a brief contribution on the first Baillieu government budget. There are some positives in this budget, and that is good news for Victorians because they follow on from what the Labor government had already been doing, as we all well know. The record speaks for itself. Labor spent much to support and develop TAFE colleges to upskill the state. Labor governments made major investments in hospital upgrades, including providing new beds and more nurses, even at the fabulous Sunshine Hospital in my electorate of Western Metropolitan Region.

A small example of Labor's commitment to public transport is that there are new trams and trains to improve travel for the people of Victoria. Labor also made major investments in renovating schools and supporting teachers to better teach our students. Labor invested in a range of welfare services because Labor governments do not practice discrimination. It also funded a large number of new police positions across the state. A number of new police members have been introduced this year, thanks to Labor government budgets and former Treasurer, John Lenders. Labor also provided major funds for environmental works, including the desalination plant and the pipeline, which will be key factors in saving Victoria from the drought years to come.

Much good has come to our state from Labor governments, both in recent times under the Honourable John Brumby and the Honourable Steve Bracks, and a little further back under the Honourable John Cain. The good aspects of this budget are clearly copied from the budgets of those governments, but there are many more areas where this budget clearly fails. Moreover, it proves that so many of the promises that were made by the Liberal Party to win the election were made for only that reason and were not intended to be acted upon. Where is the promise of the Premier

to make our teachers the highest paid in Australia? Where is the promise of better pay for police? Why is there so little investment in the budget for the most socially and economically disadvantaged region in the state, Western Metropolitan Region?

What about the massive debt? The Liberal government cannot in good conscience blame anyone but itself, because when the Premier took office we all heard him on ABC radio thanking the outgoing Premier, John Brumby, for taking care of the state's finances so well. The tape of Mr Baillieu praising Mr Brumby can be played for those members opposite who may not have heard the Premier speaking honestly on that occasion. We could ask the ABC for the transcript, which could then be incorporated into *Hansard*. After all, it is a tape of the Premier talking about the solid economy the Brumby Labor government left him with after the state election.

I must say that I am amazed at how this government seeks to take credit away from the federal government. The federal Labor government has worked solidly to reduce unemployment and has ploughed a fortune into education across all education sectors without discrimination. I am concerned that job growth under this state government is expected to be halved. I was also amazed to learn that this government will not reduce payroll tax. Was that not something that was raised with us time and again by those opposite in years gone by?

The opposition will now scrutinise this budget intensely. We will find the many gaps, the long list of failings and the gross mistakes that are certain to be part of what is one of the most ill-prepared and unoriginal budgets in the history of our state. We will watch to see which programs will be cut as the Baillieu government's Treasurer slashes funds from the areas of greatest need. I am deeply worried about my electorate and the communities that need far more help and support than they have ever received from any Liberal government.

Mr ELSBURY (Western Metropolitan) — I thank Mr Eideh for that revisionist history. The budget presented to Victorians by the coalition is structured to restore Victoria's status as the leading state by rebuilding our financial standing and encouraging sustained growth. It is a responsible budget which has provided us with the ability to prepare for the challenges that will face us into the future. We have developed a budget that will provide for genuine economic growth based on productivity rather than relying solely on population growth.

In his contribution to the house Mr Lenders, the former Treasurer, talked about *Evita*, a musical by Andrew Lloyd Webber. I would have thought that the previous government would have been more like the song by Britney Spears, *Oops! ... I did it again*. This budget is a lot more like Elvis's *A Little Less Conversation* — and a little more action!

This government faced a number of challenges with this budget, not the least of which were bungled projects like myki and the desalination plant which have left funding black holes. It is not an episode of *Star Trek*; this is money that does not exist and was never there in the first place. There are also bizarre additions to projects like the ridiculous West Gate Bridge project which involved placing fairy lights on the bridge to make it look pretty. Fortunately we were able to remove the decoration and apply those funds to more tangible outcomes. We have had to deal with natural disasters in this state, with the recent floods in north-western Victoria, fires in Gippsland and the much-publicised weather conditions which caused the Wilsons Promontory to be closed off.

Another complicating factor we have had to deal with is the \$2.5 billion reduction in GST revenue by the federal government. That has put a great strain on this government in its preparation of a responsible and responsive budget. The reduction in GST revenue has also placed a great strain on Victorians in general. I hope we can work with the federal government to deflect some of that burden in some way.

At the election the coalition made a commitment to the Victorian people that it would restore Victoria's economic credibility. We have done that by taking measures in this budget which will provide us with the wherewithal to turn our economy around. The previous government was increasing spending by some 8 per cent while revenue was increasing by only 7.6 per cent. This was unsustainable. While this budget has increased net government debt through investment in long-delayed and much-needed infrastructure, it has also put us in a position which will enable the government to reduce the overall rate of increase of expenditure over the next year. This budget is about providing services to people across the board. It is about providing us with the safety, health and education we deserve.

We will be providing \$103 million to reintroduce concession fees for TAFE places for people aged between 15 and 24 who are undertaking a TAFE diploma or advanced diploma course. Trade training is something the previous government all but ignored. It made it harder to gain vocational training by increasing

TAFE fees across the board. This has put a great strain on the community, as we know. A trade training shortage has led to a shortage in skilled labour. This in turn has increased house prices as the labour needed to build homes is just not available. So much for the party of the workers.

Across the west in the area of education there are issues to do with our existing school infrastructure after 11 years of Labor. Labor members who supposedly represent the west in the other chamber have the cheek to now plead innocent after years of allowing these schools to degrade. The only reason they have such an acute knowledge of the school maintenance issue is that they ignored these problems while they were in government. An allocation of \$208 million has been made in this budget to renovate existing government schools, build new schools and acquire more land. Mr Lenders and Ms Mikakos bemoaned the schools funding and denigrated that funding by claiming that there was a political motive behind the allocations that we have made.

This budget has provided for two new schools in the city of Wyndham, one of the fastest, if not the fastest, growth corridor in the country. One will be situated in Tarneit, which, when I last checked, was not a marginal seat. The other will be in Point Cook, in the seat of Altona. Even though Labor copped a shellacking during the by-election there, it is not a marginal seat. We have also committed to the continuation of funding for a senior secondary college in Tarneit.

Children with special learning needs have also been cared for in this budget, with over \$50 million committed to special schools. While I spoke about this matter in a members statement in the last sitting week, I am particularly proud to say that the Liberal-Nationals coalition has been able to provide \$9.5 million to the Rosamond Special School, a school which was promised an upgrade some eight years ago by the previous government but which received nothing at all. Frustration in this school community was expressed to me upon my becoming a member of Parliament. Even more recently I received correspondence — which could be described as colourful, to say the least — from those who were sick of sitting around waiting for the government to do something. At this point I repeat that I am proud that we have committed \$9.5 million to this school so that it can be completely rebuilt from scratch, moving it from its current site in Maidstone to a new site in Braybrook.

In the area of law and order we will be allocating \$7 million to improve electronic monitoring of serious offenders who are subject to community corrections

orders. We will be restoring the ability of Neighbourhood Watch groups to access local crime statistics, and we will be providing an extra \$600 000 for a new Neighbourhood Watch state headquarters. The coalition went to the people of Victoria with a clear plan for safety that added 1700 extra police, including 100 police officers specifically for transit duties and a further 940 protective services officers (PSOs) to patrol every metropolitan train station from 6.00 p.m. until last train, providing the additional security required on train stations across the network. Our friends in regional Victoria will also receive PSOs for every major regional station.

While some of those in the opposition chose to debate the PSOs bill by questioning the qualifications of those who will be protecting us on our train stations, I would much prefer to have a person who is trained at the police academy to use a firearm in the same way as a police constable than I would to have a group of louts on a train station platform harassing every passenger as they attempt to depart the train. Having experienced this as a rail user, I am grateful that this protection will be afforded to my community.

This budget has also provided for the largest single-ticket item, the regional rail link — a project that was left in limbo after the previous government proved it was unable to cost the project properly, which put great strain on the project. This was not assisted by our federal colleagues who, I am sorry to say, chose to delay a promised payment of half a billion dollars. This is a vital project which the coalition is committed to. The benefits this project will bring to the western suburbs by the release of timetable space on the existing metropolitan network and the additional capacity of the new line itself for new stations to service the ever-growing communities on the western urban fringe cannot be, should not be and has not been ignored by this government.

The coalition has committed to the Williams Landing train station, with an extra \$7 million being allocated to this project so that proper access can be provided for people with a disability, unlike the failed project at Laverton train station where there are no ramps, only billygoat stairs, and Footscray station, with its cheese grater issues caused by the roof over the pedestrian bridge. We have reiterated our commitment to retaining the Aircraft station to provide traders in that area with a constant flow of customers and ensure that local residents can access mass transit options.

In assisting with public transport we are also allocating \$222 million for seven new trains, the first of 40 new trains for Melbourne commuters. We have also

committed to investigating plans for a rail link to Melbourne Airport, which will be a major boost for the western suburbs, and we have provided funding to investigate a plan to build a line from Lara to Avalon Airport. While this project, being in Western Victoria Region rather than Western Metropolitan Region, is outside my electorate, its impact on businesses and people working in the western suburbs will be great.

This budget has also provided \$1.4 million for the restoration of the West Gate punt service, which will be expanded to include weekday commuter services during the morning and afternoon peak periods. Infrastructure such as increased signage will also be funded. Recognising that the punt allows for a healthy way for people to get to work in Melbourne's central business district as well as providing an alternative to public transport and private vehicles, that was a promise the Liberal Party took to the last election. That commitment shows not only that the new government is holding up its end of the bargain when it comes to election promises but also that the Liberal Party is open to exploring and investing in alternative transport options across the region. The West Gate punt links the bay trail west bike trail to the bay trail and has a capacity of 12 passengers with bicycles per crossing. Let there be no question: the Liberal Party is delivering this great service for the western suburbs.

During the last election the coalition announced that it would reinstate 340 ambulance officers, including 100 officers specifically designated for the metropolitan region. As part of this commitment we are able to provide the people of Craigieburn with their desperately needed 24-hour ambulance service, a service that the previous Labor government withdrew. It took it away from the people who voted its members into office year after year. This is the Liberal Party restoring a service as a matter of need. We will also be reducing the cost of ambulance membership by 50 per cent for lower income earners so that they can gain the protection of ambulance membership.

Mental health has also been highlighted as a major issue in the western suburbs, and I am pleased to say that the coalition government will be providing \$88 million for a comprehensive mental health package focusing on prevention, support and treatment. The coalition has provided for extra mental health beds at Sunshine Hospital and has continued to fund stage 3 of the redevelopment of that hospital to provide greater regional health care for our community.

The great strain placed on hospital waiting lists and emergency departments has also been acknowledged in this budget, with \$90 million being allocated over four

years in an attempt to not only wind back our waiting list numbers but also assist our emergency departments in dealing with the ever-growing number of people who utilise this service.

We have committed \$601 million to fund key road projects, with a focus on upgrades to roads which have seen an increase in traffic due to population growth. There is scope within this budget to provide for additional solutions to the traffic snarls that plague the western suburbs.

In relation to social housing, 1600 new Office of Housing homes will be built — 500 in rural areas and 1100 in the metropolitan area — and 1800 homes will be renovated.

The cost of living was also a major factor in this budget, and we knew we needed to do something. That is why eligible concession card holders will receive a 17.5 per cent discount on their electricity bills throughout the entire year. First home buyers will receive a reduction in stamp duty, which will increase progressively to 50 per cent for a principal place of residence valued at up to \$600 000. We will continue the first home buyers grant, with \$7000 available to those buying a home valued up to \$750 000. We will be helping low-income families, with \$41 million to continue funding free kindergarten schooling for children whose parents are on low incomes. We have allocated an extra \$18 million in the area of kindergartens to support children who have a disability. This will allow kids who would not normally be able to gain a kindergarten start to their education to have the opportunities their parents want for them.

As a member of the Liberal Party and a member of the western suburbs community I can say that I am pleased with what this government has been able to achieve in such a short space of time. It is a budget that is responsible, and it will achieve our goals of providing Victoria with a stronger economy, providing it with a safer community and making it a better place to live. I support this budget and recommend it be passed by this house.

Mr SCHEFFER (Eastern Victoria) — By any measure the Baillieu government's first budget has been an anticlimax. Almost as soon as it was released and delivered in the lower house it disappeared from public view. The interesting thing is that this was mostly of the government's own making, owing to the extraordinary events in the Assembly on the Wednesday and Thursday of budget week that made it impossible for the hapless Premier and his Treasurer to get much political air. Within two days of the budget

being released it had evaporated from public view without trace.

The election of a new government is a rare event in Victoria, and the entire state was tuned to a state of high expectation that this first budget would at last give some policy muscle to a government that for five months prior to the delivery of the budget had been floundering. The Victorian public is very generous to newly elected governments, and the Baillieu government was no exception, but from day one this government has squandered this generosity. As early as last December the Premier signalled that he would abandon or put off some of his big-ticket election promises if an audit revealed holes in the state's financial position. However, the budget update that was released in December last year, just after the election, clearly said that the economic outlook for Victoria was generally positive, despite a few short-term risks resulting from an uneven global recovery, slowing productivity growth and the impact of the high Australian dollar.

Before the election the government said it would see what it could do about utility prices, but in December the government was told by the Energy Retailers Association of Australia that there was nothing the Baillieu administration could do in a privatised industry to reduce power prices so it had better stop misleading the public. In January the Minister for Mental Health, Minister Wooldridge, announced that the planned overhaul of Victoria's mental health laws would be reconsidered and postponed until 2012 and that the reforms promised in the election campaign would now be delayed. News broke that the \$300 million fruit and vegetable market development in Epping was being reviewed, despite building works having already begun to allow for the move of the state's wholesale fruit and vegetable market operations from Footscray next year.

In its first six weeks of office the government put billions of dollars worth of projects on hold, including the \$1.3 billion myki ticketing system, the national health reforms, the \$2 billion smart meter rollout and the \$38 billion transport plan. Around the same time the Minister for Education, Mr Dixon, announced that he could not guarantee that the government's previous election commitment to deliver the \$1.9 billion schools upgrade would be completed on time and that implementation could spin out for years to come. Not long after that the minister acknowledged that \$340 million over the next four years would be cut out of the state schools budget.

In February, after indicating that he might be able to bring down the cost of the Wonthaggi desalination

plant, the Premier was forced to announce that despite his ramblings he was powerless to change anything. The *Weekly Times* of 2 February called on the Baillieu government to keep its promises, saying that it was time to start work and that the time for excuses was over. The highly respected businessman Sir Rod Eddington, chair of Infrastructure Australia, said the Baillieu government needed to make clear transport decisions, and Swinburne University of Technology's Professor John Wilson, speaking for Engineers Australia, said the government had a lot of plans but had not taken a lot of action.

In recent days the *Herald Sun* reported that the government is 'facing rising criticism of paralysis at the top levels of government' and that the 80 or more reports the government is not dealing with are weakening its capacity to govern. The paper reports that one coalition MP is saying that it is almost impossible for the government to make a decision. It is this kind of talk that is heard up and down Bourke Street in any of the cafes you walk into. The delay on myki alone is costing taxpayers around \$200 000 every day. Then there was the backflip on teacher salaries when the government announced that teachers, public servants and police officers would have their wage increase pegged to 2.5 per cent to help pay for the \$1.6 billion election overcommitment.

Amidst all this confusion and disappointment there arose an expectation that the government would use this budget as the turning point to set out a vision and a plan for Victoria over the next 10 years, but how did the government prepare us for this budget? Rather than seeding a positive narrative for the future, the government behaved like an opposition in exile, attacking the economic credibility of the previous government. What a waste of time!

The Baillieu government's *Victorian Economic and Financial Statement — April 2011* and its subsequent *Independent Review of State Finances — Interim Report — April 2011* aimed to discredit Labor's financial management and attempted to paint a picture of a state in an unsustainable financial position. The statement and interim report were an attempt to rewrite history and to ignore the fact that the Bracks and Brumby governments delivered an operating surplus in each and every year and that Victoria's independent Auditor-General audited the state's finances throughout Labor's time in office. The attack on Labor also ignores the fact that international rating agencies Moody's and Standard and Poor's gave Victoria AAA credit ratings year after year.

Age journalist Josh Gordon wrote on 15 April:

Yet it —

meaning the *Victorian Economic and Financial Statement* —

has little to do with economics and much to do with politics, dovetailing neatly with an agenda to trash Labor's legacy and manage expectations for the May 3 budget.

In his budget speech the shadow Treasurer quoted Moody's in February as follows:

Victoria's credit quality reflects a long-term record of sound financial performance underpinned by the state's prudent fiscal practices ...

...

... The state's sizeable and diversified economic base bolsters the rating as it amply supports the state's financial and debt obligations.

The shadow Treasurer also pointed out that the most ringing endorsement of Labor's economic management over its term in office is that in reality the government has not changed the fundamental financial parameters it inherited from Labor.

The Baillieu government made a number of commitments to the voters of Eastern Victoria Region during last year's election. One of them was made by the member for Hastings in the Assembly, Neale Burgess, who promised a new \$10 million 24-hour police station in Somerville — a promise not kept. The coalition also promised a \$4 million new technical college in Somerville, but there is nothing in the budget that delivers on this promise.

The member for Bass and now Speaker in the Assembly, Ken Smith, seems to have misled the people of Koo Wee Rup when he promised that an elected Baillieu government would deliver them a natural gas connection. Ten other towns, including Lakes Entrance and Orbost in Eastern Victoria Region, will be connected, but not Koo Wee Rup. Mr Smith knows, as I do, that the township committee and the Cardinia shire have been working on this initiative for some years. Now that the budget is out and Koo Wee Rup continues to wait, Mr Smith says he only ever promised a feasibility study. The problem is that you cannot cook on a feasibility study, and you cannot heat a living room on a feasibility study.

During the election campaign the coalition promised to match Labor's commitment to build a new \$250 million Monash children's hospital in Clayton. More than 330 000 children live in the Pakenham-Cardinia-Cranbourne area, and each year some 27 000 of them are cared for at the Monash Medical Centre. Both Labor and the coalition clearly

promised to build a new hospital, but the coalition was elected and has now short-changed the voters with an \$8.5 million planning grant. The catch is that the residents of the south-east are being told that if they want construction to start, they have to vote for the coalition again at the next election. Families with school-age children will also lose their \$300 School Start bonus after Premier Ted Baillieu slashed the number of eligible students from 135 000 to just 39 000 by introducing a means test.

The budget provides no extra funds for Latrobe Regional Hospital, there is nothing for education and there are no job-creation initiatives. Despite the record number of people using the V/Line rail services there is no provision for more V/Locity carriages in this budget. Voters have also been tricked with the so-called \$1 billion Regional Growth Fund, because it is spread over two terms, amounting to \$125 million for each of the four years of the term. Around \$300 million is already committed, and what is left needs to be spread further, because the interface councils are now eligible to access the money.

One of the great difficulties is that the Baillieu government has not been up-front about what it actually promised. I have commented before on the fact that the government has not produced a consolidated list of all its election promises, so it is easy for the government to use smoke and mirrors to confuse us. I have, however, put together my own list, and I estimate that across Eastern Victoria Region around 131 election promises were made over the 11 lower house seats. The smallest number of promises was a mere 2 promises for Nepean at a cost of \$3 million, which compares to 23 promises in Morwell at a total cost of \$3.5 million and 21 in Gippsland East at a total cost of \$44 million. It is very difficult to identify exactly how many commitments were honoured in this budget, and to be fair the coalition has another three budgets to go. My point is government members need to be a lot more transparent; they owe it to the people who voted for them.

In general this budget has nothing to say about jobs. A lot has already been said about that in the shadow Treasurer's speech. Jobs were not even mentioned in the budget — a glaring and astonishing omission. During Labor's time in office Victoria had a stunning record in job creation through strategic investment in infrastructure and careful innovative support of the farming sector, manufacturing, tourism and education.

Finally, the budget says virtually nothing about climate change, the most important economic and environmental issue confronting the nation and this state. The government has no climate change plan of its

own, and while it has endorsed Labor's Climate Change Act 2010 and the emissions target, there is no evidence of further thinking in this space. This is a disappointing budget that sells Victoria short.

Mr RAMSAY (Western Victoria) — It gives me great pleasure to rise to speak on the Appropriation (2011/2012) Bill 2011, or the budget bill as we know it. I congratulate the Baillieu government and Treasurer Kim Wells on delivering a responsible, progressive and well-structured budget for all Victorians. I know this is a good budget, because I listened to opposition members in this house all last week as they waffled on through their allotted time, and the sad fact is they had nothing to say at all. What can they say? This budget has delivered a AAA rating, a surplus that will meet most of the government's election commitments in the first year and put significant funds into schools, hospitals, transport and police.

The Brumby legacy of rising growth and expenditure and falling revenue has been addressed in this budget, but the Baillieu government faced a further challenge with a loss of \$2.5 billion of GST revenue, of which we have heard. The Gillard federal government showed true form in turning the funding tap off for Victoria, leaving it high and dry, withholding \$500 million of the regional rail funding. Then, as Victoria gurgled under water, the Gillard government played politics and refused to provide for flood-ravaged Victorian families by withholding emergency funds unless it controlled their distribution. Why Canberra would think it knows where best in Victoria to apply money is beyond me. Prime Minister Gillard showed total disrespect for the Victorian people and is doing so again with a federal and state approach to providing health services for families in Victoria.

In this house last Tuesday Mr Lenders puffed and preened for over an hour on the budget but had nothing to say. For that matter, he has not had much to say in the last five months. I am reminded of that fateful day when Mr Lenders and Mr Holding stood side by side as the Treasurer and Minister for Finance respectively and were asked a simple question about funding of family allowances by a TV reporter. They were both unable to speak; they were like rabbits caught in the spotlight. The rotten realisation that their days in government were numbered was all too clear. It was like *Dumb and Dumber*. Mr Lenders showed the same signs of resignation this week as his feeble attempts to criticise the budget went unheard by most people. 'Rising debt', he cried. Well, hello — whose fault and legacy was that? You only have to look at the Gillard government's debt, which is greater than the total Victorian budget, to

see that Labor's drive is to spend, spend, spend and then spin, spin, spin.

Mr Lenders then went on to say there is nothing for agriculture. He must have had a five-month nap. The Regional Growth Fund is going to drive prosperity into regional Victoria. Stamp duty concessions, aerial dog baiting, fox bounties, the Young Farmers Finance scheme and increased funding of rural roads are all commitments for which farmers have been calling but which Labor was too gutless to deliver. Mr Lenders says we should turn the tap on to pump 75 gigalitres of water to Melbourne down the north–south pipeline. The pipe was a lie, smothered in deceit, cover-up and corruption — Brumby's folly, which helped bring the Brumby government down. Mr Lenders knows that the water to be delivered down that pipe was to be from savings to be shared with the farmers, the environment and Melbourne Water, and only on the infrastructure investments of \$1 billion with another \$1 billion from the commonwealth. True to form, the Gillard government has reneged on its contribution.

I would like to take the house back in time to the days of the Brumby government. Members may remember them, but they will not remember them fondly. They were the heady days of spend, spend and spend. They were the days of mismanagement, lack of financial control or care and lack of understanding about how to run the state's finances, let alone the state. They were the days of secret agreements like the Wonthaggi desalination plant. Do members remember the mismanagement? Even if they did not, they will now, because thanks to Brumby and many of those in this house today — Mr Lenders amongst them — Victoria will be remembering the cost of this project for decades to come. We will be reminded over the next 30 years of the \$24 billion debt the Labor Party gifted the state.

How about another Brumby budget gem — the \$800 million underfunding of the regional rail project? Of course there is also myki. Should I go on? All this was hand in hand with the government's federal friends — Prime Minister Gillard, Treasurer Swan and company — who swiped from Victoria's already well-drained bucket another \$2.5 billion in GST revenue. It was totally unprecedented, and it is about to get worse. With the predicted slowing of the economy, Victoria can look forward to a future with a forecast \$4.1 billion less in GST revenue. This is why Victorians can be grateful they had the good sense to vote for the coalition in November last year. Victorians had had enough of mismanagement — and even worse, no management. Victorians had had enough of watching their hard-earned savings disappearing with little or no reasoning about why. Victorians had had

enough of budget blow-outs, secret deals and never-ending photo opportunities to reannounce the reannouncements. They had had enough of a burgeoning public debt.

Now Victorians will get from their government what they voted for — strong decision making, prudent expenditure, tight project management and a government that delivers what it says it will. The Baillieu government will ensure the Department of Treasury and Finance will be rigorous. It will ensure projects are not only delivered but delivered on time and on budget. The Baillieu government will stabilise the state's debt in the 2012–13 and 2014–15 financial years, in line with falling net liabilities. The Baillieu government will not just promise; it will deliver on its promise. It will do all this and maintain Victoria's AAA credit rating. It will achieve a budget surplus of at least \$100 million a year — indeed \$140 million in the 2011–12 financial year. It will achieve efficiency savings of \$2.2 billion over five years.

Victoria arrived coughing and spluttering at the November election, the Brumby government's finishing line. I remind the house what Victoria can look forward to over the term of the Baillieu government. In its simplest terms, the government will do this: deliver on its election commitments, ease the cost of living, restore community safety and rebuild public safety.

Our commitments are many and varied. For Victoria Police, \$602 million will be provided for 1600 new front-line police and 100 transit safety police, and \$212 million will be provided for 940 protective service officers to patrol railway stations. Another \$25 million will go towards establishing the Public Infrastructure Safety Fund and the Community Safety Fund. Already changes have been announced in this budget for regional cities like Ballarat, where two new police stations will be built, and another 25 police officers will be recruited to the city this year.

In the area of transport \$601 million will go towards key road projects for areas struggling with population growth and the neglect of the former government. In this regard I refer to \$90 million for the M80 Ring Road, \$50 million for the duplication of the Western Highway between Burrumbeet and Beaufort, and \$5 million for the plan to duplicate the Princes Highway between Colac and Winchelsea.

There will be \$160 million over four years, or \$1 million a year, to 40 rural councils to fix roads and bridges. Despite the former government's dismal project management, the regional rail link will go

ahead. In fact work on it has actually started. The Baillieu government will purchase seven new trains at a cost of \$220 million. All of this will go towards fixing a transport system that is gasping. The Royal Automobile Club of Victoria (RACV) says traffic congestion already costs Victoria \$3 billion a year and predicts it will cost \$6 billion a year by 2020.

In the area of health, the government will spend about \$60 billion in health and aged-care services over the next four years, and \$13 billion of that will be provided in the first financial year; 800 additional beds will be added to our hospitals; a \$90 million reform package will be provided for the waiting list and emergency department reform package; another \$55 million will be allocated for vital medical equipment; and \$413 million will be allocated towards increasing ambulance services. That is great news for towns like Maryborough and Beaufort. Bendigo will get a new hospital, which will cost \$102 million. That is a huge investment for regional health. Smaller but crucial health services will also be funded — \$2 million will be provided for an upgrade to the Ballan hospital.

In the area of education, the Baillieu government will provide unprecedented support to special schools and \$208 million towards renovating existing government schools, building new ones and buying more land to prepare for future needs. Non-government schools will also be helped, with \$240 million to support their growing needs. The government has allocated \$25 million towards employing maths and science specialists in government primary schools. These and other programs are aimed at improving our schools and our students for now and the future. They are key to our success.

In regard to the cost of living, the Baillieu government is intensely aware of the pressures on Victorian families, couples and individuals. Therefore it will reduce the cost of ambulance membership, as has already been mentioned, extend the electricity concession to 12 months of the year and halve stamp duty for first home buyers, seniors and young farmers. I could go on.

This is a broad budget that delivers on our election commitments, and those not funded this year will come in the years to follow. We will not just talk about them, we will actually deliver them.

This is a budget welcomed by many leading groups and organisations across Victoria. The Municipal Association of Victoria (MAV) is among those to applaud. It has welcomed the money that will go towards public infrastructure — things like roads and

bridges. It recognises that local roads make up 85 per cent of the state's road network. I have already mentioned the \$1 billion Regional Growth Fund. The government has set aside \$100 million for its local government infrastructure program and another \$100 million for the Putting Locals First program. The MAV has also celebrated the funding provided in the budget for community sporting facilities, public libraries, public safety and kindergartens, and it has applauded the \$34.5 million that will go towards improving planning. The Master Builders Association has recognised the \$1 billion worth of construction and building sector commitments and the stamp duty improvements for first home buyers.

The Baillieu budget has also been acknowledged by Victorian farmers. The Victorian Farmers Federation (VFF) is particularly supportive of the money for road upgrades and important freight links. This includes projects such as the \$38 million western link road for Ballarat, which will improve transport linkages and ensure farmers and manufacturers get their produce to market as quickly as possible. The VFF is also happy with upgrades to level crossings in country areas to make our roads and rail safer, and it appreciates the ongoing commitment of the Department of Primary Industries to the eradication of weeds and pests. It appreciates the provision of another \$4 million over four years to reinstate the fox and wild dog bounty.

Racing Victoria is celebrating the \$80 million it will receive over four years through the Victorian Racing Industry Fund, which will invest punters' unclaimed money back into the racing industry for on-course and attendance improvements. The RACV is another organisation to applaud the budget for efforts in making the roads safer, through level crossing upgrades, road duplications and work to ease the road congestion that the RACV itself says is crippling the state. As part of this, it is very pleasing to see the \$6.5 million in funding that has been provided for the Melbourne Airport rail link feasibility study. The Real Estate Institute of Victoria is grateful that the government has had the vision to introduce cuts to stamp duty.

I am proud to stand here today and talk about these things. There was a lot for me to talk about, which is in direct contrast to what the opposition had to talk about. Of course, I could speak for much longer and I would do so proudly. The first Baillieu budget is worthy of praise. It delivers on the bulk of the coalition's election promises and provides the economy to ensure every promise will be delivered in this term. I am also humbled by this opportunity. This is a time in Victoria's history when we have a chance to do something about our future. It is a time when we can

look at people and say, 'We hear you, we see you and we will help you'.

It is the job of responsible government to provide not only for the present but also for the future. It is the job of the government to do this responsibly, effectively and efficiently. This is a government created by the people and for the people. This is a budget for them.

Mr TEE (Eastern Metropolitan) — I welcome the opportunity to speak on the budget. Most commentators found the budget a bit underwhelming, and I suspect those in the electorate did too. It has been universally accepted that this was a missed opportunity for the government to outline a way forward and address the important issues that we face as an economy and indeed as a society.

At one level you might say, 'So what that the budget did not fire the imagination or deliver a vision?', but the reality is that there is a risk with this budget, because the budget in its mediocrity really indicates that the government assumes that Victoria is isolated or an island. This is a 1950s view that suggests we are not part of an international economy. The government seems to have assumed that we are somehow isolated from the rest of the world. That is a very risky approach and assumption for the government to make with this budget.

The government has assumed that the success of the Victorian economy — that is, the growth we have experienced and the innovation that has been delivered — will continue regardless, and ignores the fact that there are a number of risks on the horizon. It ignores the fact that in Australia we have a two-speed economy. It is an economy where states like Western Australia and Queensland have the privilege of digging up minerals, which provides their economic strength. In Victoria we have had to work hard to deliver our successes. Success over the last 10 or so years has been built around those key pillars of tourism and major events and around investment in things like AAMI Park and the convention centre.

Secondly, the strength of the economy has been based around the manufacturing sector, the investment that has gone into channel deepening and the success of the government in leveraging investment around the Holden engine plant. There has been real success there.

Thirdly, Victoria's success over the last 10 or so years has been based on education. We have become very much a hub for education in this part of the world. Those three pillars have been the basis for Victoria's success. We should not take any of this for granted. We

should not assume what this budget assumes — that is, that Victoria's success is either natural or some sort of accident. It was earned through hard work and hard grafting.

What the budget and the government say is, 'No, it is all too difficult'. The government complains about the GST formula. It says, 'It is all too hard.' It complains about Canberra. It says, 'Everything is Canberra's fault'. But the reality is that government comes with its challenges. Over the last few years we have had the bushfires and the global financial crisis. There are issues that from time to time buffet the budget. The requirement of a government is to say, 'How do we get that vision? How do we make sure the Victorian economy stays dynamic? How do we make sure that the Victorian economy keeps moving so that we keep getting jobs and the sort of economy that we need?'.

At its heart it is about making sure we have the environment that allows us to utilise the diversity in our community. That is very much our strength. Those factors that have led to our success are under threat because of the two-speed economy. We have had six or seven interest rate increases in a row. Those interest rate increases have been focused very much on the resource states. They are very much focused on how much we get internationally for resources. They are very much focused on mineral exports without much regard to Victorian manufacturing exports. We know that the Australian dollar is about US\$1.05. St George Bank says it might go up to US\$1.15, which puts it in uncharted waters. We have these challenges on the horizon, yet we have a budget and a government that remains absolutely silent.

Some of those impacts are already coming through. Ford is about to slash 10 per cent of its jobs. We have seen the impact of job losses at Heinz. These again are the consequences of those threats to the Victorian economy. I think the budget reveals a real vacuum in terms of the inability of this government to provide a vision for the way forward and a response to some of these challenges. It is as if the government has got its head in the sand. There is no capacity or willingness to engage and ensure that we keep our economy dynamic, to ensure that the vibrancy that attracts talent, innovation and business to Victoria stays in Victoria.

I am pleased that the Minister for Planning has stepped in because this absence of vision is very much the hallmark of what we see on the planning front. This government has got rid of Melbourne 2030. There is no plan to replace it for another two years. We have two years where councils, communities and indeed developers are going to be buffeted by a policy

vacuum. There is a real risk of ad hoc decisions. We have seen ad hoc decisions and ad hoc development and the impact that that is likely to have on communities.

We have seen a number of announcements by the government in relation to Fishermans Bend but also a number of other announcements concerning the opening up of growth areas of land for housing, whether that is in Moe, Ballarat or Werribee. Yet on not one occasion has there been any commitment, either in this budget or elsewhere, to the sort of infrastructure that you need to deliver a well-planned and a well-thought-through community. The risk is that you therefore have no plan and no financial investment to make sure that those communities thrive. That is a real concern and deficiency in this budget.

As I said at the start, the budget is a bit underwhelming. There is a risk for those communities that are not being planned or provided for in terms of infrastructure and in terms of buses. I note that there is no funding for additional buses. But there is a greater challenge which this government and this budget have failed to live up to or understand — that is, how do you maintain Melbourne's vitality; how do you maintain diversity; how do you maintain the attractiveness of this city as a living space, including the suburbs and the regions; and how do you ensure it is a place that attracts innovation, that attracts and keeps the best and brightest in the absence of mineral wealth, but also in circumstances where in many ways that mineral wealth is acting as a bit of a drag on the Victorian economy? It is a drag because of the increases in interest rates and because of the high Australian dollar.

In the face of those challenges you would have thought that it was imperative, that alarm bells would be ringing and that this government would forge a way forward and make sure we have the sorts of policies that would deliver a budget that ensured that Victoria stayed competitive. The interesting contrast is with New South Wales, where there is a new Premier who, as he says, is very much committed to making that state no. 1 again. It is an interesting contrast between that sort of drive and ambition and the very lacklustre approach we have seen in this budget — a budget which I think risks everything and really delivers nothing.

Mr DRUM (Northern Victoria) — It is a great pleasure to have the opportunity to rise to talk about the 2011 state budget, which was handed down earlier this month by the Treasurer, Kim Wells. I want to congratulate him on the work he has done. This budget will be seen by most observers as the first of many responsible budgets handed down by the Baillieu-Ryan

government. I am very proud to use the term 'responsible', because certainly the group we took over from acted in a manner that was anything but responsible, with a whole range of promises and overblown projects. The former government figured it could cover up its inadequacies with an overblown press unit and spin that went on and on. That became a hallmark of the Bracks and Brumby governments. They said, 'We will govern the way we want to govern, and we will use the media and spin to weasel our way out of the problems we create'.

This budget takes the interests and the concerns of the taxpayers as the concerns of the premium people of interest. In forming this year's budget we have looked at the people of Victoria as the people who have given us the opportunity to form the budget in the first place and to use revenue as its base. We have used them as the pillar from which we are now going to look at how best to disperse the money back to the community. That is something the previous government failed to do in its period in office.

I want to talk a little about the Regional Growth Fund, which is a project worth \$1 billion over eight years. It is the flagship for regional development in the budget. We took this project and this policy to the election. Six to eight months out from the election we signalled the quantum of money we were prepared to put on the table for regional development. Did the former government try to match it? No, it did not. It did not even look at the amount of money we were prepared to put into regional development, which was approximately two and a half times the amount of money that the previous government had on the table for regional development with its Regional Infrastructure Development Fund (RIDF).

Over and above the \$160 million that Mr Ramsay spoke about for our 40 smallest councils, there is an extra \$1 million for each of our small councils. That is over and above the \$20 million for our aviation fund, which the previous government used to sneak inside its RIDF, and over above the Local Roads to Markets money, which again the previous government used to sneak inside the RIDF. All of our aviation funding and our local roads funding is outside this government's Regional Growth Fund. However — —

Mr Barber — What about the rail container subsidy?

Mr DRUM — The rail container subsidy? Mr Barber, talk to me about that. In essence, we have \$120 million a year going into regional development.

Mr Tee interjected.

Mr DRUM — Mr Tee, that is two and a half times the amount of money that your government was going to put in place for regional development, had it won the election late last year.

I now want to focus in my contribution more locally, because the contrast between the coalition and Labor is at its most stark in the regions of Bendigo and Castlemaine. The coalition started by pledging that it would save Eaglehawk Primary School, a school that Labor had decided it was going to close. Sorry, I must correct my words: Labor does not close schools, it simply merges them. It merges them with other schools, and then it closes them. As soon as it can get them closed they are bulldozed so that no-one can ever accuse the Labor Party of closing a school that no longer has kids in it. It simply bulldozes them and gets them out of the road so that no-one can ever remember that a school used to be there.

Eaglehawk Primary School was destined for such action. The member for Bendigo East in the other place was out claiming that the best thing that could happen to Eaglehawk Primary School was that it be closed and become part of a three-way merge. Bendigo North Primary School was also gone, and only Camp Hill Primary School would survive. But the Labor Party in government would give it a new name, because it always likes to give merged schools a new name to try to complete the smoke-and-mirrors trick aimed at convincing us it has not actually closed the schools but has simply merged three of them.

There was a \$2 million difference there, and the coalition government has now invested \$800 000 in the school for maintenance and another \$2 million for capital improvements. Even as late as last month the opposition's education spokesperson in Bendigo was advocating that the school close and merge. The member for Bendigo East and the member for Niddrie in the other place want Eaglehawk Primary School to close. I can tell them now that it is not going to close; it is going to stay open, and the people in Eaglehawk will still be able to send their kids to the local primary school for the next four or five years.

When it comes to the Bendigo hospital we see one of the most amazing pieces of political naivety that I could possibly have imagined. We have a situation in Bendigo where the coalition government has promised a \$632 million development for the people of Bendigo and the surrounding central Victorian region. It is \$102 million more than the Labor Party put on the table, but we still have a situation where the members

for Bendigo East and Bendigo West in the other place are actively campaigning for a hospital to be built for \$102 million less than the coalition government is prepared to spend.

They want the old Labor Party model of a hospital to be built because they are too proud and too Labor focused — first, second and third — to ever think that the coalition could come up with a better model or that the coalition's investment in its home town could possibly be better than the Labor Party's. Their pride has got them to the point where they are prepared to say, 'We do not want your extra \$102 million. You can keep it. Just build the cheap model that we put on the table. Build the cheap and nasty hospital that we tried to sell to the people of Bendigo as an absolute fraud. We would rather that than to admit that maybe the coalition's investment in Bendigo has the interests of the Bendigo people and the surrounding region at heart, because that is something we cannot bring ourselves to do'.

They say, 'We will never support something the coalition government has done on our home patch, even if it means bringing an extra \$102 million to our town in the form of a world-class hospital' as opposed to the hotchpotch brand of hospital that the former government was planning to build and foist upon the people of Bendigo. It is an absolute disgrace that opposition members cannot bring themselves to say, 'Thank goodness we have a coalition government that is going to honour its promise to spend \$632 million'. That is the quantum of money we are going to spend on a world-class hospital in Bendigo.

There is \$40 million on the table from the coalition for a hospital in Echuca. There was nothing on the table from Labor. That is a stark contrast. People in the region had a clear opportunity to look at the investment in health proposed by the respective sides. There is \$40 million from the coalition for Echuca; there was nothing from Labor.

There was \$102 million extra on the table for Bendigo from the coalition; \$102 million less from Labor. When it comes to Castlemaine, we made a pledge of \$10 million for the Castlemaine health-care group, and we will honour that pledge of \$10 million in the forward years; and yet there was nothing from Labor. There was an investment of \$7.5 million in the Castlemaine Secondary College, which was to merge the two campuses of that college — the junior campus and the senior campus. The community has been trying to merge those two schools onto the one site. We have put \$7.5 million on the table to give those two campuses the opportunity to do what they want to do,

but there was nothing from Labor — not even the smallest inkling of anything. I think it was Bob Cameron, the former member for Bendigo West in the Assembly, who said, just before he jumped ship, ‘We might put it into a five-year master plan to see if we can do something down the track’. We have that money on the table for Castlemaine Secondary College.

Eaglehawk was hit by the bushfires of 2009. One of the remarkable things to come from Eaglehawk is the community drop-in centre called Our Place. The coalition has put \$100 000 on the table for Our Place. That was done a month out from the election. The organisers from Our Place in Eaglehawk went to Jacinta Allan, the member for Bendigo East in the Assembly, and said to her, ‘The coalition has \$100 000 on the table to support Our Place, the community drop-in centre, which helps people to organise their own lives because they are having trouble getting their forms filled out’. Jacinta Allan simply said, ‘No, we will not help you’. In the lead-up to the last election Labor was asked to match the coalition’s \$100 000, and the answer was, ‘No, we will not help you’.

An amount of \$300 000 went to the Mount Alexander Shire Accommodation and Respite Group — a group that has been campaigning for years to try to get a respite centre in the Mount Alexander shire — and again for Castlemaine another \$300 000. It is no wonder that Stephen Oliver went within 2.5 per cent of winning that seat for The Nationals because day after day, week after week, he was out there meeting community groups and taking their concerns to the coalition treasury in opposition, saying, ‘I need money for this, I need money to support these groups’. In effect, we have put on the table a \$300 000 commitment for the Mount Alexander respite group, which will be an enormous benefit. It is interesting to see that Bendigo Bank has recently come on board to support that group’s fundraising efforts.

Bendigo has the showgrounds and the exhibition centre, and the coalition went out there months in advance of the election and said it would provide funding of \$2 million for stage 2 of the exhibition centre development. The government of the day did not want to know about it. There was no contribution —

Mr Tee — What about teachers?

Mr DRUM — no contribution, no effort at all, Mr Tee. Do you want another blood nose? Just keep going, because you have offered absolutely nothing for Bendigo, which is one of the fastest growing regional cities in Victoria. Labor had the opportunity to match the coalition’s promise to provide \$2 million for stage 2

of the exhibition centre. The people running the exhibition centre and the showgrounds rushed off to the government of the day and asked if it would match the coalition’s promises, and all they received was a straight-out and blanket ‘no’ — no to Bendigo with Labor.

Then we look at the Bendigo Airport. In the lead-up to the election the coalition said it would provide a \$5 million contribution as part of a three-way split to cover a \$15 million plan to redevelop the entire Bendigo Airport. We were hoping to get \$5 million out of local government and \$5 million out of the federal government, because we were given an assurance that that would be forthcoming. We came good with a \$5 million pledge in the lead-up to the election — an election promise that we have honoured, just like we have honoured all the other election promises we have mentioned here tonight — and we cannot quite get the feds over the line. Local government has put \$5 million aside in its next two budgets, so local government is in, but we are having a little bit of trouble getting the federal government on board with that development at Bendigo Airport. However, our \$5 million is locked in, and Mr Rich-Phillips is very keen to see that project progressed.

In relation to the Queen Elizabeth oval, which is right in the heart of Bendigo and is Bendigo’s premier sporting arena, the coalition has put \$1 million on the table to ensure the redevelopment of that oval to a statewide standard. That will enable state league teams to come and play at the oval. It will enable the surrounds to be fixed for spectators, the scoreboard can be fixed — it fell by the wayside because the previous government did not provide the funding to fix it — and a second netball court can be built because, unlike the Labor Party, the coalition values the input of netball into regional and country football arenas. The call from the netball community in Bendigo was that it needed a second netball court so it could be a truly elite-class regional centre and a statewide, premium-class centre. Again the answer coming back from Labor was, ‘No, you are going to have to stick with what we have given, \$700 000’. We came over the top; we gave the people of Bendigo what they needed to effectively get the job done. There was also a commitment made to the Eaglehawk football and netball club to improve its social facilities.

We want to compare our funding for all those projects with what we heard from the former Labor government, which was that it did not care. It said it did not have any money and that it was too bad.

Ms TIERNEY (Western Victoria) — I also rise to speak on the budget papers for 2011–12. I, along with many other Victorians, looked forward to seeing the much-awaited budget of the first Baillieu government. One of the reasons we were looking forward to it was that we were wanting some indication about how this government was going to govern.

When this government took office there was a round of parties that seemed to go on incessantly. A number of Liberal 500 Club events were held, but there seemed to be a severe lack of media releases, media interviews and press conferences. Indeed there was very little, if anything, in terms of legislation before the house. The government was attempting to find its way, and its way was to get other people to do the work.

Then there are all the reviews being conducted — not 1, 2 or 3 reviews but something in the order of 100 reviews; perhaps 1000 flowers have already bloomed in Victoria since the November election. Victorians are looking for an indication in this budget of how the government will fulfil its election promises and how those election promises fit into a plan for government — a plan in terms of delivering an education system and a health plan for all Victorians. We also wanted an indication of how the government was going to create new jobs. The government promised Victorians that it would bring down the cost of living. We wanted to see what impact the budget would have on working families and how the government was going to achieve that. We had some serious expectations of this government, and were very interested in what its members were going to say in terms of the fight against climate change. When the previous government put out its climate change white paper the opposition at the time supported the government's position, but there is nothing in this budget that gives any indication of what government members are doing about it.

At the end of the day we have a budget with no plans for job creation or the education system, no improvements for health services and very little in terms of transport. Instead of making life easier for families, government members have decided to rip from 100 000 families the \$300 School Start bonus. Where does that line up in terms of the government's commitment to those Victorian families? Government members have not come up to scratch. I am still looking for the part that tells me that this government is governing and not sitting back and doing very little.

Many people, be they politicians or members of the media, have said that one thing stood out about Kim Wells's budget speech: an absolute lack of any mention

of job creation or employment opportunities. The issue fell off the map completely, and I am very concerned about it because we all know that in many ways employment not only generates feelings of self-worth for individuals but also pays the bills and puts food on the tables of many families. Job creation and employment do not seem to be within the scope or the parameters of this government. We also saw an enormous cutting back of JobWatch, another important security blanket for Victorian families.

Returning to climate change, I note that there was very little in the budget about how it would be tackled and what impact the new wind farm policy will have on renewable energy initiatives in this state. Will we continue to see industry investing in this state?

In terms of health, perhaps I can be so bold as to concentrate on the electorate of Western Victoria Region and in particular Geelong. This government promised \$165 million for hospital improvements in Geelong, part of which was for a second hospital in South Geelong. I put out a challenge to those on the other side, particularly members who represent western Victoria: what are they doing about the second hospital? In the budget the government has allocated only \$8 million of the \$165 million, and I want to know whether the rumours in Geelong are true — that what we will end up with is a big neon sign in South Geelong that says 'Hospital', but we will be very lucky if it is a super-clinic, from what I am told. I understand there will be no inpatient beds whatsoever, and I am more than happy for government members to stand up and correct the record on that. I do not believe government members are going to do anything at Geelong in terms of the second hospital, which contrasts with what the previous Labor government did for Warrnambool.

The Bracks government went to Warrnambool at the 2006 election and promised a whole redevelopment of a hospital — \$110 million. Unlike this government, we made that commitment, and every brick, every window — everything — has been committed because — —

Honourable members interjecting.

The ACTING PRESIDENT (Mr O'Brien) — Order! Through the Chair! The level of interjection is getting quite loud.

Ms TIERNEY — The money has been committed because we have to build our promise from 2006 now, and that hospital will be open later this year. That has happened because the people of Victoria — including

the people of Warrnambool and Geelong — know that Labor actually keeps its commitment.

In relation to education, as everyone knows, the previous government's commitment to education was enormous — it was a no. 1 priority. When I look at what this government has done in relation to education, in particular in western Victoria, it gives me much heartache.

Apart from the matter I raised last week — that is, funding for Portarlington Primary School, which needs \$60 000 for a schematic design — this government has also promised \$10 million for the Apollo Bay P–12 College, but the college received only \$700 000 in the budget. The Baillieu government promised whatever it takes in terms of the Colac Secondary College. Labor promised \$13 million, but only \$10 million was put aside by this government. No schools in Geelong or on the Bellarine got anything in last month's budget.

Who can forget the government's promise that teachers in this state would be the highest paid in Australia? The government walked away from that commitment almost from the day it was elected. This is on top of the \$338 million the government has stripped from the education budget.

In terms of the Regional Growth Fund, as the shadow Treasurer pointed out, it is a matter of treachery because you have to get the other half of the money in the fund by electing this government again. It is a little bit like tied aid to foreign countries.

The other failing is that the government committed \$10 million for the Princes Highway duplication and only delivered \$5 million. The government has not provided one cent to the Geelong arts precinct. With all the huff and puff in the newspapers for months leading up to the election, the government has not put one cent into radiotherapy in Warrnambool. It promised \$14 million for the duplication and upgrade of Pioneer Road, yet there was only a meagre \$5 million to supposedly fix up this major safety hazard. Of course there was no money for the promised helipad at the Ballarat hospital.

All we have is failure, failure, failure to commit to western Victoria. Most of the election promises made by government members were only half-hearted attempts. In terms of fixing the problems, we have not seen too much of it. There has not been a plan or a vision. Beyond the reviews upon reviews that we will continue to hear about until the cows come home, Victorians — particularly those in the west — require this government to stand up and do a whole range of

things that government members cannot and, I suspect, will not do for the future of this state.

Mrs COOTE (Southern Metropolitan) — The coalition government's first budget is focused on delivering its election commitments. The budget is about fixing the problems in health, transport et cetera — the problems that Labor left behind. The budget delivers responsible and caring government in challenging times, and the coalition government will be responsible with taxpayers dollars.

I was not going to counteract what the Labor Party has said during this budget speech, but I just cannot help myself after that diatribe from Ms Tierney. All I can tell you is that some people are better at opposition than they were in government, and believe me, she takes the cake. I would have to say, through you, Mr Acting President, that that tirade we just heard was breathtaking. Ms Tierney talked about the Bracks government and she talked about reviews. I have to explain to her that Mr Bracks and his cohort were the absolute review kings of parliaments across the country. He was absolutely inane. He did not get on and do things — in fact it was a joke; it was a laughable joke. All Labor did was woo those three Independents and look after those three Independents, and everything was reviewed.

When Ms Tierney talks about there being no direction for government she should just have a jolly good look in the mirror and see what Mr Bracks did. Mr Bracks did nothing. He did absolutely nothing. Ms Tierney was not here in the Parliament at the time, but she should have been, because it was a lesson in total mediocrity, and we know what has happened, because we saw the result of it at the last election.

Then we had Mr Brumby. He in fact was almost the reverse of Mr Bracks. Mr Bracks, by all accounts, was actually a very nice man. Mr Brumby certainly was not.

Mr Ondarchie — Was he ever elected?

Mrs COOTE — Mr Ondarchie raises a very interesting point. He asks: was he ever elected? I do not think he was. I think even Ms Tierney might have to agree with that. Let me just recall. He had been a federal member; what happened there? I think he lost the seat. Then what happened? He was a leader — that is right; he was the leader prior to 1999 — and what happened?

Mr Leane interjected.

Mrs COOTE — The unions — your unions, Mr Leane — threw him out. Your unions overthrew

Mr Brumby because they did not think he was good enough. And do you know what? At the end of the day your unions were actually right. He was not good enough, and the people of Victoria showed that he was not good enough.

As I said, I do not want to concentrate on the negatives of the opposition. I have to say, and I have said this before, that the opposition is getting a very quick crash course in what it is like to be an opposition, and it has been seen to be floundering. Mr Tee's contribution was absolutely atrocious. Mr Tee stood there and did not even manage to use his full 15 minutes. He seemed to run out of steam. That is what is happening on a daily basis. We can see those opposite running out of steam; we can see them wilting. They are all wilting. We do not even need to bring out the Roundup. They are going to be absolutely shrinking in front of us. If Ms Tierney is the best that they can drag up, really and truly it is going to be a very boring Parliament.

Having said all of that, I want to concentrate on the positives — the really good positives — of this first Baillieu budget. It is an outstanding budget. The reality is that we did listen. One of the things that won us the election was the seat of Bentleigh in the Assembly. The now member for Bentleigh, Ms Elizabeth Miller, with significant help from Ms Georgie Crozier and others, ran a sensational campaign.

I would have to say it was the 522 people in Bentleigh whose vote was so important to us as a government who we are representing in this budget. These are the people for whom the concessions were important, the health issues were important and transport was particularly important, along with various other issues that we touched base with them on because we were listening. Ms Miller was out there every morning at those railway stations listening to the people, hearing what they had to say, and she was instrumental in getting the government to have a look at some of the issues that are major concerns for the commuters in her area. Looking at the grade separations in North Road, Ormond is a good example. We listened; it was delivered — it is here in the budget. The reality is that this is a government that does listen. It listens. Unlike Mr Brumby, it is out there listening to what is happening.

In relation to Southern Metropolitan Region, I would like to talk about some of the things we promised during the election campaign which in fact have been delivered in this budget. Brighton Secondary College is going to receive \$5 million for the redevelopment of its school facilities, including construction of new science and technology facilities. This investment will provide

the school with a state-of-the-art learning environment for science and technology education, benefiting more than 1200 secondary students in the Brighton area. I suggest this is another area that was identified by the now member for Bentleigh, because in fact many children go to Brighton Secondary College who come from the catchment of Bentleigh, and there were people from Bentleigh who were particularly keen to know that we were going to be investing this money and who are particularly pleased to see what the result has been.

I would have to say also that safety was an issue. I have stood in this chamber many times talking about crime and the issue of violence on our streets. You do not have to go much further than Chapel Street to see what has been happening. Under the former government the former member for Prahran, Mr Lupton, totally ignored the violence — to his cost, so it turns out. He did not want to know about the violence on the streets. He ignored what was happening with alcohol-fuelled violence. He did not want to know, and he did not want to listen.

However, this government has said that it will put additional protective services officers (PSOs) on the train stations and on trains. The opposition is seeking, searching for and wanting something to do — that is, when it is not wilting on the vine. It fought us every inch of the way on the PSOs. It did not want to recognise the excellent work that the PSOs do. It did not want to understand exactly what the protective service officers can do for our community; they can give it a sense of safety and a sense of confidence.

The Labor Party fought us every single bit of the way on that debate in this chamber, but we have achieved what we said we would do, and the people in our electorate of Southern Metropolitan Region are grateful for the law and order approach that we have taken. They are particularly pleased to know that we are going to have additional resources and that our trains and trams are going to be safe for people to travel on in areas such as Prahran, where we are going to have additional closed-circuit televisions to make certain that there will be no attacks on innocent people coming to the city of Stonnington for a good time and a nice night out. In the past they have met with harm, but with this budget now that has been addressed. The Baillieu government, Treasurer Kim Wells in particular, is to be commended for doing that.

The Baillieu government budget has not just touched Bentleigh and Prahran, it has also touched Burwood. In speaking about violence, may I remind the chamber yet again of that poignant moment when an elderly man, who had lived his entire life in Ashburton, was going

for his final walk around his neighbourhood to say goodbye to the area in which he had lived for such a long time. It was 3 o'clock on a Friday afternoon, and he was battered to death — by a woman, as it turns out. Do members know why? Because the Ashburton police station was unattended. What has happened is that we have listened. That old man died in a suburban street in the afternoon on a Friday. That epitomises what had become the police and law and order situation under the former government.

I was pleased to note that \$500 000 has been put aside in the budget for the refurbishment of the Ashburton police station, and we will have police out there. We will have police in the suburbs rather than taking the matter for granted. We will not be closing or amalgamating the police stations but actually putting people where they need to be.

We are also going to be putting in \$200 000 for traffic lights at the intersection of Through Road and Riversdale Road and \$300 000 for a new pavilion at the Bennettswood Reserve. The total funding is \$3.4 million, and the majority of this money is coming from the government. Sadly, we get only 15 minutes to speak in this chamber, and I have another 4½ minutes to go. I can remember the olden times when we did not have limits on our speeches, and I have to say there was a lot of merit in that.

I would like to spend the 4 minutes left to me speaking about what happened with the Department of Human Services. I would like to give a snapshot of what the Minister for Mental Health, Mary Wooldridge, who is also Minister for Women's Affairs and Minister for Community Services, has achieved out of this budget, because it has ramifications right across our state. It is a great pity that Mr Tee and Ms Tierney felt so wilted after their contributions that they could not even stay in the chamber; they had to go. There are only two people from the Labor Party in the chamber: Mr Elasmarr and Mr Leane. Labor members obviously cannot cope with the heat in the kitchen, so they have had to flee.

In the short time left to me I would like to read some of the statistics. I will remind members of this chamber of our huge input into mental health so they can understand the ramifications for mental health in this state and see the huge commitment that the Baillieu government has given. Our commitment is up 6.3 per cent, from \$1.0078 billion to \$1.0711 billion. Drug services are up by 5.6 per cent, disability services are up by 5.5 per cent and child protection and family services are up by 7.6 per cent.

There is a particularly difficult challenge in child protection. Ms Wooldridge recognised what was going to happen across our state with child protection workers. We needed to have a huge injection of funds into this area, and that is exactly what she got. She also recognised that one group that needs significant assistance with financial and other support is the children who are leaving foster care and going into the community. A great deal of money has been directed towards those programs. The youth services and youth justice area is up by 10.7 per cent, concessions are up by 29.6 per cent and funding for communities is up by 4.8 per cent. There have been huge increases in areas that affect people's lives.

I turn back to the 522 people in Bentleigh I mentioned earlier. Many of those people will be affected by these initiatives. The concessions are going to be an important aspect for them. Law and order is an important aspect. Let me remind the chamber about mental health: one in five people in this state are affected by a mental health issue. It is probably going to affect all of us in this chamber over the next decade in some way. It is going to affect our families and it is going to affect the community, and it is imperative that we understand and address these vital issues.

I have had a look at a whole range of initiatives that affect Southern Metropolitan Region. I was pleased to see one of the initiatives is for mental health among gay and lesbian and transsexual, bisexual and intersex people. The initiative is aimed at looking at how we deal with discrimination so that we can address the unacceptable level of suicide, particularly among younger men in rural areas who are gay. This is the path we have gone down to understand what the community expects. What we have done with this budget is exactly what we promised.

We have pages listing what this government has already done in the short time it has been in office. Unlike the Bracks government, in our first six months we have been absolutely vigilant in making certain that we have carried through on the election promises we made. Some of them are on the pages I have in front of me. Sadly, in the 22 seconds I have left I will not be able to read all of them. However, the Baillieu government is to be commended. This is how we intend to go on: listening to the people, providing for the people and servicing the people of this great state of Victoria.

Hon. W. A. Lovell — On a point of order, Acting President, I draw your attention to the Labor Party benches, with Mr Leane on his own. It resembles a Labor party state conference.

The ACTING PRESIDENT (Mr O'Brien) — Order! There is no point of order.

Mr Leane — Acting President, I draw your attention to the state of the house.

Quorum formed.

Mr ELASMAR (Northern Metropolitan) — I rise to contribute to the debate on the state budget 2011. Before I address the implications of the Victorian coalition government budget I, as one of the members in this house representing the people of Northern Metropolitan Region, wish to ask the coalition government a question: what is the government doing to support the people of the north who elected two of its members? I was listening to Mrs Coote, who I respect a lot, and she said some people are better in opposition than in government. I agree — with an exclamation mark!

The budget clearly discriminates against the northern suburbs. Government members should explain, if they can, why we have been left out of everything, including manufacturing, job creation, capital works and upgrades to schools — to mention but a few items. We know that historically the northern suburbs have been seen as a Labor heartland, but I am sure the voters in Northern Metropolitan Region did not expect to be denied opportunity or updated facilities. Take, for instance, the kindergarten budget allocation: only \$15 million has been provided over a four-year period to cater for the 200 babies born in Victoria every day. It does not make sense to me, and I am sure it does not make sense to the voters in the northern suburbs.

This budget fails to address the needs of nearly half a million voters. The people in the north want jobs, a decent standard of living and decent schools so that their children can receive an education that will give them the best start in life. This budget has only allocated a measly \$208 million for school capital projects. As my colleague in Northern Metropolitan Region, Ms Mikakos, quite rightly stated, it is the lowest amount of money allocated in eight years. How can this be justified? This budget has failed the voters of Northern Metropolitan Region. It shows no new initiatives, no job creation schemes and no updates to transport facilities. There is nothing to hearten the voters who mistakenly thought they were important to the coalition government. This budget has failed them on all levels.

There was a lot of excitement generated by the announcement of the new wholesale fruit and vegetable market. We have been waiting for six months for

something to happen, and yet we find that still nothing has happened. Why? The wholesale fruit and vegetable market needed to be expanded, and when it gets off the ground this extraordinary project will create thousands of much-needed jobs in Northern Metropolitan Region. Why are we wasting more time?

We in Northern Metropolitan Region deserve our fair share of this state's funding. Apart from the fact that we are one of the fastest growing regions in the state, it is unfair to deny us our allocation of much-needed infrastructure projects and resources. My disappointment with the resourcing of schools is a bitter pill to swallow, because it means children will miss out on a proper teaching environment. There is no doubt in my mind that our professional teaching staff are headed for a huge shock when they finally wake up to the reality that they will not be the best paid teachers in Australia.

I know that Northern Metropolitan Region has been let down by this government, but in the final analysis Victoria has been let down too. The vision is missing. Victoria will now lag behind the other states in all aspects because the Baillieu government failed to deliver a bright economic future for the people of Victoria. The fact remains, as Mrs Coote said, that some people are better in opposition than they are in government.

Ms CROZIER (Southern Metropolitan) — I rise to speak on the budget, and in doing so I congratulate the Treasurer, Mr Wells, on delivering his first budget for the coalition government under challenging circumstances. This budget is both a responsible budget and a caring budget in light of those challenges, including the recent Victorian floods that affected almost one-third of the state. That event alone had subsequent social and economic impacts that have affected many communities and continue to do so. The cut in GST revenue to Victoria of \$4.1 billion by the Gillard government is yet another challenge that this government has had to deal with, together with the enormous cost blow-outs on several large projects — I hardly need to name them, because they are household names — such as the desal plant, myki, HealthSMART and so on.

With those challenges and the commitments that were made to the Victorian public at last year's election in mind, this government has delivered \$5.1 billion of its election promises, contrary to what Ms Tierney said about this government having no plans. She mentioned a number of areas, including health. This budget has provided exceptional funding in the area of health — that is, \$13 billion in health spending in Victoria that

will help improve the delivery of health services to Victorians and provide practical outcomes such as 800 extra hospital beds and additional nurses and ambulance officers. Mr Drum spoke earlier tonight about the coalition's commitments in relation to health in his region, in particular the Bendigo and Echuca hospitals. This budget has addressed the needs of the community.

The budget provision in relation to law and order, which was a huge issue leading up to last year's election, of 1700 new police officers over this government's first term is another initiative that is putting the safety of Victorians first. Putting 940 protective services officers onto our train stations to protect the public again addresses the needs of the Victorian community. As Mrs Coote mentioned in her contribution, \$500 000 has been allocated to refurbish the Ashburton police station, a police station that is wanted and needed by the local community in my electorate of Southern Metropolitan Region. That police station will be attended, unlike under the previous government when services to that area were severely cut.

Funding has been provided to various other areas in the budget to improve services that will decrease elective surgery wait times. I want to highlight another area in health which is very important, and that is \$34.4 million in palliative care funding. This is a welcome package of funding to support those with terminal illnesses, and it was acknowledged by the sector in a letter that the Minister for Health made available to the house last week. Of that palliative care funding, \$500 000 has been warmly welcomed and received by Very Special Kids in Malvern. That funding is being delivered right to the areas where it is most needed.

Education, like health and transport, is an important initiative in any state budget. This budget makes a significant investment in our education sector, despite what the opposition has claimed. There is additional spending on school maintenance and infrastructure programs, including \$5 million for the construction of new science and technology facilities at Brighton Secondary College and \$1.5 million for a modernisation project at McKinnon Primary School. Again, this is direct funding to areas of need that have been neglected over the past 11 years.

Transport infrastructure and services were severely neglected by the previous government. We know that. We heard it from commuters day in and day out. We were the ones standing on the railway stations, as Mrs Coote said earlier, and we heard commuters talking about their frustration with the services that had

completely failed many Victorians. The government again acknowledges the enormous pressures on our transport system and is working to manage many of those issues left by the previous government. The budget provides almost \$12 million for an upgrade to Balaclava station and \$700 000 to plan the proposed new railway station at Southland — facilities that will directly affect people within my electorate of Southern Metropolitan Region.

This government recognises the many difficulties faced by families. That is why this budget took direct action to ease cost of living pressures. It did so by providing \$1.2 billion through cuts to stamp duty for first home buyers, young farmers and pensioners, \$382 million to extend the energy concession to more than 815 000 families across this state, and \$242 million over four years to halve ambulance membership fees — all practical measures that will assist families to manage their everyday budgets.

Rural and regional Victoria has faced its own challenges on top of the rising cost of living pressures I have mentioned. In recent years it has sustained drought, fire and floods. The regional growth funding and support packages announced in the budget will assist those areas to get back on their feet. Victoria needs a vibrant and sustainable economy, and rural and regional Victoria is imperative for our overall economy.

In my region people who run businesses have been equally concerned about the pressures they face on a day-to-day basis. Many speak of the need to maintain confidence, and governments can play a role in that. They want Victoria's economy to remain strong so their businesses can remain viable. They want to know that taxpayers money — their taxes — are being spent wisely, and they do not want to have billions of dollars wasted on projects. This government listened carefully to the community and heard its call for responsible economic management. This budget is a well thought out, caring and responsible budget for all Victorians. It will provide services to improve the lives of Victorians including their quality of life, and it will provide for a safer community. I congratulate the Treasurer again on his first budget.

Debate adjourned on motion of Mr LEANE (Eastern Metropolitan).

Debate adjourned until next day.

ADJOURNMENT

Hon. D. M. DAVIS (Minister for Health) — I move:

That the house do now adjourn.

Rail: North Shore station

Ms TIERNEY (Western Victoria) — If Mrs Coote is listening in her room, I can inform her that I am far from wilting. I am standing here and ready to talk about the North Shore train station in Geelong. It is an adjournment matter for the Minister for Public Transport, Terry Mulder.

The North Shore station is one of three Victorian stations the previous Labor government chose to redevelop into a community hub. A task force was set up to do this which included representatives from the Department of Transport and the City of Greater Geelong as well as local residents. Plans had been drawn up for buildings and landscaping, and the Department of Transport set aside \$1.5 million for these works. The project is particularly important as the North Shore station is the only stop in Geelong for the Overland train travelling from Adelaide to Melbourne via Stawell three times per week, due to the standard gauge line.

On 11 May I joined the meet-and-greet volunteer group which meets passengers getting off the Overland train at North Shore. It was a freezing cold late afternoon in Geelong. These volunteers give up their time to greet the passengers three afternoons a week to ensure that they are welcomed to Geelong and informed about how to get to the centre of Geelong. Members in the chamber might think it is a little bit lavish for visitors to be met and greeted as they arrive in Geelong off the Overland, but it is more a necessity than a luxury due to the facilities, or lack thereof, at the North Shore station. At present the station has no phone, no rubbish bin, no toilet, no signage about how to travel into the Geelong city centre and a very small, inadequate shelter.

When I met with the meet-and-greet group I saw firsthand the problems arising from the lack of facilities. On the night I was there a couple from the central coast of New South Wales who had never visited Geelong before got off the Overland from Stawell assuming that they would be at Geelong's main train station. They had no idea where they were in Geelong. North Shore station is 7 kilometres from the city centre in the middle of a residential area. It is far from the first impression we want our visitors to have of our region.

The rejuvenation project initiated by the previous Labor government was designed to solve this issue, but it seems that with the change of government the money for this project has disappeared. The coordinator of the meet-and-greet group, Dr Coralie Jenkin, who is also a member of the task force committee, was told by a Department of Transport representative that there is no money in the budget, and the most recent explanation from the department was that it would be difficult to find out about the plans for the station until the staff at the Department of Transport had returned from the Easter break. Of course that was some time ago. Dr Jenkin and the task force committee have been meeting on this issue for three years, and now they have found out it has all been for nothing. I ask the Minister for Public Transport to inform me and the people of Geelong of where this \$1.5 million is and when it will be made available for this important project.

Point Cook: traffic management

Mr FINN (Western Metropolitan) — I wish to raise a matter this evening for the attention of the Minister for Public Transport, the Honourable Terry Mulder. It concerns the area of Point Cook in my electorate. I can assure those who might not be familiar with Point Cook that it is a delightful place that has gone ahead in leaps and bounds in recent years. It would be safe to say that most of it did not actually exist five years ago, but it is certainly now a thriving metropolis with a thriving commercial hub in its town centre.

Along with that has come very strong population growth and a huge number of families who have moved into the area over the last few years. As such it is a great place to live. Next door is Sanctuary Lakes, and I am sure even Mr Barber would be aware of Sanctuary Lakes with its golf course and its lakes, named after the suburb itself. It, too, is a great place to set up stumps.

Mr Jennings — It's a duck-hunting site!

Mr FINN — You might like to come down, Mr Jennings, at some time. Come over to the western suburbs and have a look! You would be very welcome — or perhaps not.

I ask the minister to take that into consideration as I request him to prepare a traffic management plan for the Point Cook area.

Mr Barber interjected.

Mr FINN — Buses are traffic too, Mr Barber. We have a major traffic problem. Point Cook Road is not a lot better than a goat track, particularly at the moment, after a good deal of rain. We have thousands upon

thousands of people using this main road every day, and it is just not up to the job. Sneydes Road is another one that is not up to the job. We have thousands of people endeavouring to go about their daily lives — to get to work and get home after work, to go to leisure activities on the weekend or to go shopping at the shopping centre — and they cannot get around with any degree of ease because of these difficulties.

I believe that we as a state government need to sit down with Wyndham City Council and come up with a traffic management plan which will see a significant injection of funding, which is clearly needed, to bring many of these roads up to scratch to allow this new and growing suburb the sorts of access and livability that so many other suburbs of Melbourne take for granted. Over 11 years the former government did nothing — absolutely nothing — and that is why Point Cook is struggling with the mess it is in today. I believe we have an obligation to fix the mess Labor left.

Australian Paper: environmental accreditation

Mr LENDERS (Southern Metropolitan) — The matter I wish to raise on the adjournment tonight is for the Minister for Agriculture and Food Security, Peter Walsh. It is in regard to the possible loss of Australian Paper's international certification. A couple of weeks ago I went to the Maryvale pulp mill and met with representatives from Australian Paper with whom I talked about the many challenges they are facing in manufacturing, given the strength of the Australian dollar and the issue of public acceptability of the paper manufacturing industry generally — what they called the concept of 'social licence'.

These are big issues, but what have we heard from the minister? We have heard that he has threatened 45 jobs in the Yarra Ranges if the Shire of Yarra Ranges continues its ban on Reflex paper. However, we have heard nothing from him regarding Australian Paper's potential loss of its international environmental accreditation, which is probably one of the biggest threats to manufacturing in this particular area. The loss of the Forest Stewardship Council accreditation would force Australian Paper to either abandon its public commitment to the FSC process or move its sourcing from native forests to the more pricey plantation timber.

Australian Paper's problem arises because the FSC rules have been tightened since its certificate was issued five years ago. Under the new rules Australian Paper must consult with stakeholders over logging in high conservation value areas. Australian Paper's certificate expires on 26 July, so it has very little time to reach consensus with the environmental groups. I ask the

minister to take action and work with Australian Paper to get its accreditation renewed rather than running around threatening jobs in Yarra Ranges shire. While he is at it, perhaps he might also speak to the Minister for Roads about getting the Morwell bypass finished, because when I went to visit Australian Paper it took me an extra 20 minutes to get there because the road was closed.

Health: palliative care

Mrs COOTE (Southern Metropolitan) — My adjournment matter this evening is for the Minister for Health, the Honourable David Davis, and it is to do with palliative care. The ending of people's lives is a very sensitive time for a whole range of reasons — not just for the health professionals who care for the people in such circumstances but also for the counsellors and other ancillary health professionals who deal with the families and with a whole range of issues. These are very special circumstances involving very special people.

I know that when the minister was in opposition he spent a lot of time listening to the health professionals in palliative care and hearing about some of the unique challenges people in and around this sensitive and challenging area have to deal with. They are certainly not easy things to discuss and consider, but nonetheless it is important that they are handled properly and sensitively yet professionally.

As I have said, the minister has been particularly cognisant of this part of the health sector, and I know he has a particular interest in it. Certainly in Southern Metropolitan Region he has been particularly involved in speaking to a number of the palliative care agencies, and I know he has also dealt with some of the peak organisations. My adjournment request this evening is that the minister inform me of when the guidelines for palliative care will be implemented.

Lyndarum: children's centre

Ms MIKAKOS (Northern Metropolitan) — My matter for the adjournment tonight is for the Minister for Children and Early Childhood Development, and I am very pleased she is in the house to respond to my matter. The former Labor government invested greatly in the early childhood sector, including kindergartens, maternal and child health centres and early childhood intervention services. One of the most innovative approaches within this investment was the establishment of new children's centres which brought together a range of different services for young families, including kindergarten programs, child care,

maternal and child health services, early intervention and support services, supported playgroups, parent groups and family services. Last year Labor went to the election promising a further \$20 million to continue to expand the network of children's centres around Victoria.

I am concerned that not only was there nothing in the coalition's election commitments around this issue but the coalition has allocated no specific funding for children's centres in this year's budget. In the Public Accounts and Estimates Committee budget estimates hearings Ms Lovell, the Minister for Children and Early Childhood Development, seemed to suggest that children's centres could be funded from the \$15 million children's facilities capital program, an amount that is somehow meant to fund the expansion of kindergartens across Victoria to address the baby boom and also to prepare kinders for the expansion to 15 hours by 2013. Many councils around Victoria that I have spoken to are seeking clarification about this issue, given that they had intended to build new children's centres. I would welcome some clarification about whether that \$15 million program will be available for new children's centres.

In this instance I draw the minister's attention to what this issue means for the City of Whittlesea, which represents one of Melbourne's most rapidly growing communities. I am particularly concerned that the council's proposal to build a new children's centre as part of the Lyndarum community activity centre may now not be able to go ahead due to this lack of dedicated funding. I call on the minister to urgently commit funding to the proposed children's centre at the Lyndarum community activity centre to ensure that families in Epping have the convenience of accessing children's services in the one location in their local community.

Carbon price: introduction

Mr ONDARCHIE (Northern Metropolitan) — My adjournment matter is for the Minister for Manufacturing, Exports and Trade. From my many visits to businesses in Northern Metropolitan Region, I have been concerned about how they are travelling, and I have been hearing a recurring theme from them: they say the same things time and again. The recurring message from these manufacturers is that they are worried about the high Australian dollar and about global competition in the marketplace, which is natural enough, but more importantly they are worried about the uncertainty of the Prime Minister's carbon tax — this great big new tax.

Interestingly enough those opposite have been absolutely silent on this. Have they picked up the phone and called the Prime Minister to ask, 'How much will it be? Will it be \$10 or \$40?'. The Greens are saying it might be \$100. Those opposite have been absolutely silent on the carbon tax, and manufacturers in the north are getting extremely worried about it.

I call on the minister, who has visited my region many times, to come with me to hear firsthand these manufacturers' concerns about the Australian dollar and about the uncertainty around this carbon tax, which those opposite have been completely silent on. They have not rung Canberra to demand the withdrawal of the tax for the sake of Victorian jobs. Once again they are in denial, they are asleep at the wheel and they have forgotten real, working Victorians. I call on the minister to come with me to visit these employers.

The PRESIDENT — Order! I indicate that I have some concerns about this matter, because all the issues that were covered by the member are federal issues. Whilst there is a little more leeway in the adjournment debate under the standing orders of the current Parliament than there was in the past, it is still important that adjournment matters be relevant to state administration. I will allow the matter to stand on the basis that the member's action is that the minister visit his electorate, but I do not want to hear further adjournment matters of that sort of structure. From my point of view there was a lot of discussion about the federal government's position that was tenuously connected to an invitation to the minister to visit some factories. That is not in the spirit of the standing orders for the adjournment debate.

Health: cigarette packaging

Mr JENNINGS (South Eastern Metropolitan) — On World No Tobacco Day it was good to hear that the federal Liberal Party has flipped its position in support of the federal government's legislative plan to bring in plain packaging for cigarettes in Australia. This follows earlier federal initiatives to place graphic health warnings on packaging.

In Victoria over the past decade the previous Labor government progressively regulated cigarette sales and limited the environments in which smoking could occur in order to protect public health. Among those initiatives were the increase in penalties for selling cigarettes to minors in 2000 and the introduction of smoke-free dining and shopping centre laws, which came into effect in 2001. In 2002 the government introduced further smoking restrictions in licensed

premises and bingo and gaming venues, including the casino.

In 2006 the government introduced smoking bans in enclosed workplaces, under-age music and dance events, and enclosed areas of train station platforms, tram shelters and bus shelters. In 2006 the government also reduced the incentives for young people to buy cigarettes by banning buzz marketing. Smoking in enclosed licensed premises was banned in 2007. In 2010 a number of other initiatives were taken. Smoking in motor vehicles carrying children under the age of 18 was banned, and a variety of legislative powers were given to the Minister for Health to enable him to reduce the availability of smoking-related products to young people.

Today, on World No Tobacco Day, when we all receive Twitter messages from Quit Victoria and the Cancer Council about the need to maintain vigilance and a determination to pursue ongoing smoking restrictions and better public health messages, I was confused when I received a tweet that suggested that public policy might be going in a different direction. It reminded me of a story on ABC radio today that stated that of British American Tobacco's political donations throughout the world in 2010, 97 per cent went to the coalition in Australia. Could that possibly be true? A check of the Australian Electoral Commission's records indicated that between 2006 and 2010 the Liberal Party received \$124 920 from British American Tobacco and Philip Morris Ltd.

An honourable member — What's the question? Get to it.

Mr JENNINGS — I don't know whether I will get time or not.

The PRESIDENT — Order! I am not sure either. This matter needs to be within the jurisdiction of the responsible minister. The subject of Mr Jennings's adjournment matter so far seems to be party funding rather than something that falls within the minister's jurisdiction. We have a fairly clear position in question time, which I rely on to some extent even in the adjournment debate, that the matters raised by members are not to canvass the internal affairs of parties. I have some concern about the direction in which this particular matter is going. Perhaps in the remaining time Mr Jennings can convince me that this matter falls within the responsibilities of the minister.

Mr JENNINGS — My adjournment matter asks the Minister for Health to support reform measures with respect to packaging and advertising, to increase public

health programs to encourage higher quit rates and lower take-up rates, and to find ways, either through legislation, codes of conduct or other measures, to limit the ability of the tobacco industry to provide political donations through the political process.

The PRESIDENT — Order! The action Mr Jennings has sought contradicted some of the subject matter that supported it. In the spirit of accepting Mr Ondarchie's comments tonight I will let Mr Jennings's matter stand, but again members need to ensure that their adjournment matters are a lot tighter. It is not just slather and whack. Members should be seeking a serious comment or an action from a minister. Matters should be about the responsibility of those ministers, and certainly not about the internal affairs of other parties and so forth.

Electricity: price comparisons

Mr BARBER (Northern Metropolitan) — My adjournment matter is for the Minister for Consumer Affairs, who, conveniently for my purposes, also happens to be the Minister for Energy and Resources. It relates to the proliferation of websites purporting to offer the service of comparing electricity bills to find the best deal. It turns out that these websites, which are marketing themselves aggressively, are now funnelling customers to individual retailers, and it is not apparent on the surface that that is their purpose.

The Switchwise website lists 20 or so retailers and therefore discloses that the comparison it provides between offers is limited to that group. However, on the Energy Watch website, the name of which mirrors that of a UK consumer organisation, I cannot find where it is made clear that the comparison provided as to the best deal relates only to those retailers with whom Energy Watch is partnered. In addition, once it has provided the service of telling its customers what the best deal is, it then funnels them to those particular retailers. We are also starting to hear complaints from people who then sign up through the website and do not get their power switched on.

The action I suggest the minister could take initially would be to get ahead of the curve and not to wait until there are a large number of complaints piling up in his department. He needs to convene a meeting of the organisations that are developing these websites and talk to them about how they can provide better disclosure on their sites as to the nature of the service they offer, and, failing that — perhaps through his role in consumer affairs but certainly in regard to his responsibilities in energy — he could look at a tighter

scheme of regulation, because these websites are in fact standing in the shoes of retailers.

The retail area of electricity is competitive in that there is a lot of churn. I do not believe there is much competition there, given the difficulty of actually understanding what most of these different offers can do for the consumer. Before we find that we are getting the same problem, albeit removed back to the level of an anonymous website, I think some timely action to set some standards in this area would be useful.

Rail: Shepparton service

Ms DARVENIZA (Northern Victoria) — I wish to raise a matter for the attention of Terry Mulder, the Minister for Public Transport. It concerns the need for an improved rail service for Shepparton.

Shepparton is a regional hub, but it has an inferior rail service compared to other regional centres. Shepparton is the fifth highest populated Victorian city behind Melbourne, Geelong, Ballarat and Bendigo, which are all connected by fast and regular rail services. Three trains run from Shepparton to Melbourne per weekday compared to 24 services between Melbourne and Ballarat and 18 services a day from Melbourne to both Bendigo and Traralgon. When there is a service it takes 2 hours and 33 minutes, compared with express services between Bendigo and Melbourne, which take 1 hour and 34 minutes. Shepparton trains travel at a maximum of 90 to 110 kilometres per hour, while V/Locity services can reach up to 160 kilometres per hour.

It will be important to make key infrastructure changes and not just introduce an increased Sprinter service to Seymour. With the increased Sprinter service it is expected that the journey would still take over 2 hours from Shepparton to Melbourne. A journey that is more than double the distance between these cities, that of Paris to London on the Eurostar rail service, takes just 2 hours and 15 minutes.

Shepparton RAILS (Residents Against Inadequate Locomotive Services), a local rail transport improvement activist group, wants a minimum of 12 daily return services. The group surveyed more than 1200 people and found a huge demand for an increase in train services. Increasing services would increase the number of people who could visit the region. It would increase the commuter potential of the Goulburn Valley and give local businesses greater market opportunities. As a result we would see fewer cars and less freight on our roads and we would reduce carbon emissions.

The specific action I seek from the minister is that he commits to visiting Shepparton to hear what people actually want and commits to improving the Goulburn Valley train services.

Responses

Hon. D. M. DAVIS (Minister for Health) — I have seven written responses from the government to adjournment matters raised by Mr Pakula on 6 April, Mrs Coote on 3 May, Mr O'Donohue on 4 May, Ms Mikakos on 5 May, Mr Drum on 5 May, Ms Pennicuik on 5 May and Ms Darveniza on 25 May.

There were nine adjournment matters tonight. Ms Tierney raised a matter for Mr Mulder, the Minister for Public Transport, concerning Geelong train stations, the lack of facilities at the North Shore station in Geelong and the Overland rail service that stops there and the meet-and-greet groups that are involved. I will pass that on to the minister.

Mr Finn raised another matter for Mr Mulder which concerned Point Cook and growth. He pointed out that a large number of families are moving to that area and indicated that it is a great place to live. Nearby Sanctuary Lakes is also experiencing similar sorts of growth. He pointed particularly to Point Cook Road, which apparently has unfavourable characteristics in terms of its capacity to carry vehicles. He seeks a traffic management plan, perhaps in conjunction with the City of Wyndham. That seems to make some sense, and I will certainly pass that on to the Minister for Public Transport.

Mr Lenders raised a matter for Mr Walsh, the Minister for Agriculture and Food Security, concerning Australian Paper certification. He points to manufacturing difficulties and the strength of the dollar. I note that in the chamber today Mr Dalla-Riva pointed out that this is a matter faced by many manufacturing groups. Mr Lenders pointed to the potential loss of environmental certification and Forest Stewardship Council accreditation. He asked that the minister consult with Australian Paper and seek to take some action before the 26 July expiry date. Having been a shadow environment minister for this area, I am familiar with this scheme and I understand its importance. I am not sure whether this matter would be the responsibility of the Minister for Agriculture and Food Security or the Minister for Environment and Climate Change. Notwithstanding that, I will pass it to the relevant minister, whoever that may be.

Mrs Coote raised a matter for me as Minister for Health concerning palliative care, pointing to the special

circumstances that occur near the end of a person's life and the challenging family and individual circumstances of that person. She points to my consultations with Palliative Care Victoria and other groups when in opposition, which I might add I have continued in government. She makes the point that this is not an easy matter to discuss. Notwithstanding that, it is important. She talks about the document, entitled *Strengthening of Palliative Care* and seeks to know when the guidelines on palliative care will be released. I can inform Mrs Coote that these are out for consultation at the moment and the implementation process is close to beginning, but we will certainly seek input from the community. I can indicate that there will be further steps on that before August.

Ms Mikakos raised a matter to which Ms Lovell seeks to respond in a moment, and I will let Ms Lovell do that.

Mr Ondarchie raised a matter about manufacturing in the northern metropolitan area. It sounded to me like a number of the manufacturing groups in that area are facing particular difficulties. This is not dissimilar to some of the points raised by Mr Lenders earlier. The challenges faced by manufacturing groups, including the high Australian dollar, were also referenced by the Minister for Manufacturing, Exports and Trade earlier in the day. I accept the President's point that there is not much any Victorian government can do about the high dollar, although I think that global competition, which was pointed to, is something to which state governments can respond in order to ensure that the manufacturing industry is in the most competitive position that a state government can place it. I have no doubt that the minister is attending to those sorts of matters.

There were also matters raised about the carbon tax, its effect and its impact, in particular on manufacturing groups in Victoria. I do not wish to disagree with the President, but I think the impact of the carbon tax on Victoria, including on manufacturing, is a legitimate matter for state concern, given Victoria's particular dependence on a number of energy sources and the need for it to ensure that it is not cut short by any federal scheme which may or may not be introduced — a carbon tax or an emissions trading scheme — by whatever particular political party might be in power. Victoria has legitimate questions to raise about its specific circumstances. I will certainly pass that on to the relevant minister.

Mr Jennings raised an issue with me regarding World No Tobacco Day. He made a number of legitimate points about the long-term movement against tobacco

smoking and the need for public health measures. On those general points I thoroughly agree with him and offer strong support as somebody who both under a Liberal government and under Labor governments has uniformly supported sensible and practical anti-tobacco measures, including the implementation in January this year of the point-of-sale legislation which had been agreed to by both sides. In fact I made the point at the press conference that it had been agreed to unanimously by every member of this house.

I pay particular tribute to the work of Mr Drum for framing an early version of that legislation in this chamber, which was carried, which sought to restrict supply at point of sale and also to introduce bans on smoking in cars where children under 18 years of age were in the cars. I wholeheartedly support the leadership shown by Mr Drum. Indeed the coalition at that time welcomed the then government's decision to bring forward its own bill, which sought to cover much of the same territory.

In terms of the matters raised about donations to political parties, I will leave those to my political party to deal with, as is normal practice. But in response to the gratuitous comments that did little justice to the genuine goodwill of Mr Jennings in this area, I make the point that his own party has a group called the Australian Workers Union which has a tobacco section that inputs directly into Labor Party coffers. The presence of that section is a matter that the Labor Party ought to think about before it goes pushing in a range of directions. I make the point that not only does it make financial donations but it has votes at Labor Party conferences, state and federal.

The PRESIDENT — Order! Mr Davis has made the point. I do not believe I am in a position to constrain the minister because I think Mr Jennings led with his chin on this one. I accept that. However, I really do not wish to go further into the affairs of the Labor Party with respect to this particular adjournment item, which was not about the affairs of the Labor Party but was about restrictions on the sale of tobacco products.

Hon. D. M. DAVIS — I accept your point, President. In terms of my response on those more general matters of tobacco control, I think there are significant measures of agreement across the Parliament.

Mr Barber raised a matter for the Minister for Consumer Affairs, perhaps also with his Minister for Energy and Resources hat on, relating to the proliferation of websites which compare electricity deals. I understand the point that he makes. He seeks

greater disclosure on these sites. He seeks an action from the minister to convene a meeting of those organisations to ensure better disclosure standards. I will pass that on to the Minister for Consumer Affairs and Minister for Energy and Resources.

House adjourned 10.36 p.m.

Ms Darveniza raised a matter for the Minister for Public Transport, Mr Mulder, about improved rail services to Shepparton. She makes the point that she thinks there are insufficient services. I am not the minister, so I will not pass judgement on that. She wants greater speed and frequency of service and notes that there are a number of groups advocating for this. I will certainly pass the matter on to the minister, but I do note that during the 11 long, dark years of Labor government Ms Darveniza never advocated for these services. In that long, dark period she was deeply silent on matters of rail transport to Shepparton and was in any event unsuccessful in achieving the outcomes that she now seeks. I find there to be an incongruity in her now seeking this from a new government, given that she failed to seek it from a government in which she was a parliamentary secretary.

Hon. W. A. LOVELL (Minister for Children and Early Childhood Development) — Ms Mikakos raised the issue of funding for children's centres, particularly the Lyndarum children's centre at the Lyndarum community centre in Whittlesea. I welcome Ms Mikakos raising the issue of funding for early childhood facilities in this state. I welcome it every time she raises it, because it gives me the opportunity to talk about the coalition's record commitment of \$26 million in this funding round for children's facilities that we will be opening in the coming financial year. The Lyndarum community centre will be welcome to make an application for funding for that centre during that funding round.

I note that Ms Mikakos has now resorted to raising an issue that her leader raised a couple of weeks ago. There is no doubt that Ms Mikakos and the Leader of the Opposition in other place, Mr Andrews, are out on their road trip of missed opportunities, visiting every children's centre that they chose not to fund in the past 11 years. They are now raising these issues and expecting the new government to pick up the funding for them. We have \$26 million to spend on early childhood facilities this year. That funding round will go a long way towards helping many communities build new facilities, extend facilities and improve the facilities that Labor ignored over the past 11 years.

The PRESIDENT — Order! The house now stands adjourned.

**Attorney-General**

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D11/93881

Mr Wayne Tunnecliffe
Clerk of the Legislative Council
Parliament House
EAST MELBOURNE VIC 3002

Dear Mr Tunnecliffe

I refer to the Legislative Council's resolution of 25 May 2011, seeking the production of "*the Victorian government's submissions to the federal government's Carbon Capture and Storage Flagships program by 12 noon on Tuesday, 31 May 2011.*"

The Government is in the process of responding to this resolution. As part of this process, diligent searches are being undertaken by relevant Government Departments to ensure that all documents are identified.

Regrettably, the Government is not able to respond to the Council's resolutions within the time period requested by the Council. The Government will endeavour to respond as soon as possible.

In order that the Government can ensure a thorough search for documents is undertaken for future orders, the Government respectfully asks that the Council allow adequate time when determining the deadline for the response to orders for documents.

Yours sincerely

ROBERT CLARK MLA
Attorney-General

30/5/11

