

PARLIAMENT OF VICTORIA

**PARLIAMENTARY DEBATES
(HANSARD)**

**LEGISLATIVE COUNCIL
FIFTY-SEVENTH PARLIAMENT
FIRST SESSION**

Wednesday, 7 December 2011

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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, #Ms Crozier, Mr Drum, Mr Finn, #Mr Ondarchie, Ms Pulford, Mr Ramsay and Mr Somyurek.

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

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

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

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

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

* *Inquiry into Environment Protection Amendment (Beverage Container Deposit and Recovery Scheme) Bill 2011*

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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.

Scrutiny of Acts and Regulations Committee — (*Council*): Mr O'Brien and Mr O'Donohue. (*Assembly*): Ms Campbell, Mr Eren, Mr Gidley, Mr Nardella and Mr Watt.

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Council — Clerk of the Legislative Council: Mr W. R. Tunnecliffe

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FIFTY-SEVENTH PARLIAMENT — FIRST SESSION

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Crozier, Ms Georgina Mary	Southern Metropolitan	LP	O'Brien, Mr David Roland Joseph	Western Victoria	Nats
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Wednesday, 7 December 2011

The PRESIDENT (Hon. B. N. Atkinson) took the chair at 9.33 a.m. and read the prayer.

DISTINGUISHED VISITORS

The PRESIDENT — Order! I take this opportunity to acknowledge former member of this house Maree Luckins, who is a former member for Waverley Province.

PETITIONS

Following petitions presented to house:

Dandenong: Little India precinct

To the Legislative Council of Victoria:

This petition of certain citizens of the state of Victoria who are traders, friends, customers and supporters of the Little India precinct in Dandenong draws to the attention of the Legislative Council concerns that:

1. the Little India precinct, which is recognised throughout Victoria as an iconic hub of Indian culture and business and is an example of Victoria's vibrant multicultural community, is under threat;
2. there has been major and ongoing disruption to the Little India precinct caused by the Revitalising Central Dandenong project undertaken by VicUrban;
3. this disruption and uncertainty has led to a significant downturn in business, causing financial and emotional hardship to the business owners, their staff and families; and
4. the traders of the Little India precinct have, over many months, unsuccessfully asked the Baillieu government to take the action needed to ensure the ongoing survival and viability of the Little India precinct.

To ensure the ongoing viability of the Little India precinct, the petitioners call upon the Baillieu government to:

1. publicly confirm their support for small businesses in the Little India precinct and recognise their important contribution to the economy and to multiculturalism in Victoria;
2. provide an extensive and ongoing publicity campaign to promote the Little India precinct and to mitigate the impacts of the disruption;
3. ensure sufficient signage is erected which directs people to the Little India precinct;
4. provide immediate and ongoing rent relief, until the disruption and uncertainties caused by the Revitalising Central Dandenong project are resolved.

5. provide additional car-parking spaces within the precinct to replace those lost due to construction works; and
6. immediately cancel road closures that disrupt customer access in the lead-up to the Christmas season.

By Mr TEE (Eastern Metropolitan) (96 signatures).

Laid on table.

Victorian certificate of applied learning: funding

To the Legislative Council of Victoria:

This petition of certain citizens of the state of Victoria draws to the attention of the Legislative Council the state government's axing of \$48 million funding for the Victorian certificate of applied learning program.

In particular, we note:

1. VCAL provides an important learning alternative to the VCE for students across Victoria.
2. Secondary schools stand to lose up to \$125 000 in funding, which will impact heavily on teachers expected to deliver the support and services despite having inadequate time and resources to do so.
3. Funding has been axed despite strong objections from principals, teachers, parents and students across Victoria.

The petitioners therefore request that the Baillieu government immediately reverses its decision and restores funding to this vital program as a matter of urgency.

By Mr LEANE (Eastern Metropolitan) (72 signatures).

Laid on table.

Children: Take a Break program

To the Legislative Council of Victoria:

The petition of certain citizens of the state of Victoria draws to the attention of the Legislative Council that funding for the Take a Break occasional child-care program, which is provided at more than 220 neighbourhood houses and community centres across Victoria, will cease after 31 December 2011.

The Take a Break occasional child-care program allows parents and guardians to participate in activities including employment, study, recreational classes and voluntary community activities while their children socialise and interact with other children in an early learning environment.

Full funding for the program was provided by the previous state Labor government but will not be continued by the Baillieu government beyond December 2011.

The cut to funding will mean that families across Victoria will be unable to access affordable, community-based occasional child

care to undertake tasks that benefit the family and allow them to take a break.

The petitioners therefore request that the Baillieu government reinstate funding for the Take a Break occasional child-care program.

By Ms MIKAKOS (Northern Metropolitan)
(7 signatures).

Laid on table.

PUBLIC ACCOUNTS AND ESTIMATES COMMITTEE

Auditor-General: terrorism preparedness report

**Mr P. DAVIS (Eastern Victoria) presented report,
including appendix, together with transcripts of
evidence.**

Laid on table.

Ordered that report be printed.

Mr P. DAVIS (Eastern Victoria) — I move:

That the Council take note of the report.

In so doing I make some preliminary remarks as to the fact that this is the sixth report of the Public Accounts and Estimates Committee since the committee was reformed at the commencement of the 57th Parliament in February. I note that there are a number of other reports which are currently under preparation and will be tabled in the new year, and in that context I would like to acknowledge the outstanding work of the secretariat generally speaking but particularly in relation to this report, and I note the contributions of the executive officer, Valerie Cheong; the senior research officer, Leah Brohm; the business support officer, Melanie Hondros; and the desktop publisher, Justin Ong. I thank them in particular for their contribution to this report.

It is significant that this report comes at a time when the Public Accounts and Estimates Committee is dealing with a review of Auditor-General's reports. This is part of the process which is undertaken by most public accounts committees in all jurisdictions to follow up on government implementation of recommendations from Auditors-General.

Critical infrastructure is a term used to describe assets and services which are essential to the function of a society and an economy. It extends across many industry sectors, such as energy, water,

communications, transport, emergency services, banking and finance, and public health. A significant proportion of Victoria's critical infrastructure and essential services are owned and/or operated by a private sector organisation, and as such former Victorian governments have sought to influence protection of these assets and services through legislation and policy.

In Victoria part 6 of the Terrorism (Community Protection) Act 2003 contains statutory requirements on the part of operators of declared essential services to prepare and test risk management plans which specifically address the risk of a terrorist incident. Part 6 is administered by the Premier through the Department of Premier and Cabinet. In April 2007 the Department of Premier and Cabinet issued the Victorian framework for critical infrastructure protection (CIP) and terrorism — a CIP policy framework which establishes guiding principles and coordination arrangements for government and industry to develop a joint strategy to protect the state's critical infrastructure.

The committee's inquiry is historical in nature and has focused on actions taken since the tabling of the Auditor-General's report to address the issues and recommendations made. In forming its conclusions and recommendations the committee used evidence provided by the Department of Premier and Cabinet and the Department of Justice, including Victoria Police and the Office of the Emergency Services Commissioner. Additional comments were sought from the Auditor-General. Consideration was also given to national strategies and policies agreed to by the Council of Australian Governments (COAG).

The committee's conclusions on the adequacy of the Department of Premier and Cabinet's oversight arrangements affirm the findings and concerns expressed by the Auditor-General in his report of January 2009. This is a continuing concern to reviewers of the Victorian CIP framework. The committee is surprised that it remains an outstanding issue, given the Auditor-General's earlier observations. The committee further notes that the Auditor-General confirmed his concerns in evidence at the committee's public hearings on this inquiry.

The challenge in critical infrastructure protection management for government in the future is to address the issues identified and lessons learnt from the last few years of operation of part 6 of the Terrorism (Community Protection) Act 2003 and the CIP policy framework. In addition, developments in national policy and changes in the risk environment have

highlighted new issues that must be taken into consideration in order that requirements remain meaningful and relevant.

The committee is of the view that to improve public sector administration of critical infrastructure protection arrangements there is a need for: the provision of clear and strong central policy leadership and coordination, even within a devolved system of responsibility; clearly and commonly understood terminology and definitions as well as roles and responsibilities of all stakeholders; a formalised process for the identification and classification of critical infrastructure, including essential services; standardised application of CIP requirements across categories of criticality; the consideration of all risks, and in particular other 'high/catastrophic impact', 'low probability' risks; a formal and standardised system of certification and reporting; and incorporation of the COAG agreements on a uniform approach to disaster management resilience and critical infrastructure protection.

The opportunity to address these issues presents now in the redrafting of *Victorian Framework for Critical Infrastructure Protection from Terrorism* policy document and also in the forthcoming review of the Terrorism (Community Protection) Act 2003, which is due for completion in 2013.

In conclusion I wish to acknowledge the cooperative approach taken by members of the committee, including those from the opposition. We have a genuinely bipartisan and unanimous report. I commend the report to the house.

Mr O'BRIEN (Western Victoria) — As a member of the Public Accounts and Estimates Committee I too would like to lend my support to the report and commend the committee and the secretariat, which assisted in the compiling of the report, particularly the executive officer, Valerie Cheong; the senior research officer, Leah Brohm; the business support officer, Melanie Hondros; and the desktop publisher, Justin Ong. I endorse the words of the chairman, Philip Davis.

Terrorism and critical infrastructure preparedness is a central responsibility of the government. It is an extremely important issue but also one that is difficult for governments to fully anticipate. It is the nature of preparation that a lot of preparation may not be necessary, but in the event that another emergency strikes this state, particularly a terrorism emergency, the ability of the state to respond is an essential role of the state, and that is why it is a serious report that the Public Accounts and Estimates Committee has completed.

The committee has reviewed the Auditor-General's review of procedures and has made a number of recommendations, which are outlined in the report. Central recommendations involve the coordination of key services and the roles of government, particularly in relation to preparation. Operational responses will always be the responsibility of Victoria Police and emergency services.

The committee notes the government's acceptance of the 2009 Victorian Bushfires Royal Commission and the Comrie interim review of the development of an all-hazards approach so that terrorism preparation is not done in isolation from other preparation. The committee looks forward to the response of the government and emergency services to the report and otherwise commends them, particularly the individuals involved, for their activities in relation to this and other areas.

Motion agreed to.

PAPERS

Laid on table by Clerk:

Australian Health Practitioner Regulation Agency — Report, 2010–11.

Auditor-General Reports on —

Compliance with Building Permits, December 2011.

Management of Road Bridges, December 2011.

Managing Contaminated Sites, December 2011.

Victorian Institute of Teaching, December 2011.

Wrongs Act 1958 — Notice of Scale of Fees and Costs for Referrals of Medical Questions to Medical Panels.

A proclamation of the Governor in Council fixing the operative date in respect of the following act:

Electronic Transactions (Victoria) Amendment Act 2011 — 1 December 2011 (*Gazette No. S389, 29 November 2011*).

Mr Barber — On a point of order, President, the *Age* this morning reports quite openly that it has obtained a copy of this report which has just now been tabled in the Parliament, being the Auditor-General's inquiry into building permits. As I have on a previous occasion, I ask that you contact the Auditor-General on behalf of the chamber and request an explanation as to how that report may have been leaked. I am aware that ministers' offices no longer receive briefings from the Auditor-General on the contents of these reports, so it should be somewhat easier for the Auditor-General to tell us what may have been the source of the leak.

The PRESIDENT — Order! I am happy to follow up the matter and make such an inquiry. I am a little puzzled by Mr Barber's concluding remarks, because it is my understanding that government departments do have an opportunity to review the reports so they can make comment.

Mr Barber — But not ministers' offices anymore.

The PRESIDENT — Order! Okay. There may well be a distinction in terms of who has access to that report. I will make the inquiry. To tell the truth, I very much doubt that the leak of the report came out of the Auditor-General's office, but I will certainly make those inquiries. As I have indicated on a previous occasion, at the very least it is discourteous to the house to have these matters aired by way of media reports before they are tabled in the house. In some cases that could be a contempt of our proceedings. From my perspective we have been looking to alert various agencies of their obligations in terms of reporting to the house to ensure that, apart from anything else, their reports are covered by the privileges of the house and to ensure that courtesy to members is upheld in respect of the legislation, the tabling of documents and so forth.

Mr Barber — On a further point of order, President, on another matter which relates to the broadcasting and rebroadcasting of Parliament proceedings, standing order 20.01 provides that:

- (1) The proceedings of the Council may be —

...

... published on the internet or by any other electronic means ...

...

on such terms and conditions as may be determined by the President or the Council from time to time.

From my inquiries to the Parliament I do not believe you have published terms and conditions beyond those that are already contained in the standing orders, which go on to say:

- (2) The broadcasting and rebroadcasting of proceedings of the Council may be undertaken by radio and television stations, internet and other electronic media in accordance with standing order 20.02.

Standing order 20.02 states:

Media organisations or individuals must be accredited by the President.

It then goes on to set out a number of rules as to the way the broadcasting must occur. My reading of the standing orders is that this would permit me to take the

recorded proceedings of question time, with which I have been provided, and place them on YouTube, provided I do it in accordance with the latter parts of standing order 20.02.

The issue I raise with you now is whether I am an accredited person for the purposes of this section or whether I can become one and what I would have to do. This specific point is quite important because section 74AA of the Constitution Act 1975, under the heading 'Transmission and broadcasting of parliamentary proceedings', states:

No action or proceeding, civil, criminal or mixed, lies against a person who —

...

... broadcasts or rebroadcasts by electronic means a recording of any proceedings —

... of the Council or the Assembly ...

...

with the authority of the Council, Assembly ...

My question is: what form would that authority take? Would it be a ruling from yourself or some sort of accreditation à la media organisations?

Mrs Peulich — On the point of order, President, to assist with your comment and for the information of the house, I provide my experience on this very point from 24 December 2009. With Parliament being streamed live, one of my staff members had captured some material and uploaded it to our website. On 24 December 2009 — and I remember it because of the timing — I received a phone call from the then President demanding the removal of that material and saying that there was absolutely no authority under any provisions for me to do what had been done and he did not intend to give it. He demanded that I remove it forthwith, which we did, to comply. Just to assist, there is some history to the point of order.

The PRESIDENT — I thank Mrs Peulich. To start, I indicate to the house that this matter does not catch me totally unawares, because Mr Barber did me the courtesy of raising this question with me during the previous sitting week. As a result of his inquiry I have sought information to enable me to form a view on this.

I must say that when I discovered that Mr Barber and other party leaders were receiving a disk of question time I was rather surprised. I was not aware that some members of the house, albeit leaders of the parties, were actually receiving disks of question time. I expect that they have been provided for them to analyse the

answers that have been given, in a form that is perhaps new compared with our traditional method of going through *Hansard* to establish what has been said. Certainly those disks have not, to my understanding, been provided in any way that would expect that the material would be republished in areas such as YouTube and so forth.

A number of matters concern me. The first is: why would one member, albeit a leader of a party, have exclusive access to material for rebroadcast, if all members do not have it? The second thing that certainly troubles me is that once some of this material gets into an area such as YouTube it would be fairly easy to capture, repackage and present in a different way, and it could well reflect poorly on the Parliament and result in that material being broadcast in a way that was totally out of context with the proceedings that were the subject of that material.

Mr Barber indicated to me in the discussions we had in private in the previous week that he would obviously be looking to comply with all the rules and so forth of the Parliament and that he would certainly, if he were able to rebroadcast that material, be looking to ensure that it was presented in a proper context. I accept Mr Barber's position on that matter but, as I said, I am concerned that that material may well be captured by other means and used by other people.

I am concerned also that if, for instance, video of certain questions were to end up on members' websites — which is no doubt the concern that the previous President had in respect of the matter that Mrs Peulich has alerted the house to this morning in helping me with this point of order — then, whilst that might be presented specifically on its own in a context, it would be amongst other political material or other material that would perhaps be a lot more partisan in terms of its content. Therefore that would change the presentation of even that question and the answer that is included.

I have some concerns about this. As I said, I was taken somewhat unawares when I heard that some members actually have access to this material in a way that is not available to other members. In that context I certainly believe it is there for analysis purposes rather than rebroadcast purposes. Nevertheless, notwithstanding the concerns I have just expressed — there are others, but they are probably the most substantive concerns I have — I am prepared to continue to look at this. As I said earlier, I can assure Mr Barber that I have already sought advice from the Parliament on this matter, and I will report back to members.

Mr Barber — On a point of order, President, the third point on a new topic, the newspaper reports in the *Age*, the *Australian* and the *Herald Sun* suggest that the chair of the Electoral Matters Committee, Mr Finn, is seeking for that committee to inquire into an issue that arose when journalists from the *Age* newspaper allegedly gained access to the ALP's voter-tracking database. It is my view that such an inquiry would be outside the terms of reference of that committee and the reference provided to the Assembly to inquire into:

... the conduct of the 2010 Victorian state election and matters related thereto.

Is this matter of relevance one on which you can adjudicate or assist in providing guidance. Alternatively, can this house, by resolution, seek to direct the committee as to the conduct of its inquiry?

The PRESIDENT — Order! This point catches me unawares and I have not seen the press reports either, so I am at a total loss in terms of being able to establish what Mr Finn's intention might be for a committee with which he has been involved. I know he certainly understands the discussions that it has had to this point and the parameters that it has been exploring as a committee. As I said, I have no knowledge of the committee's proceedings, obviously, nor do I know about the press reports. I am not really in a position to give any sort of clarification to Mr Barber this day.

Perhaps Mr Barber could provide me with some further information. I do not wish to take this further in the chamber at this time, but Mr Finn, I am sure, will provide me with some information about his intention. I will accept the advice of Mr Finn, in his capacity as chair of that committee, as to what his thoughts were, and I will look at the terms of reference of the committee vis-a-vis the other house as well and establish whether or not I would be in a position to, or would need to, form a view on this matter, or whether in fact it is simply a matter for the committee under its existing terms of reference, and that Mr Finn's proposal might well be appropriate in those circumstances. I am not in a position to judge at this time.

Mr Barber — On the point of order, President, thank you for undertaking that intervention. There is one more aspect of this that I need to raise with you. It is clear that a police investigation in relation to these allegations that Mr Finn has turned his attention to is under way; we know that. *May's Parliamentary Practice* 2011 at page 813 under the heading of 'Matters sub judice' says:

Committees have suspended inquiries in progress because a witness had been charged with criminal offences related to

the subject matter of the inquiry, or have decided not to take evidence from particular witnesses in the course of an inquiry because the committee had been informed that the witnesses would also be witnesses in impending criminal or civil proceedings. In these circumstances it is usual for the committee to make a special report to the house explaining the circumstances.

The other avenue here that I would ask you to consider in your discussions with the committee chair is that if the committee is undertaking this inquiry and then suddenly finds itself over the Christmas break unable to continue due to someone having been charged in the matter, the committee could in fact inform the house in that way, through an interim report.

Mr Finn — On the point of order, President, my understanding is that there have been no charges laid. In fact, my understanding is that the police investigation into this matter is yet to begin, but irrespective of that there are two very different courses being taken. The first is by any police investigation, which would obviously be to the criminality of the accessing of the database; whereas the second one — the investigation that the committee proposes — is into the integrity of the electoral roll and the integrity or protection of information about people on that electoral roll. Those are two very different things, and we have made it very clear that we have absolutely no intention of interfering in any way, shape or form with any police investigation.

Mr Barber — On the point of order, President, Mr Finn is in some difficulty because, having made these statements about what he might intend to do, he is now not in a position to inform the house as to the deliberations of the committee, any motions that he might have moved or what investigations are under way.

Mrs Peulich — What are you nervous or worried about?

Mr Barber — The committee has all the powers, privileges and immunities of the Parliament; however, the proposition that seems to be put here is that it has now broken loose of the mothership and can go off and inquire into whatever it wants in any way it wants, with no way for the chamber itself —

The PRESIDENT — Order! Mr Barber was debating rather than speaking on the point of order. As I indicated, I have no difficulty in this matter, and I suggest that the committee has not broken away from the mothership but is firmly in our orbit. The assurance I give to Mr Barber and other members of the house is that just as the house is bound by the rules of sub judice, so too are the committees. Mr Finn, as an

experienced member of this house and as the chairman of the Electoral Matters Committee, would be well aware of that. He would certainly be advised in that matter, but I do not think he would even need that advice in respect of recognising sub judice provisions to ensure that any inquiry by the committee did not offend that matter of principle and establish a separation of powers, if you like, between the courts and the Parliament.

In terms of the inquiry itself, when Mr Barber was debating the point of order at the end he suggested that the committee was going off on its own foray, and as I said, I will be looking to get some advice from Mr Finn as to whether or not it is inappropriate for me to form a view on this and whether I need to form a view, because again I would expect that Mr Finn as chair, and indeed the other members of that committee, would have had due regard in considering any new inquiry or any extension of an existing inquiry to their terms of reference and to their ability to discharge that inquiry under the existing terms of reference. In the event that they felt there was a need to inquire further and that they were not covered by the existing terms of reference, they would obviously come back to this house, or indeed to a minister who had provided a brief or a reference to that committee, for clarification on the extension of that inquiry. That is the practice I would expect to occur.

Mr Barber indicated in his original point of order that this reference was from the Assembly and that I would need to take that into account as to whether or not I had an opportunity to intervene in, make comment on or influence this matter in any way. That is one of the reasons I said this is a matter concerning whether or not I would, could or need to intervene. It may well be a matter that needs to be resolved in the other place. As I said, I certainly expect that the committee, and in particular this experienced chairman, would have due regard for precedence and the committee's responsibilities.

MEMBERS STATEMENTS

Occupy Melbourne protest

Ms PENNICUIK (Southern Metropolitan) — I was very disturbed to view footage sent to me yesterday of an incident that took place on Monday whereby a peaceful Occupy Melbourne protester was forcibly stripped of her protest costume in public and left in her underwear. This person was part of the Occupy Melbourne protest and was dressed in a protest costume made from a small converted tent. She was surrounded

by several Melbourne City Council (MCC) officers and Victoria Police officers. Her movement was restricted and she was restrained as officers proceeded to remove her costume. At each stage she declared that she did not consent to or feel comfortable with the actions of the council and police officers. Her requests and declarations were ignored as officers continued to remove her costume.

A knife was requested and used by the MCC officers as the protest costume was cut from her body while she protected herself, and then it was discarded, leaving her crying and in her underwear on the ground as the Victoria Police and MCC officers walked away. I am very concerned that a young woman has been publicly humiliated in this way. I expect the police ethical standards division will be investigating this matter, and I will be moving a motion in Parliament tomorrow for the Ombudsman to inquire into the actions of the Melbourne City Council officers in publicly humiliating this young woman in this way.

State Emergency Service: national awards

Mr TARLAMIS (South Eastern Metropolitan) — I rise to congratulate the 27 State Emergency Service volunteers whose outstanding contributions were recognised at the 2011 State Emergency Service national awards ceremony in Melbourne as part of National SES Week, which is celebrated each year by state emergency services across Australia as a way of congratulating the more than 40 000 volunteers nationally for their hard work, dedication, commitment and compassion in helping people in times of need.

In particular I wish to acknowledge the four Frankston State Emergency Service members who received awards: Brian McMannis for 35 years of service, Andrew Clatworthy and Margaret Graham for 25 years of service, and Mark Ivory for 15 years of service. These are people who give selflessly of themselves to assist their local communities, and their continued commitment is worthy of high praise. The Frankston SES unit is one of the busiest in the state, responding to over 800 callouts each year, and has grown to one of the largest units in the state with over 90 volunteers. I would also like to take this opportunity to thank all of our SES volunteers who continue to commit countless hours to keep communities safe and protect lives and property.

Ambulance Victoria: community hero awards

Mr TARLAMIS — On another matter, I rise to congratulate the 17 community heroes who were recognised recently at the 12th annual Ambulance

Victoria community hero awards. These individuals displayed bravery and selflessness while helping at the scene of a medical emergency. In particular I wish to acknowledge 13-year-old Therese Hughes-Menzies from Karingal and Malcolm Swaine from Frankston who rose to the challenge by providing vital assistance to others in need. Medical emergencies can happen to anyone at any time regardless of age and without warning, and the amazing actions taken by all these individuals were instrumental in saving lives.

Murray-Darling Basin: federal plan

Hon. W. A. LOVELL (Minister for Housing) — The Murray-Darling Basin draft plan released last week recommends a basin-wide cut of 2750 gegalitres in surface water allocations, threatens Victoria's food production, exports and regional jobs and the viability of many rural businesses and communities. It is concerning that the plan expects Victoria to lose more water than any other state and lists the Goulburn, Broken and Victorian Murray regions as the most vulnerable under the plan. Everyone in regional Victoria understands that a reduction in irrigated agriculture will be bad news for rural communities and cost us jobs. Irrigation underpins our entire economy, and the loss of the multiplier effects it provides will mean fewer jobs, fewer businesses, more pressure on families and reduced exports.

It is also distressing that the draft plan fails to contain any detailed description of watering plans for individual rivers, creeks and wetlands or any measurable outcomes for the environment from the additional water. If water is to be taken away from productive agricultural use, the plan should at least be able to measure the environmental outcomes, but under this plan we are left to wonder what the water will actually achieve.

The draft plan represents one of the most significant changes and possible threats that communities in Northern Victoria Region and the entire Murray-Darling Basin will face in our lifetime. I encourage all members of the community to voice their concerns about the draft plan.

Terang Fitness and Wellbeing Centre: opening

Ms TIERNEY (Western Victoria) — I take this opportunity to congratulate the community of Terang and district on the official opening of the Terang Fitness and Wellbeing Centre on 4 November this year. The fitness centre has long been a dream of local residents and was made possible by a \$230 000 Brumby Labor government funding arrangement, \$250 000 from the

Corangamite shire, \$170 000 of federal Labor government funding and, most importantly, \$250 000 of community and philanthropic contributions raised with sheer hard work. The community of Terang, together with the shire and state and federal Labor governments, brought this dream to fruition and it will serve the region for many years to come. The centre already has 230 members signed up and that number is sure to grow. I would like to specifically congratulate members of the Terang community building initiative group and other local organisations who have worked so hard over the years to make this project possible.

International Volunteer Day

Ms TIERNEY — On another note, I also raise the issue of International Volunteer Day, which was held last Monday, and make comment about all the amazing volunteers who work so tirelessly in Western Victoria Region, and I would encourage them to also encourage young people in our electorate to take up the volunteering baton and build our local communities.

SecondBite

Mr ONDARCHIE (Northern Metropolitan) — I report to the house that on Friday last I, with the Minister for Community Services, visited SecondBite in Kensington. SecondBite is an organisation that collects excess food from places like the South Melbourne Market, the Queen Victoria Market, restaurants and caterers and makes sure it is passed through agencies to people who are in need. This time of the year highlights to all of us that there are vulnerable members in our community, some of whom do not get to eat three square meals a day.

I commend Ian and Simone Carson, who started this business some six years ago because they decided they could no longer watch good food go to waste and people go hungry. They are supported by a range of volunteers. In particular this morning I would like to highlight people who are on SecondBite's board such as John Simpson, Bob Glindemann, Alister Paterson, Cate Burns, Elana Rubin, Howard Critchley, Katy Barfield and David Williamson. They do a tremendous job in collecting food and making sure it is passed through agencies. However, it is not just the board members who do a tremendous job; it is also the executives such as Zoe Whyatt and Emily Wild. Emily coordinates the hundreds of volunteers who support the efforts of SecondBite.

At this time of year SecondBite needs more volunteers. If members have some time available on a Saturday afternoon or even after work, they might pop down to

Lloyd Street in Kensington and give SecondBite a hand. It would be most appreciated. I take my hat off to the many volunteers who come from all around Melbourne to make sure that people who are not as lucky as we are get a chance to eat.

Ambulance Victoria: service awards

Ms DARVENIZA (Northern Victoria) — I would like to take this opportunity to congratulate the 38 Ambulance Victoria officers and volunteers from Wangaratta and district and Seymour who recently received service awards for their years of dedicated service to their local community. These service awards acknowledge the very significant contribution and commitment made by local paramedics and volunteers and recognise their long service of 10, 15, 20, 25 and 30 years. The awards also recognised safe driving for 10, 15, 20, 25 or 30 years.

It was pleasing to see that on receiving the awards the families of the recipients were also acknowledged and recognised, as the work that ambulance officers and volunteers undertake is 24/7, 365 days a year. Families make a significant contribution behind the scenes in supporting those individual officers and volunteers throughout their careers, thus enabling them to undertake this very necessary and vital work. I congratulate all of those who received these very important awards and acknowledgements.

Alfred Health: award

Mrs COOTE (Southern Metropolitan) — I would like to congratulate Alfred Health, which has been honoured with a top public health-care award for its leadership role in the Victorian Statewide Problem Gambling and Mental Health Partnership. On 17 November the Minister for Mental Health, Mary Wooldridge, presented Alfred Health with this award. She said:

In conjunction with staff from local Gambler's Help services, specialised training has also been delivered to public mental health and psychosocial rehabilitation and support service staff on how to improve identification and management of coexisting mental illness and problem gambling.

Research conducted in 2009 by Alfred Psychiatry found that approximately 17 per cent of people who were assessed by triage or crisis assessment and treatment services at Alfred Psychiatry experienced comorbid problem gambling and mental illness. This high level of comorbidity prompted the Victorian Department of Justice to begin funding the Victorian Statewide Problem Gambling and Mental Health Partnership program, which has delivered a specialist

clinic and a training and education program that is available to all Victorians.

A steering committee oversaw the planning, implementation and ongoing review of the work of the partnership. Clear referral pathways for the clinic were established and communicated to public mental health services and Gambler's Help services across Victoria.

This is a vital service. It is really important to understand what is causing some of these mental health issues. We have long suspected that this may be the case. I congratulate the Alfred.

Dr Walid Daouk and Eid Chedrawi

Mr EIDEH (Western Metropolitan) — Last week it was my great honour to meet and spend some time with some very special Lebanese dignitaries, including the Minister for Information, Dr Walid Daouk, and the World Lebanese Cultural Union president, Mr Eid Chedrawi, and his wife.

A number of significant events were held, including a poetry reading in Darebin, a community cocktail function hosted by the City of Moonee Valley and a morning tea hosted by the President of this house. My sincere thanks to you, President, for extending this great courtesy.

In many ways the most significant of these events was the unveiling of a statue at the City of Darebin in recognition of the Lebanese migrant heritage in this great state of ours. If you stop to think about it, despite the fact that over 60 per cent of people who live in our state were born overseas or are the children or grandchildren of people born overseas, you wonder how many monuments or symbols there are to our state's migrant heritage.

Of course the most outstanding is the Immigration Museum and its various extended features, which were all a part of the vision of the former Labor government. Seeing this statue unveiled and the impact it had on all those present was simply unforgettable. Victoria warmly welcomes all people with open arms to become part of the greater family that we are, and I am certain that all members of this house would agree.

Western suburbs: government initiatives

Mr ELSBURY (Western Metropolitan) — I am proud of the achievements of the Baillieu government over the last 12 months. As a member of the Liberal Party and a very proud westie I can say that we are delivering to the people of the western suburbs. No greater point can be made than with the announcement

two weeks ago by the Minister for Public Transport, Minister Mulder, of an overpass and underpass on Anderson Road in Sunshine. These two construction efforts, which are part of the regional rail link project, will provide better traffic flow and improve cyclist and pedestrian separation, creating a safer road environment. Unlike Labor, which removed pedestrian and cycle access from these projects, the coalition has reinstated these important elements to ensure that vulnerable road users can enjoy safe journeys.

The change of government last year got rid of Labor's 'That will do' attitude towards the west and replaced it with a government determined to deliver for all Victorians. The 'That will do' attitude resulted in projects like the Laverton and Footscray train stations, which have been inaccessible to many people because they rely on lifts rather than providing 24-hour access, like with the new designs that were created for the Williams Landing train station. 'That will do' inflicted gross problems on local schools like Essendon Keilor College, Galvin Park Secondary College, Werribee Secondary College, Victoria University Secondary College and Sunshine Secondary College. The Main Road project at St Albans has received greater assistance because the 'That will do' attitude is not good enough for the west.

Walk in the Park program

Ms CROZIER (Southern Metropolitan) — Last week I had the great pleasure of representing the Minister for Environment and Climate Change, Ryan Smith, at the launch of the Walk in the Park program at the Bellbird Picnic Area at Yarra Bend Park in Kew. The program will enable more people who are blind or vision impaired to have greater accessibility to our parks.

The numbers of people who suffer from blindness or vision impairment are steadily increasing. The Australian Bureau of Statistics estimates that by 2020 there will be 421 600 Australians suffering blindness or some form of vision impairment. The Walk in the Park program is a partnership between Blind Sports Victoria and Parks Victoria and is aimed at reducing the barriers to Victoria's parks for visitors who are blind or vision impaired. Parks Victoria has ensured that Victoria continues to lead the way in accessibility strategies for Victoria's parks for people with a disability.

The president of Blind Sports Victoria, Maurice Gleeson, has been a driving force for people who are blind or are vision impaired and a fierce advocate for greater participation. Maurice is certainly an inspiration to many, and he spoke about the program and all those

who have been involved in managing the program from concept to operation. The program will enable significant numbers of blind or vision-impaired people to visit many of Melbourne's wonderful parks. Yarra Bend Park is one such park. It is situated only 4 kilometres from the central business district and boasts the largest natural bushland within inner Melbourne. It was a perfect setting for the many people who attended the launch who are blind or vision impaired — they could enjoy the surrounds of Yarra Bend Park and have an escorted visit throughout the park.

Australian Volunteer Coast Guard: headquarters

Mr KOCH (Western Victoria) — I was pleased to join the Deputy Premier and Minister for Police and Emergency Services, Peter Ryan, to officially open the new headquarters and radio centre for the Australian Volunteer Coast Guard at Queenscliff last Friday. The headquarters were rebuilt with substantial support from the Baillieu coalition government after a devastating arson attack in November 2007. The original building, safety equipment, radios and valuable past records were destroyed in the fire. The new facilities will ensure that volunteers are able to provide an improved service to boat owners using the busy and at times hazardous waters around the Bellarine Peninsula and particularly Bass Strait.

Queenscliff's flotilla covers the dangerous marine area of Port Phillip Heads. The new facility will help coast guard volunteers monitor and assist in marine safety, particularly with small boat engine failure and in full-scale search-and-rescue operations. Volunteers also keep the community informed about marine safety, conduct marine education courses for recreational boating enthusiasts and provide training for members. Construction of the new headquarters was made possible with \$50 000 from the Baillieu government, \$17 000 from the Queenscliff flotilla, \$10 000 in donations and \$113 000 from the insurance payout.

The rebuilding has been a fantastic achievement for the local coastguard volunteers who contributed their time and energy to complete the project. In particular I would like to acknowledge Vice-Commodore Ted Beggs for his tireless efforts in ensuring that the headquarters were rebuilt and for personally painting the facility to complete this undertaking.

Climate Commission: chief commissioner

Mr FINN (Western Metropolitan) — In this last sitting week of 2011 it is appropriate to consider exactly

why so many Victorians are looking towards next year with fear and trepidation. If the world economic situation was not bad enough, the Gillard-Brown government in Canberra will inflict upon us all a carbon tax — a great big tax on everything that will achieve precisely nothing. And why is it doing this? One reason is the advice given by the Climate Commission chief commissioner, Tim Flannery. This is the same Tim Flannery who told us in 2005 that global warming would cause Sydney's dams to dry up within two years. Sydney's dam levels are currently at 75 per cent and rising. In 2007 Flannery told us that Brisbane dams would never be full again. They are currently at 100 per cent. And who can ever forget the Brisbane floods of earlier this year? In 2008 Flannery predicted that Adelaide's water supply would dry up by 2009. Adelaide's dams are currently 77 per cent full.

Flannery told us climate change would cause such dreadful droughts that desalination plants would be needed to keep us all alive. A string of Labor governments listened to him and, as a result, desal plants are scattered from Brisbane to Wonthaggi, partially completed and almost certainly useless for years to come. Is it any wonder Australians have no faith in their government to get it right when they learn that 180 000 taxpayer dollars a year are going to pay this muppet for a part-time job? They are fully entitled to ask if Tim Flannery, climate guru extraordinaire, is a fool or a shyster. Australians are entitled to think that they are all being taken for a giant ride — one that will hurt them, their families, their businesses, their state and their nation.

Buses: Latrobe Valley

Mr O'DONOHUE (Eastern Victoria) — I welcome the announcement that early next year Latrobe Valley residents will benefit from a \$2 million investment in bus routes in the Latrobe Valley area. As members would be aware, there has been significant residential growth in the Latrobe Valley, particularly in and around Traralgon. The Latrobe Valley is serviced by significant community infrastructure, including Monash University, Latrobe Regional Hospital and others. The Department of Transport has been working closely with Latrobe Valley Buslines, Latrobe City Council and local members in the Legislative Assembly, Russell Northe, the member for Morwell, and Gary Blackwood, the member for Narracan, to examine ways to improve connectivity and service frequency to connect these communities and their community assets.

I am pleased that early next year, following significant work and cooperation between these stakeholders, improvements in route services and frequency will be

achieved, and this will be a great boost to public transport in the Latrobe Valley. I particularly congratulate the Department of Transport staff based in Gippsland on their work, and I look forward to the improved services starting early next year.

STATEMENTS ON REPORTS AND PAPERS

Notices

The PRESIDENT — Order! Does Ms Hartland wish to give a notice of intention to make a statement on the next sitting Wednesday, which will be next year?

Ms HARTLAND (Western Metropolitan) — I cannot do it this afternoon?

The PRESIDENT — No, it will be next year.

Ms HARTLAND — It is on the Auditor-General's report on management of contaminated sites — I had tried to put this on yesterday. The *Age* is allowed to do it, but obviously I am not.

OFFICE OF POLICE INTEGRITY: REPORT

Debate resumed from 9 November; motion of Hon. M. P. PAKULA (Western Metropolitan):

That this house notes the damning Office of Police Integrity (OPI) report tabled in the house on Thursday, 27 October 2011, on the actions of the Premier, Deputy Premier, other senior coalition ministers, the former Parliamentary Secretary for Police and Emergency Services and key advisers in their offices, including:

- (1) the discrepancy between the evidence given to the OPI by the Deputy Premier and the member for Benambra; and
- (2) the claim by the Deputy Premier that he was 'dumbfounded' to learn that his adviser, Mr Weston, was behind a campaign against the Chief Commissioner of Police when that fact should have been immediately apparent to any minister properly carrying out his or her responsibilities.

Mr VINEY (Eastern Victoria) — Thank you, President, and given that you and I are meant to be at a meeting right now, I intend to complete my contribution relatively quickly.

In the last sitting week in which we were discussing this matter I made the point that this Office of Police Integrity (OPI) report, *Crossing the Line*, exposes the capacity of the Baillieu government to stretch credibility. The position that the government has put forward in this report expects the reader and those of us

interested in these matters to believe that a whole series of discussions were taking place between Mr Tilley, the member for Benambra in the other place. Mr Tristan Weston, Sir Ken Jones, the Police Association Victoria and various people involved in the management of the police force in Victoria; that there was a desire to see from those people the demise of the then Chief Commissioner of Police, Mr Overland; and that these discussions took place without the knowledge of the Deputy Premier, who is also the Minister for Police and Emergency Services, Mr Peter Ryan. This simply stretches any semblance of credibility.

When you read this report you are left with the conclusion that apparently Tristan Weston, like Lee Harvey Oswald, was the lone gunman acting alone, that there was no-one on the grassy knoll and that Mr Ryan had no knowledge whatsoever of these plots and no knowledge whatsoever that his parliamentary secretary, Mr Tilley, and his senior police adviser, Mr Weston, were conducting discussions with Sir Ken Jones without his knowledge. This is absolute nonsense and cannot be believed.

Having been involved in government for 11 years in this place — 7 years of which was as a parliamentary secretary and 4 years of which was as manager of government business — I have to say that it is beyond comprehension that any parliamentary secretary would have a meeting with a senior public servant at the level of the deputy chief commissioner of police without the knowledge of the minister. It is incomprehensible that any minister's senior adviser would have such a meeting. It just would not happen. If it did happen, then Mr Ryan should resign for incompetence for not properly managing his office.

I imagine that there would be six staff at the most in the Deputy Premier's office. There would be relevant advisers for the various portfolios; there might be one or two secretaries, four or five advisers and a chief of staff; and there would be a media liaison person, who would probably work through the Premier's office rather than directly reporting to the minister. What we are being asked to believe is that this office was operating in a way that meant it never reported to the minister and that the minister was unable to know what was going on in his own office. We are being asked to believe that the minister only met with Mr Weston occasionally when he passed him in the corridor and that Mr Ryan and Mr Weston never sat down and had discussions about the police and emergency services portfolio.

We have learnt from this report that in a set period there were about 20 to 30 media reports about the future of

Mr Overland during the critical period of these events. All of these are reported in the chronological list of events in the report. We are led to believe that throughout this crisis — when there were reports about secret meetings and about Mr Overland's meeting with the OPI, and when there were a whole range of questions about the government's confidence in Mr Overland that seemed to have come from government sources and were quoted as having come from government sources — Mr Ryan never asked his chief of staff or his police adviser where these things were coming from. That is what we are being asked to believe — that Mr Ryan did not investigate what was taking place in relation to supposed government sources sourcing various newspaper articles.

In my judgement Mr Weston and Mr Tilley have been the patsies that Lee Harvey Oswald claimed to be. They have had to take the fall — —

Hon. D. M. Davis interjected.

The ACTING PRESIDENT (Mr Tarlamis) — Order! Mr Davis is not in his place!

Mr VINEY — Mr Davis is the greatest conspiracy theorist I have ever seen in this place, so he is going to get a bit back. We do not need to have a conspiracy theory. We do not need Mr Davis to write the script for the movie *JFK*, as he has done on numerous occasions, because it is right here in an Office of Police Integrity report — there is the script. The evidence before the Parliament and the people of Victoria is in this piece of writing that is based on fact.

It is very interesting that in the chronology of events in this report there is a list of all of the meetings that took place and all of the newspaper articles that were printed, but there is one meeting that is not listed in the chronology of events, because that meeting became public months after the interviews were conducted for this report. That meeting was between the Minister for Police and Emergency Services, Mr Ryan, and Mr Tilley, his parliamentary secretary, that we now learn lasted for about 40 minutes, including the time it took Mr Ryan to go to a coffee shop with Mr Tilley and then return to his office. We learn that no notes were taken at this meeting and at no point at that meeting did Mr Ryan or Mr Tilley discuss the future of Mr Overland or matters associated with Sir Ken Jones, despite the fact that that meeting occurred the very next day after Mr Tilley and Mr Weston met with Sir Ken Jones at his home.

We are being asked to believe that Mr Tilley and Mr Weston went along on their own initiative to meet

Sir Ken Jones and then Mr Tilley, the parliamentary secretary, had a meeting with the minister the very next day for 40 minutes at which the meeting of the night before was never mentioned. At that meeting of the night before Mr Tilley and Mr Weston were seeking for Sir Ken Jones to withdraw his resignation. That very important meeting between two of Mr Ryan's most trusted advisers — his parliamentary secretary and his police adviser — with the deputy chief commissioner of police, the second most senior public servant in the department, was not discussed with Mr Ryan the next day. What nonsense! What utter nonsense that Mr Tilley would not discuss that with Mr Ryan.

I suspect the truth is that Mr Weston and Mr Tilley were on a mission from the police minister to have Sir Ken Jones withdraw his resignation because it was part of a program. It was part of an agenda to undermine and get rid of the Chief Commissioner of Police in Victoria. Why is this so serious? This is incredibly serious because we are not just talking about political manoeuvrings and who is doing what to whom in the political environment; we are talking about the activities of the office of the Minister for Police and Emergency Services in undermining and removing the Chief Commissioner of Police in Victoria.

I will take this opportunity to put on the record that I believe Simon Overland did a great job for Victoria. People forget the level of violence that was occurring in Victoria in the gangland wars that Simon Overland took investigatory control of and effectively ended. He went on from that to serve Victoria with great distinction as Chief Commissioner of Police. I have met Mr Overland only on a couple of occasions, one of which was a social occasion and one of which was a briefing before he was chief commissioner. I do not know him personally and have had nothing much to do with him in a business sense, but my observation is that he is a man of integrity and a man who did a lot for the people of Victoria. I pay my respects to him for his service.

The end of Simon Overland's career, exposed by *Crossing the Line*, is a shameful mark on the Baillieu government and a shameful mark on Peter Ryan, because I do not believe that appropriate respect was paid either to the individual or to the office of chief commissioner. In my view it is impossible to believe that Mr Ryan could have been so ignorant of what was occurring in his office, but if he were, he should resign as Minister for Police and Emergency Services in any case because it demonstrates extraordinary incompetence that things such as this could be going on in his office, under his nose, without any knowledge, consideration or oversight of the relevant minister.

I think Mr Weston and Mr Tilley were acting on instructions and that out of this whole process they are probably the two people who had integrity. They have at least been honest in what they have said to the OPI in the inquiry, making it clear that they did what they did in the belief that it was the wish of the government of the day. However, they have paid a price; they have paid a very high personal price.

We are now told by Mr Ryan that he was gobsmacked, or stunned, on learning of Mr Weston's activities, and both Mr Ryan and the Premier, Mr Baillieu, have disowned Mr Weston in a pretty brutal manner. This is a man who Mr Baillieu and Mr Ryan believed had great integrity just 12 months ago when they supported him as a Liberal Party candidate in the last election. This is a man they believed could fill the position of a senior adviser in the minister's office — a process that we understand has been very heavily vetted by the Premier's office. The Premier's office has made sure that only appropriate people are to be appointed to ministers' offices as advisers and chiefs of staff. To now disown in such a brutal manner the person they supported as a political candidate and then supported through a heavy vetting process to be an adviser is really quite breathtaking — but such is politics, I guess. We have seen this sort of thing before.

What I would say is that I believe the most probable explanation for all of this is the one that makes the most sense, and when you look at the world of common sense that explanation is usually the one you should opt for. In my view the common-sense understanding of this is that Mr Weston and Mr Tilley acted with at least the knowledge and most likely the instruction of the Minister for Police and Emergency Services, Mr Ryan, and that the rest of this smacks of a cover-up. Mr Ryan and Mr Baillieu demanded the resignations of Mr Weston and Mr Tilley to protect Mr Ryan's political hide, and that is pretty shameful.

When I made the analogy that Mr Weston is the Lee Harvey Oswald of this matter, Mr Pakula called out and wanted to know who played the role of Jack Ruby. It was probably Tony Nutt and Paul Price, because they brought in Mr Tilley and shot him; they were the Jack Ruby of this investigation for Mr Tilley. Someone has since asked me, 'Who was on the grassy knoll?'. I have absolutely no doubt that the person on the grassy knoll was Peter Ryan, that Mr Ryan was the one determined to take out Mr Overland, that Mr Weston and Mr Tilley acted as the Lee Harvey Oswald in this and that Mr Weston's magic bullet hit Simon Overland, diverted and hit Sir Ken Jones, diverted another time and whacked Bill Tilley in the tummy and then finally landed in Tristan Weston's temple. It was one magic

bullet. It was greater than the magic bullet of Lee Harvey Oswald, which managed to shoot two people; this one shot three people and then came back and shot Mr Weston. It did a full 360 degrees.

This scandal will blight the Baillieu government until there is full honesty and until the full truth and an acknowledgement of what was done become clear. Until that happens this will be a dark cloud over the government and the Deputy Premier.

Hon. D. M. DAVIS (Minister for Health) — I am pleased to speak on the motion moved by Mr Pakula, but it is an excessively florid motion that does not pay due respect to the seriousness of the matters involved. The report by the Office of Police Integrity (OPI) entitled *Crossing the Line — Report of an Investigation into the Conduct of a Member of Victoria Police Undertaking Secondary Employment as a Ministerial Adviser and his Relationship with a Deputy Commissioner of Victoria Police* is clearly a serious report, and the government takes these matters seriously. The government has taken its policy and conduct of public administration as matters of great seriousness. It is a matter of regret that these matters came before the community in the way in which they did and through the OPI's report. I will say more about this in a moment, but the OPI made a number of recommendations. I will discuss those welcome recommendations, which the government has accepted. Carefully and in some detail I will go through them and through some of the lessons that can be learnt from these matters.

The report makes judgements about the conduct of a number of people, and the government has paid heed to that set of judgements. It is clear that Mr Tilley, the member for Benambra in the Assembly, has resigned his position as Parliamentary Secretary for Police and Emergency Services. It is also clear that the report indicates some clearance for people who are named in the report, such as Mr Hindmarsh, the Deputy Premier and Mr Kapel. They are important points.

Tristan Weston, whose conduct was the essential subject of the report, indicated that his actions were not taken on behalf of the government, and his conduct is described in the report as not reflecting the views or policy of the government. It is clear that the government did not authorise or condone Mr Weston's conduct. The OPI investigation confirmed that neither the minister nor his chief of staff was aware of the conduct of Mr Weston. The OPI has made a number of key points about that, and it is important to put them on the record. Obviously there may be a prosecution resulting from that, which would require the exercise of

caution and judgement in how we respond to some of these matters. I understand that Mr Weston was on leave and that there were a number of medical issues, and the government acted on medical advice with respect to Mr Weston.

Mr Tilley, as people in this Parliament would know, is a person of integrity. He entered the Parliament with a strong background as a police officer, and he has significant experience in the police area. I know him to be a person of integrity, and I have significant respect for him.

It is important to note that there were no adverse findings about the Minister for Police and Emergency Services, his chief of staff or other advisers in that office. There were also no adverse findings about the Minister for Corrections or his staff. I direct members' attention to the statements made by Peter Ryan, the Minister for Police and Emergency Services, and his chief of staff in response to inquiries by the OPI, and many of them are recorded. The OPI found no evidence to cast doubt on the statements of either the Minister for Police and Emergency Services or his chief of staff. I indicate my complete faith in Peter Ryan. I believe he is a strong and excellent minister and a person of great integrity. He took these matters seriously and was prepared to cooperate in any way he should and to assist in every way. It is clear that he was as concerned as he could be about the conduct of his adviser.

It is important to note that Mr Kapel, the Premier's chief of staff, was also seen not to have acted inappropriately in any way. No evidence was found that Mr Kapel had acted with any impropriety. Mr Kapel is a great contributor to this state. He is a committed person who has worked for and served the Premier well. He is also a person of the highest integrity.

Prior to this report the government had taken action, which I accept may not have been completely successful, to ensure that ministerial staff were put through a training program that involved the public sector integrity commissioner, the Secretary of the Department of Premier and Cabinet, representatives of the Ombudsman's office and the Victorian Auditor-General's Office, and senior personnel from the Australia and New Zealand School of Government. As I understand it, that program was a first. Importantly it sought to outline the roles, responsibilities and integrity requirements of ministerial staff. It was a sincere attempt by the government to strengthen the understanding of ministerial staff of their responsibilities. The program should be continued; it is an important step in explaining to staff their significant responsibilities.

The government has instigated a number of reviews in this area. The OPI review has made an important contribution, but I understand that there is also work being done by the Ombudsman and by Jack Rush, who will look at senior police arrangements and how they might best be structured. The OPI report identifies the actions of a small group of people, and those matters have been dealt with as quickly as possible. It is important to note that the government has treated these matters with great seriousness. The processes involved have in some respects been difficult for the government, and there is no getting around that. Notwithstanding that, the government has done the right thing in advancing with the interests of the state and the community at heart.

The clear steps that were taken to ensure that the best outcomes flow from this report are worth putting on the record. It is specifically important to look at the recommendations on page 14 of the OPI report, which should be put on the record. The report was written in the pursuit of OPI's statutory obligations, and the director laid out these points on page 14:

The production of recommendations is a supplementary, yet important, objective.

I recommend that if a serving Victoria Police member is hereafter to be appointed to a role of the kind discussed in this report:

it should be strictly on a liaison basis;

the police member should not be engaged as, or regarded as, a ministerial officer;

the police member's duties and functions should be apolitical;

the police member should report to a superior within Victoria Police, not to a minister's chief of staff;

it should be clearly understood that the member's first duty is to Victoria Police, not to a minister or to the government;

the police member should be located in police premises and his or her attendance at the office of the minister should be on an 'as needs' basis.

I further recommend that Victoria Police policy and protocols be strengthened to ensure that personnel at executive level have a clear understanding of their respective and proper roles in communication with government generally and ministerial staff in particular.

I think they are helpful recommendations. The government accepts those recommendations, and they will be implemented. It is a fact that over a number — —

Mr Barber — A code of conduct for ministerial advisers?

Hon. D. M. DAVIS — Stay tuned.

It is a fact that under a number of governments police officers have been ministerial advisers and have been seconded, as it were, to the minister's office to do ministerial work. Obviously such police have a base of knowledge and experience which might be helpful in that role, but this report shows that there is a better way to do it. That better way was laid out by the OPI, and the government has accepted it in full and will implement those recommendations. Minister Ryan and the Premier have made that very clear. We welcome those recommendations and the clarifications they contain about the relationship between a serving Victoria Police officer and the assistance they would provide in a ministerial office. Looking to the future, this is the right set of steps to take.

I look forward to the contributions of other members, but I want to put on the record that the contribution made by Mr Viney was overblown and sought to trivialise and misunderstand the significance of these matters. Given the weighty matters that are involved, the seriousness of the report and its consequences and the government's acceptance of the report, a series of comments about conspiracy theories and grassy knolls does very little to advance a sensible debate.

We have accepted all of the recommendations. We have done that in good faith. Lessons have been learnt. This will be a significant step for the future. I am respectful of what the OPI has said, and the government has listened.

Ms MIKAKOS (Northern Metropolitan) — I am pleased to be able to speak in support of this motion. It is a very important motion. It is a matter that the state Labor opposition treats very seriously because it relates to a significant report by the Office of Police Integrity (OPI) entitled *Crossing the Line*, which has exposed a great deal of political interference by the Baillieu government in the operations of Victoria Police. This report is a damning indictment of the way the Baillieu government has operated in its first 12 months of office.

The report chronicles in huge detail a systematic and orchestrated attempt — orchestrated from within the Deputy Premier's office — to bring down the then Chief Commissioner of Police, Simon Overland. I concur with the comments made by Mr Viney that the then police commissioner, Mr Overland, is a person of integrity who conducted himself in an exemplary way

in his role of tackling crime in this state. He left an important legacy to Victoria on those issues.

The findings of the report are very serious. The report finds that the then Parliamentary Secretary for Police and Emergency Services, Bill Tilley, who is the member for Benambra in the Assembly, and a senior ministerial adviser in Mr Ryan's office, Tristan Weston, were involved in an orchestrated attempt to bring down the police commissioner. A lot of unanswered questions arise from this report.

Mr David Davis sought to come in here and whitewash history. He made a number of claims that are not corroborated by the OPI report. Mr Davis asserted that the Deputy Premier and the Minister for Corrections, Mr McIntosh, had their names cleared by this report, and he made similar assertions in relation to the other staff members in those ministers' offices and the Premier's chief of staff. The report does not in fact do that. Page 9 of the report of the OPI makes that very clear where it says:

I emphasise that my investigation has not focused on the conduct of Minister Ryan or Mr Hindmarsh, neither of whom I have any jurisdiction to investigate.

The OPI's jurisdiction is limited to serving members of the police. It was because Mr Weston was a seconded member of Victoria Police that the OPI had jurisdiction to investigate these matters.

There are a lot of unanswered questions arising from this report as to the role of Mr Ryan as well as the roles of other individuals, including the Premier's chief of staff. These unanswered questions have been identified by the media: for example, in an article in the *Sunday Herald Sun* of 18 September, which says:

Michael Kapel is the most powerful unelected person in Spring Street.

The article goes on to talk about the then secret meeting between the former deputy commissioner of police, Sir Ken Jones, and the Premier's chief of staff that occurred at Sir Ken's home. That meeting is in fact referred to in the OPI's report. The *Sunday Herald Sun* article goes on to quote the Premier, speaking in Parliament on 14 June in response to questions by the opposition, as having asserted:

Again I say my chief of staff has assured me that he listened to the deputy commissioner and he has assured me that no matters were raised which he believed warranted further attention.

The Premier's statement seems to be contradictory to Sir Ken Jones's own version of events, as he detailed them in an email that is reprinted in the OPI report.

Clearly there is some contradiction between Sir Ken Jones believing that the issues he raised with the Premier's chief of staff were to be passed on to the Premier — that was certainly the impression he was left with — and the Premier asserting in the Parliament that nothing came of the meeting. The conclusion of all this in the article of the *Sunday Herald Sun* is:

The public deserves to know exactly what happened in the meeting. The Premier's man must come forward and release a full account of what was discussed and why he decided to meet Sir Ken at a time when civil war was ripping apart police command.

Victorians deserve to be told the full truth behind this shambolic affair.

I agree with that. There are so many unanswered questions arising from this report. Mr Tilley and Mr Weston were clearly involved in bringing down the Chief Commissioner of Police, but I believe, as Mr Viney asserted, that this goes all the way to the top and it is just the tip of the iceberg. Clearly the Premier's chief of staff was involved in meetings and discussions around these issues. It just defies belief that the Premier had no knowledge of these matters.

It defies belief also that things were going on in the Deputy Premier's own office that the Deputy Premier had no knowledge of. Since the report has come out, we have discovered that the Deputy Premier had a meeting with his parliamentary secretary in a coffee shop where they discussed a range of things. The OPI was not able to pursue questioning of the Deputy Premier around these issues to find out exactly what was discussed. It defies belief that in the course of what I believe was a 40-minute meeting no discussion came up around the issues to do with the Chief Commissioner of Police, when virtually daily we had articles in the media around speculation building up that the government wanted to replace the Chief Commissioner of Police. It defies belief that the Deputy Premier and Mr Tilley would not have broached this subject that was being commented on daily around the chief commissioner and ultimately the issue of his replacement. Despite what Mr Davis asserted, the OPI report does not clear the Deputy Premier's name, it does not clear Mr Kapel's name and it does not clear a lot of very senior people in the Baillieu government from allegations of interference in the demise of the Chief Commissioner of Police.

We need to have these issues pursued. The state opposition has tried to have a committee established to investigate these matters further. What have we seen from members of the Baillieu government? We have seen them protect their own. They have allowed Mr Tilley and Mr Weston to be the fall guys in this

whole shambolic episode, but they have not allowed the Parliament to pursue these questions further.

We have had Mr Davis make assertions that government members have learnt lessons from this whole episode. I believe that the only lesson they have learnt from this is one of public relations, of how to try to spin their way out of this mess, how to try to better cover their tracks in the future and how to ensure that the OPI is not able to pursue these matters further.

Most recently we have had the situation of both the director of the OPI, Michael Strong, and his deputy, Paul Jevtovic, announcing their resignations, effective in the new year. I refer to an article in the *Age* of 1 December which reports on the proposed Independent Broad-based Anti-corruption Commission (IBAC) and states:

It is understood that Mr Strong was upset after learning of the government's intention to deny him a role with the commission by reading about it in the media.

Have government members learnt anything from this whole shambolic episode? It appears that they have not, because they have sought to hound Mr Strong out of office by making comments to the media that he was not going to be offered a role at the IBAC. In the same way as they sought to bring down Chief Commissioner Overland through systematic stories and leaks to the media, now we see that Mr Strong, the head of the OPI, has also decided to leave his post, again as a result of leaks to the media. Have government members learnt anything from this whole episode? I believe they have not.

The situation we now have in the anticorruption framework in Victoria is one where the most senior individuals in Victoria at the head of the anticorruption framework will soon leave their posts. We have had the former Director of Public Prosecutions, Mr Jeremy Rapke, resign from his post. We have had Mr Overland resign from his post. Now we have had the senior leadership of the OPI resign from their posts.

We have had concerns raised by the chairman of the Criminal Bar Association, Dr Greg Lyon, SC, that there is now a vacuum in the fight against corruption after the resignations of the two most senior staff of the OPI. We have also had concerns expressed by the president of the Law Institute of Victoria, Caroline Counsel, about the resignations at the OPI. She has commented that these leave a big gap and that there is a vacuum at the head of the fight against corruption in Victoria. We have had concerns expressed also by a very prominent criminal barrister, Rob Stary. I quote from an article in

the *Australian* of today, 7 December, where he is reported as having said:

... there was an ‘appalling’ perception surrounding the OPI and the slow introduction of the IBAC.

It goes on to report that Mr Stary:

... warned that no-one could confidently go to the OPI to make any kind of corruption complaint when it was both leaderless and directionless.

What have we had? We have had the situation of Baillieu government members having taken a hit because of this damning report by the OPI. What have they done in response? They have clearly not learnt anything at all from this report. They have put out stories to the media to encourage Mr Strong to leave his post so that the OPI will have no further ability to pursue the government on these kinds of integrity issues. That will create a vacuum for longer than six months before IBAC is up and running.

I remind the house that the day he was sworn in Premier Baillieu said:

Accountability and transparency will be the principles that underpin our government.

What a joke! What we have seen from members of this government is that they have waited until the last sitting week of the Parliament this year to seek to introduce legislation to appoint an independent FOI commissioner. That legislation will not be in place until next year. We have had the situation where all FOI requests have been centralised through the Premier’s office. I have had my numerous FOI requests to have access to the KPMG report on the Take a Break program refused, and I have had to resort to going to the Victorian Civil and Administrative Tribunal to have that important report released. We have had delays in the establishment of IBAC. We have had ministers failing to answer thousands of questions on notice. We have had situations in which the Parliament has taken important bills into a committee stage and has been forced to sit until 3.30 a.m. to get answers to questions about, for example, how IBAC will operate in practice because ministers have refused to provide detailed answers to questions. We have had a failure to establish the government advertising review panel that the government had promised. We have seen friends and relatives of members of the government appointed to boards across Victoria. We have had parliamentary committees of the upper house forced to consider only government-initiated references. We have had scrutiny committees of the Legislative Council not able to meet even once in 12 months. The Standing Committee on Legal and Social Issues Legislation Committee, of

which I am a member, is yet to meet once to conduct any business of scrutiny of government. We have also had reduced time available for non-government parties to raise matters in the Legislative Council. So much for accountability and transparency in government!

This government is interested in running a secret state. I believe the OPI report is just the tip of the iceberg. There are clearly many issues arising from this report that are yet to be answered: questions around the Deputy Premier’s involvement in this whole sorry saga, questions around the chief of staff of the Premier and his involvement in this sorry saga and ultimately questions around the Premier’s own involvement in this sorry saga. This Parliament and the people of Victoria expect answers to these questions, and the state opposition will keep pursuing these issues until we get those answers.

Mr LEANE (Eastern Metropolitan) — I rise to speak on this motion insofar as differences in some of the evidence contained in the report *Crossing the Line* are concerned. It is my belief that a lot of the activities around the undermining of the previous police commissioner probably had their genesis in — and the government ministers when in opposition also had this view — the idea that Mr Overland was bad, and they probably had the opposite view that Sir Ken Jones was good. This was carried through when the coalition came into government, and some members of Parliament are up-front about that — Mr Tilley, the member for Benambra in the Assembly, being one. Mr Finn, consistently when in opposition and now in government, has also been up-front about that.

It cannot be denied that there was a group of government members who had the view that Mr Overland was bad and Sir Ken — being a knight of the realm — was good, which also the case when those government members were in opposition, but, as I have said before in this Parliament, I believe that both of them would have been terrific policemen. One does not get to the high position they were in without being a terrific policeman, and I am sure they both made it their mission to lock away criminals and do the best they could. They both had the runs on the board.

Taking that into account, when I read this report and considered the actions after the report was delivered, I struggled to understand why Mr Tilley was removed from his position as Parliamentary Secretary for Police and Emergency Services as a result of this particular report. In the report he admitted to some activities. Those activities, he would have felt, were not out of line with his government’s position, and he carried those particular activities through. Probably his biggest

sin was that he had allegedly not discussed a meeting with Sir Ken Jones one evening when he was accompanied by the police minister's adviser, and allegedly that had not been notified to his minister. If that is the biggest mistake that has been identified regarding Mr Tilley, I am still a bit confused — —

Mr Drum — It is not unusual for you to be confused.

Mr LEANE — Mr Drum, I am a bit confused about why Mr Tilley was removed from his position as parliamentary secretary. I do not really understand it. I was on a parliamentary committee, the Road Safety Committee, for a couple of years with Mr Tilley towards the end of the last term of Parliament and I am sure we had very different points of view on a number of issues. The one thing I gleaned out of the couple of years I worked alongside Mr Tilley, at least in the parliamentary committee situation, was that he is a very up-front person and if he had something to say, he would say it. If the biggest mistake he made was being up-front, I feel sorry for Mr Tilley.

In olden terms, Mr Tilley was the human sacrifice. When this report came out I think the leadership group got together and said, 'This does not sound good. Mr Weston's activities are not going to play out well and people will be pointing towards the government. They are not going to let us off the hook; therefore, what will we do? We have to be shown to be taking action'. It was decided there needed to be a human sacrifice, and it was not going to be the minister or the Premier. It was not going to be anyone who was involved in leadership or had ultimate responsibility for the activities of the government. It was not going to be just anyone who ended up as the human sacrifice. It ended up being Mr Tilley, the member for Benambra in the Assembly, who was then the Parliamentary Secretary for Police and Emergency Services. I have said this a couple of times before, but I still do not understand the big mistake Mr Tilley made which resulted in him being demoted from his parliamentary secretarial position.

If you can believe media reports of leaks from government MPs who were not happy about how Mr Tilley was dealt with and removed as a parliamentary secretary, one report was that the Government Whip, Mr Hodgett, the member for Kilsyth in the Assembly, called together the government Assembly members and said, 'Everyone get behind Bill, because he is taking a hit for the team'. To me, 'a hit for the team' means you have not necessarily done anything outrageously wrong but you

have to stand in front of a barrage of criticism and take a hit for everyone else.

Another leaked report was that before Mr Tilly was removed from his parliamentary secretary position he was called in by government administration heavyweights, bullied and told to resign. He had to be the human sacrifice. I understand Mr Tilley was not happy about that because as far as he was concerned he was up-front; he never denied the agenda that was going on. He was up-front about how he thought the then Chief Commissioner of Police was tracking. As far as Mr Tilley was concerned, he was up-front about who he believed would be a terrific replacement.

Since the tabling of the Office of Police Integrity report, a number of high-ranking government ministers — the Premier, the Minister for Police and Emergency Services and other high-ranking people from the executive — have made some damning comments about Mr Weston in his advisory role. We should remember that during the election campaign Mr Weston was an endorsed Liberal candidate for the Assembly seat of Macedon.

At the time a lot of good things were said about Mr Weston, but if you believe the statements made since the report was tabled, Mr Weston is now apparently the most untrustworthy, disloyal person in the world. The support he received as a candidate was obviously on the basis that he was a terrific bloke and should be the next member for Macedon. Apparently he is now the worst person in the world. Are government members now championing Joanne Duncan, who is the member for Macedon in the Assembly? Before the election they were obviously saying she should not be there and should be replaced by Mr Weston.

I want to take up a point from Mr Davis's contribution today. He said that based on medical advice received by the government Mr Weston was sent on leave for an extended period, and history shows that he was. This is the first time I have heard this. If Mr Weston did have a serious medical condition and, as Mr Davis said, the government was doing the right thing on the basis of medical advice received by the government, I am at a bit of a loss to understand this. It was said that Mr Weston had some medical condition that needed treatment and that he got assistance over a period of time, but then when the report came out there was no more need for medical treatment because he was sacked.

I will reiterate the point: a couple of casualties came out of the report, one of them being Mr Tilley. When you look at Mr Tilley's activities you see that he had to be

stood down as parliamentary secretary because he is an up-front person. I cannot see what it was that he did that was so terrible that he had to be demoted from the position. As the Government Whip is reported to have said, he was to take one for the team. It was also reported that he was bullied by the hierarchy of the party into taking this position. I do not know if Mr Tilley has been sent to Coventry for a couple of years and if he will come back and be given another opportunity. The bottom line is that I honestly believe if there is one thing you can identify out of this report, it is that the wrong person came out as a casualty.

Maybe more casualties are to come. Mr Weston might get sick of his previous employers coming out and ripping him to pieces every time they are asked by the media or in the Parliament about this report. They all say, 'It was all up to Mr Weston. He is a terrible, horrible person'. Mr Weston might decide he is happy to be a team player and just keep copping it; or if it gets to a point where charges are laid, Mr Weston might think, 'I am going to have to do porridge; I ain't doing it for the executive I used to work for'.

His responses are reported at the back of the report. He is reported to have said that they used to tell him, 'You are doing a great job, Tristan. You are doing a terrific job, buddy'. He reckons that the first time he heard that the executive he was working for thought he was doing a terrible job was when he read this report. When he saw the draft report and the response he said, 'The chief of staff used to tell me I did a terrific job, and then all of a sudden the same chief of staff is saying all these things about how outrageous I am and what a rogue I am and that I am the worst adviser in the world and isn't it terrible'. Therefore I think there are more chapters to come, and I honestly think the casualties from this situation could have been the wrong ones.

House divided on motion:

Ayes, 18

Barber, Mr	Pakula, Mr
Broad, Ms	Pennicuik, Ms
Darveniza, Ms	Pulford, Ms
Eideh, Mr	Scheffer, Mr
Elasmar, Mr (<i>Teller</i>)	Somyurek, Mr
Hartland, Ms	Tarlamis, Mr
Leane, Mr	Tee, Mr
Lenders, Mr	Tierney, Ms
Mikakos, Ms (<i>Teller</i>)	Viney, Mr

Noes, 20

Atkinson, Mr	Koch, Mr
Crozier, Ms	Kronberg, Mrs
Dalla-Riva, Mr	Lovell, Ms
Davis, Mr D.	O'Brien, Mr
Davis, Mr P.	O'Donohue, Mr
Drum, Mr (<i>Teller</i>)	Ondarchie, Mr

Elsbury, Mr	Petrovich, Mrs
Finn, Mr	Peulich, Mrs
Guy, Mr	Ramsay, Mr (<i>Teller</i>)
Hall, Mr	Rich-Phillips, Mr

Pair

Jennings, Mr	Coote, Mrs
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Motion negatived.

ACCIDENT COMPENSATION AMENDMENT (FAIR PROTECTION FOR FIREFIGHTERS) BILL 2011

Introduction and first reading

Ms HARTLAND (Western Metropolitan) introduced a bill for an act to amend the Accident Compensation Act 1985 in relation to compensation for disease due to employment suffered by firefighters and for other purposes.

Read first time.

PETITIONS

Trams: conductors

Mr BARBER (Northern Metropolitan) — I move:

That the Council take note of the petition presented by me on 6 December.

For the first time since 1998 there are tram conductors back on Melbourne's trams. They are there on a voluntary basis, and they are there because the Greens have started a campaign to reintroduce tram conductors — a cause which has been kept alive by many dedicated former tram conductors for many years — and the case for this measure is as strong as it has ever been. Those volunteers have collected an initial round of signatures which comprise this petition, and they have had an enormously positive response when they have been out there doing so.

Both Labor and Liberal played their part in abolishing tram conductors, and it is one of those issues where the public is still vastly in support but the Labor and Liberal parties, through possibly their historical guilt associated with this issue, are unable to simply sit down, look at the cold hard facts and realise that tram conductors make sense. I have commissioned a report by the very experienced Professor Bill Russell, who has put forward his independent view that there is a case for the partial reintroduction of tram conductors on a trial basis in order to develop the necessary data and work practices that would then feed into a business case for

the reintroduction of tram conductors on every tram from first to last.

I intend to briefly summarise that case. The key arguments are as follows: tram conductors on every tram would reduce fare evasion from high levels — up to 15 per cent now — to as little as 1 per cent, resulting in substantial revenue improvement. It would also increase the validation rate for those who actually hold tickets as to how often they would validate them. Conductors would explain to passengers how to use the tram system, and tourists and strangers could be provided with assistance. Conductors would explain to passengers how to use the ticket system. Conductors could lend assistance to aged, infirm or disabled passengers. The safety of passengers on trams and when alighting from or entering trams would be enhanced. Unruly and antisocial behaviour, including vandalism, would be reduced.

A user-friendly culture, which is perhaps intangible but very real to daily users of trams like myself, has been replaced with a somewhat hostile punitive enforcement-type culture associated with public transport. Conductors could easily be reintroduced on a selective basis dealing with patronage and circumstances in order to find the times of day and particular places and situations where they are most useful.

The main arguments against this are really cost arguments. If such a scheme was to be poorly managed or badly targeted, there could be costs that would not be adequately offset by revenue benefits. The arguments relating to cost also seem to relate to the automated ticketing system, about which we are a little bit in the dark at the moment, although the government has told us it intends to rip the ticket vending machines off trams, meaning that for the first time in 110 years you will not be able to buy a tram ticket on a tram. There could be some risks around conductors and their work situation — whether they might become the targets of assaults or that their takings could be stolen. Obviously there are occupational health and safety matters and a need to put in place arrangements for supervision, training and cash handling which currently are not in place.

I will briefly talk about each of those issues. The revenue from ticket sales last year was around \$638 million, and Metlink and the government have estimated that the loss from fare evasion across all modes of transport was \$64 million. By one estimate the loss on trams alone was \$40 million — a considerable proportion of the total losses due to fare evasion or perhaps just fare confusion or the inability or

inconvenience of buying a ticket, which is due to get worse, but clearly the bulk of that estimate relates to trams.

We also have extremely low validation rates on trams, which is another marker, although it is measured in a different way to fare evasion per se. Buses, by contrast, where there is a driver who is able to observe most passengers getting on and off, have around a 90 per cent validation rate. Of course anyone who uses trams knows that there are real difficulties in explaining the tram system and the ticket system. This is particularly so for occasional users of the tram system — that is, people from the outer suburbs and people from country areas. If you take trams along Elizabeth Street, as I do, you will find yourself constantly explaining to tourists and country visitors not only how to get a ticket and which one they need but how to get the tram they need. Often I find that it is people who come to Melbourne perhaps once or twice a year, often associated with a hospital visit. They get off at Spencer Street and then need to make their way right up to the top of Elizabeth Street to the hospital precinct, so it is occasional visitors, those from country areas and from the outer suburbs, who will benefit most in this respect from the reintroduction of tram conductors. There is also the safety and assistance associated with boarding the tram, particularly related to the aged and disabled, pram users and so forth.

Recent statistics from the transport safety regulator show that trips and falls in and around trams are not declining despite there being an overall improvement in accidents on public transport and despite public transport itself being a relatively safe mode compared to the motor vehicle, but we would expect to see continuous improvement in all areas of road and transport safety. That is not happening in relation to trips and falls associated with trams. There is a considerable cost associated with those hospitalisations, and that has been studied by other independent groups. I find myself on my daily tram trip, which goes past the various hospitals, almost playing the role that tram conductors used to previously play, which is not only to assist people on and off the tram but also to signal the driver that an aged or infirm passenger has taken their seat and that it is safe for the driver to take off. On one recent trip I saw two people almost fall into their seats, and that was because they were quite infirm and were actually visiting the hospitals along my favoured tram route.

While there has been a lot of debate about crime on public transport and we have now taken what some people believe to be the fairly extreme measure of putting armed police guards on every station, in reality

many of the problems associated with public transport are not assaults and violence per se, which I still find to be fairly infrequent having used public transport for more than a quarter of a century. The annoying part, the daily hassle, is in fact the lower level antisocial and unruly behaviour and constant vandalism. That is the thing that drives people away from public transport because that is what they experience most.

It does not require an semiautomatic pistol to sort out these sorts of problems. What is required is a tram conductor with a degree of authority and the renowned emotional intelligence that tram conductors used to have whereby they would sort people out in various ways. If people are not going to respect the authority of the tram conductor, then there is a responsible person there who will call the transit police and deal with those matters. That is the way it worked for over a century; it can work that way again.

There are around 500 trams currently operating. With two shifts a day we envisage around 1000 tram conductors would be required if we were to roll this out across all trams from first to last. Depending on whether we transfer some people from existing categories of employment to become tram conductors or whether 1000 new staff are employed, the cost might be somewhere around \$40 million to \$50 million a year. We believe — and our report backs this up — that that could almost be covered by the reduction in fare evasion. Along with all those other matters I have mentioned, in net benefit terms we would come out ahead.

Professor Russell has suggested that an initial trial be designed to test all these issues. He suggests that a group of 100 conductors be employed for an initial two-year trial. Some of those conductors may be able to be transferred from the ranks of the customer service staff who already work for Yarra Trams under a relevant job classification. This team would need a team leader and some staff assigned to staff training. A trial period of two years would sort out all the implementation issues and, I believe, start generating data that is useful to this debate almost immediately. Professor Russell estimates that the cost would be around \$5 million per year and would be offset by increased revenue of at least \$2.5 million per year. We are really talking about \$2.5 million to conduct a trial in this manner. The trial could be based at one depot so that the whole issue of training, supervision and cash handling could be dealt with at one location.

It would also be important that an independent reviewer be put in place, perhaps the Auditor-General or another independent body separate from the Department of

Transport, so that the way the trial was set up, its results and the reporting back to the public was completely open and not influenced by any particular agenda.

There is also the issue of the single-use ticket. We get confusing signals from the government as to whether it intends to continue with single-use tickets or scrap them for the rather expensive myki card or account. That is certainly going to cause enormous inconvenience to tourists if they have to get off the train at Spencer Street or the plane at the airport and then cannot ride on public transport until they have obtained a myki card, which they will not be able to do on a tram.

Likewise in Geelong I note that, despite the rollout of myki and Metcard, the vast majority of people are still using single-use tickets. If it is the government's intention to scrap single-use tickets, most of Geelong's bus riders are going to go cold turkey in a big way. If you combine that with the scrapping of ticket vending machines on trams, I think the government is in for a real headache if it takes that mooted course of action.

The Labor and Liberal parties and a series of transport ministers have dismissed this idea as a romantic notion. In fact hard-headed economics and practicality are driving my proposal. I am gratified that we have been able to bring this petition before the house. I fully intend to continue this campaign right up to the next state election, and over time I hope we obtain the support of one or the other of the political parties in this place.

There is huge public support for this. Tram conductors offer great dividends to all commuters but particularly suburban, country, interstate, international and occasional users of the tram system. We know there is wide public support; it is just up to us to demonstrate that to the Parliament through our petitions and statements. I hope as a result of my raising this petition for noting, members will read the report by Professor Bill Russell that is to be found on the Greens website.

Mr O'DONOHUE (Eastern Victoria) — I am pleased to join the debate on Mr Barber's take-note motion on the issue of tram conductors on the Melbourne tram network. I thank Mr Barber for handing me a copy of the report he commissioned by Professor Bill Russell. I do not wish to reflect on the impartiality of this report, but I note that when referring to the report Mr Barber used terms such as, 'We have done this' or, 'We have done that', so whilst I welcome the report and will review it, its contents will need to be subjected to a forensic and independent analysis.

Mr Barber made some comments around the state of the public transport network more generally. I take the opportunity to remind Mr Barber and the house of the achievements that have been made in the first year of the new government: the establishment of the Public Transport Development Authority, the ordering of new rolling stock, improved punctuality on the rail network, more services on the rail network and the commencement of the level crossing removal program — fixing some of the mess left behind by the previous government. Members will have their own thoughts, but when I think of the mess left behind by the previous government I always reflect on the Cardinia Road railway station in my electorate of Eastern Victoria Region, because the previous government commissioned a new railway station without providing sufficient power for trains to stop and take off again. Would that not have been fantastic? A new station would have been completed without sufficient power for trains to use the station. Fortunately on coming to power the new government rectified the problem and a new substation is being constructed at the Cardinia Road station to ensure that trains will actually be able to use the station when it is completed.

As I mentioned earlier today, the government is investing \$2 million in additional bus services in Latrobe Valley, which will be welcome news to members of the Latrobe Valley and users of the services there. Work has begun on the Doncaster, Rowville and Melbourne Airport rail studies, and of course there is the rollout of protective services officers across the rail network, which was mentioned by Mr Barber and is well-known by the community.

Those of us who are old enough — which is probably everyone in this place — to remember the role of conductors will reflect on the role of conductors with some nostalgia and, as Mr Barber said, as a romantic notion. But time has moved on, and the main points put by Mr Barber about the reintroduction of tram conductors, on analysis, do not necessarily hold weight. Mr Barber asserted that tram conductors would reduce fare evasion from 15 per cent to 1 per cent, would reintroduce a customer service focus and would be able to provide advice to tram users about where to go. My recollection of tram conductors is that people who wished to fare evade were not stopped by tram conductors. I have very clear memories from when I was a child of seeing people get off one end of a tram as a conductor approached and walk around to the other entrance and sit down again to avoid paying the appropriate fare.

Mr Finn — How many times did you do that?

Mr O'DONOHUE — I observed others, Mr Finn. I do not think that saying tram conductors would somehow reduce fare evasion to 1 per cent is accurate, particularly now that the loads on our trams are so significant that it would be difficult for tram conductors to move around in the way they used to on the network before the growth in patronage took place and pressure was put on the system. As Mr Barber said, the government has decided not to sell myki tickets on trams.

In effect, once the Metcard system is removed and myki is the sole point of purchase of tickets, people will not be able to buy myki tickets on trams and the conductors would not be performing the traditional function of selling tickets. Moreover, the government is rolling out points of sale for myki across the network, so more points of sale for myki tickets will be available as we move forward. I do not think Mr Barber's contention regarding a reduction in fare evasion is necessarily accurate. The provision of customer service can be done in a number of ways.

Business interrupted pursuant to standing orders.

QUESTIONS WITHOUT NOTICE

Health: chiropractors

Mr JENNINGS (South Eastern Metropolitan) — My question is to the Minister for Health. Has the minister received or sought any advice from his department on how to respond to serious concerns raised by leading health professionals — including Dr Steve Hambleton, the national president of the Australian Medical Association — that claims made by chiropractors that they can cure 95 per cent of ailments are nonsense and that the government should place limits on the provision of training places and the scope of practice for chiropractors?

Hon. D. M. DAVIS (Minister for Health) — I have sought advice, but I indicate the standards for professional bodies are a matter for the relevant registration boards — the Australian Health Practitioner Regulation Agency boards — which are the national boards for the 10 registered health professional groups.

Mr Lenders interjected.

Hon. D. M. DAVIS — I am not registered.

Supplementary question

Mr JENNINGS (South Eastern Metropolitan) — I note the minister's answer, but will he ensure that his

department evaluates these concerns and provides him with any recommendations that could be pursued through those regulatory bodies about any regulatory reform required to limit adverse outcomes and injury for Victorian patients?

Hon. D. M. DAVIS (Minister for Health) — I think I have answered the essence of the question. I have indicated that I have sought advice from my department and that these are matters obviously for the relevant registration boards.

Industrial relations: federal policy

Mr P. DAVIS (Eastern Victoria) — I direct a question without notice to the Minister for Employment and Industrial Relations, Mr Dalla-Riva, and I ask: can the minister update the house on developments affecting the productivity and competitiveness of workplaces in Victoria?

Hon. R. A. DALLA-RIVA (Minister for Employment and Industrial Relations) — I thank the member for his question, and I know Mr Davis has a deep interest in productivity and competitiveness in this state. Our commitment in government, as we have always outlined, is to do all we can to ensure that Victorian businesses are productive, competitive, more global in outlook and more innovative. We know that with the current global economic climate it is imperative that our industries be positioned to be the best not only in domestic markets but also globally. The critical question we have is about productivity and flexibility in our workplaces. We see that as critical to that equation. We know that industrial unrest and disruption is harmful to that cause.

Honourable members interjecting.

Hon. R. A. DALLA-RIVA — It is important to note, taking into account the interjections, that we saw in an Australian Bureau of Statistics report last week that this country is now enduring the highest level of industrial disputes since 2004. In fact in the September quarter over 101 000 days were lost to industrial disputes. If you look at the year to September, you see that 50 per cent more days were lost to industrial action than over the previous year. It is important for Victorians to understand that these figures do not include some of the industrial action we have seen recently in this state, like the closure of hospital beds.

All this demonstrates that the commonwealth Fair Work Act 2009 is failing to deliver on Labor's claim that it would reduce the level and frequency of industrial unrest. The trends are all heading the other

way. The Victorian government has been arguing for a more balanced, common-sense approach to industrial relations. The Baillieu government has recognised the importance of productivity improvement, and that is why we were the only state to intervene in the Australian National Retailers Association case to deliver more flexibility to small business and to provide better opportunities for after-school work for students.

In fact only last week the chief of the Australian Industry Group, Heather Ridout, addressed these issues. She said:

The current industrial scene is deeply worrying. It is particularly worrying because of its growing adverse impact on the flexibility and performance of key industrial sectors at a time when we need to be increasing our flexibility and responsiveness.

She also shares my concern about the new federal bill to abolish the Australian Building and Construction Commission. This should be of great concern to Victorians given the impact of rising construction costs in Victoria and the incidence of unlawful behaviour on construction sites.

As Minister for Employment and Industrial Relations I have continually urged my federal counterpart, Senator Chris Evans —

Mr Finn interjected.

Hon. R. A. DALLA-RIVA — They do not know on the other side either, Mr Finn. I have urged Senator Evans to put productivity at the top of the workplace relations agenda and to consult fully with the states and other key stakeholders. But I am left to ask: are they bothering to listen? We have seen the Australian Council of Trade Unions undertaking an extension of its union power, imposing further limits on the freedom of businesses to manage and reducing the flexibility of productive workplace relations.

The Victorian government will continue to strenuously represent the interests of the state, as we did in the interventions of Fair Work Australia in the National Retailers Association case, in the Qantas dispute and in the nurses dispute. We also believe it is high time that the Gillard federal government started listening to all stakeholders in this critical debate, not just those who happen to hold a union ticket.

Hospitals: performance data

Mr JENNINGS (South Eastern Metropolitan) — My question is for the Minister for Health. Earlier this year the minister promised to release information about the performance of Victorian hospitals at quarterly

intervals. Why has the minister not released any updates since he released data some six months ago which only reported on the December 2010 quarter?

Hon. D. M. DAVIS (Minister for Health) — The member should stay tuned as data is to be released very soon.

Supplementary question

Mr JENNINGS (South Eastern Metropolitan) — I thank the minister for that alert; my anticipation will be on a hair-trigger. Given that the commonwealth government, which does not directly run hospitals in Victoria but has an interest in them, has been able to release the 2010–11 data through the ‘MyHospitals’ website, can the minister explain to the house why at this moment he has not been able to release that data even though he is foreshadowing that its release may be imminent?

Hon. D. M. DAVIS (Minister for Health) — As I indicated, Mr Jennings will not have to wait long, and furthermore, it will be more comprehensive than the data released at a national level.

Road safety: government initiatives

Mrs KRONBERG (Eastern Metropolitan) — My question is directed to the Assistant Treasurer, the Honourable Gordon Rich-Phillips, and I ask: can the minister inform the house of any road safety initiatives that the TAC (Transport Accident Commission) is implementing for the Christmas holiday season?

Hon. G. K. RICH-PHILLIPS (Assistant Treasurer) — I thank Mrs Kronberg for her question and for her interest in road safety. Road safety is a very important issue to the Victorian community, the Victorian Parliament and the Victorian government. Over the last 40 years successive Victorian governments and the Victorian community have had a strong record of improving road safety in this state. Last year, 2010, we had a record low road toll in Victoria, which is something that this government is keen to replicate in 2011.

Of course the road toll of itself is not the only picture of road trauma. For every person who is tragically killed on our roads, there are many more who are very seriously injured. It is important that we bear in mind the serious injury side of road trauma as well as fatalities, because for many people affected by serious injury there is a lifelong impact from road trauma.

Leading up to Christmas we are in a particularly high-risk period on our roads. We saw an increase in

the number of road fatalities in November, and the government, the TAC and Victoria Police are, as usual, very keen to address that issue as we lead into the Christmas period. In the last two weeks the TAC and Victoria Police have announced a number of new initiatives to address the road toll and to address safe driving on our roads through the Christmas period. Two weeks ago I was pleased to join the Premier and Deputy Commissioner Kieran Walshe of Victoria Police for the launch of the TAC’s new Signs campaign, which is aimed at highlighting to motorists an increased presence of Victoria Police on our roads over the Christmas period, particularly targeting drink driving and general bad behaviour.

Along with the TAC Signs campaign, Victoria Police is launching its Operation Summer Stay, which will see an increased focus by Victoria Police on drink-driving enforcement as well as general road rules enforcement on both major roads and minor roads around Victoria. The campaign will target the full road network and is designed to particularly reinforce the drink-driving message and enforce general road behaviour in the community.

Last week also saw the launch of the TAC designated-driver gift voucher program. This is a program designed to get the community talking about road safety. These vouchers are available from the TAC website. They provide an opportunity for someone to offer, as a gift, their participation as a designated driver. You can download a voucher and give it to someone who is going to be enjoying themselves over summer or over Christmas and offer, by way of the voucher, to be a designated driver. This is a fun way of encouraging the road safety message.

What we are trying to do through this campaign is get people talking about road safety. It is similar to the Talk the Toll Down campaign which the Premier launched in October. This is a Christmas element of it designed to get families and communities talking about road safety and around the need to have designated drivers when people are out enjoying themselves at Christmas.

There are a number of new initiatives designed to not only promote good driver behaviour on our roads through the enforcement campaign but also encourage communities and families to talk about the road safety message to ensure that in 2011 we can have a record low road toll in Victoria.

Hospitals: performance data

Mr JENNINGS (South Eastern Metropolitan) — My question is for the Minister for Health. Prior to the last election the Minister for Health promised that if he were in government, he would establish a website to provide real-time data on local hospital waiting times for emergency departments by triage category, emergency department admissions and current activity. Therefore my question is: why does the website the government has set up include an average that is calculated from observed median waiting times for semi-urgent and non-urgent patients only over a four-week period and then published a further four weeks later? How on earth is that real-time data?

Hon. D. M. DAVIS (Minister for Health) — The website the member has referred to does fulfil the government's election commitment. It does provide real-time data — for example, the emergency department status, bypass data and related matters. On the advice of the department the data that relates to waiting times is a more accurate measure, it is more predictive than alternative methods and is the method that is used in Western Australia. It is a more accurately predictive measure. The site does contain important real-time data, including, importantly, bypass and hospital early warning system (HEWS) information on every major emergency department across the state.

Supplementary question

Mr JENNINGS (South Eastern Metropolitan) — Has the minister just informed the house that his department has informed him that real-time data that is used on the website can be up to eight-weeks old in terms of its being calculated and still continue to be considered real-time data?

Hon. D. M. DAVIS (Minister for Health) — The point is that the use of the data is as predictive data on how long people would need to wait. The information that was provided to me suggested very strongly that the particular algorithm used to calculate the times there would actually be more helpful and more predictive for people. The key thing is that emergency department bypass and HEWS data is real-time data.

World AIDS Day

Ms CROZIER (Southern Metropolitan) — My question is to the Minister for Health, who is also the Minister for Ageing. I ask: can the minister inform the house of how the Baillieu government is supporting people in Victoria who are living with HIV/AIDS?

Hon. D. M. DAVIS (Minister for Health) — I am pleased to answer this question from Ms Crozier, and I note her long-term support for better assistance and support for those living with HIV/AIDS. I was pleased to attend the launch of World AIDS Day with my colleagues Georgie Crozier, Clem Newton-Brown, the member for Prahran in the other place, and Daniel Andrews, the current Leader of the Opposition in the Assembly. A former member for Prahran in the Assembly, Tony Lupton, was also present — a former colleague in this case. I make the point that this event had bipartisan support across the Parliament and support for better activities through the celebration of World AIDS Day.

Obviously HIV/AIDS is a global pandemic, and since the start of the epidemic there have been 30 000 diagnoses of HIV in Australia. In Victoria the number of new HIV cases has been stable since 2006 at under 300 notifications annually. The year-to-date HIV notifications are 212. I indicate that World AIDS Day is an important initiative of the Joint United Nations Programme on HIV/AIDS, and it is internationally recognised. The theme this year was that AIDS is still here. I indicate again the strong support across the Parliament for issues related to HIV/AIDS and support and encouragement for those who are living with HIV/AIDS.

As I have said, World AIDS Day is a significant celebration around the world. It is the 30th anniversary of the first confirmed case of HIV/AIDS, and the 20th anniversary of the first public wearing of the red ribbon. The function here on 1 December was very well attended.

I can also inform the house that the Victorian government, through the Melbourne Convention and Visitors Bureau and the Australasian Society for HIV Medicine, has been successful in its bid to host the 2014 International AIDS Conference organised by the International AIDS Society. I pay tribute to the work of Ms Asher, the Minister for Tourism and Major Events, in securing that conference. I was certainly happy to support her in those endeavours. The event is the world's largest regular conference of any health or development issue, and it will represent a significant medical event in Australia's history.

The 2014 International AIDS Conference will represent the largest ever medical conference in Australia's history. The selection of Melbourne as host city was announced recently, and an enormous number of people will attend, including over 5000 health journalists. The International AIDS Conference is likely to attract between 20 000 and 25 000 delegates and will

be of significant benefit to the Victorian economy. That benefit is estimated to be between \$85 million and \$121 million. Medical conferences are an important event both in terms of the information — —

Honourable members interjecting.

Hon. D. M. DAVIS — This adds to the knowledge base.

I also indicate the government's election commitment to provide \$200 000 to support groundbreaking research into a study of accelerated ageing among people living with HIV. This is an emerging field of study. Victoria will be at the forefront of that field. I am pleased to indicate the government's commitment. That commitment will be fulfilled. It is an important way of providing better for people living with HIV into the future.

Hospitals: performance data

Mr JENNINGS (South Eastern Metropolitan) — My question is for the Minister for Health. Can the minister tell the house whether he, his department or the hospital system in Victoria are on track to meet any of the key performance improvement measures within the hospital system that he set earlier in the year prior to the introduction of the industrial action caused by the nurses enterprise bargaining agreement dispute?

Hon. D. M. DAVIS (Minister for Health) — My information is that a number of measures, but not every measure, will be met very successfully and the government will endeavour to meet those measures in the interests of patients.

Supplementary question

Mr JENNINGS (South Eastern Metropolitan) — I hope somewhere within the system the minister has some data, some ability to be able to assess that data and to be able to make wise decisions about it. I am encouraging the minister to take some action to share whatever data he has with the Victorian community, and I ask: when is he going to take decisive action to deliver on his commitments to deliver the data, so that we can know how the hospital system is travelling in Victoria?

Hon. D. M. DAVIS (Minister for Health) — The Victorian government is proud of the amount of additional data that it has released, data that was kept hidden by the previous government. Look at the examples of the transfer times for ambulances and the hospital early warning system (HEWS) data. Much of this data was deliberately kept hidden by the previous

government because it was so embarrassing. The data is being released successively; it will be released successively.

Mr Jennings interjected.

Hon. D. M. DAVIS — Let me pick one small example — the hospital early warning system data. This is data that Mr Jennings's government kept secret for 9 of its 11 years in office. HEWS was introduced in 2002, and for nine years the former government kept that data secret. That data is now open, declared and on the website to be viewed at a moment's notice.

Mr Jennings interjected.

Hon. D. M. DAVIS — The HEWS data is actually not worse. It was not declared by Mr Jennings's government. It was kept hidden by Daniel Andrews, as former health minister. He was determined to hide the data and to keep it secret.

Children: English as an additional language

Mr FINN (Western Metropolitan) — My question without notice is directed to the Minister for Children and Early Childhood Development. I ask: can the minister advise the house of what the Baillieu government is doing to assist children of new migrants and refugees in learning English while retaining and developing their existing language skills?

Hon. W. A. LOVELL (Minister for Children and Early Childhood Development) — I thank the member for his question and for his ongoing interest in migrant families in the western suburbs. As Mr Finn knows, I went to school in the western suburbs with many migrant children to whom English was a second language. The Baillieu government is currently pursuing an ambitious reform agenda for languages education. This is because we recognise that the ability to speak more than one language is an asset.

In the area of early childhood development I recently had the pleasure of launching the resource, *Learning English as an Additional Language in the Early Years — Birth to Six Years* with Mr Kotsiras, the Minister for Multicultural Affairs and Citizenship. There is no doubt about the benefits migrant children will gain learning English while maintaining and developing their first language. *Learning English as an Additional Language in the Early Years* resource provides educators with cues, phrases and techniques that help children develop language skills within everyday, play-based learning environments.

I thank the Kensington Community Children's Cooperative for hosting the launch of the resource. I also acknowledge the work of the Victorian Curriculum and Assessment Authority, FKA Children's Services and Dr Priscilla Clarke, OAM, in preparing the booklet. I also thank the staff, parents and children of the Boroondara Kindergarten in Richmond North for agreeing to be featured in the promotional material. I encourage all kindergartens and educators to make use of this free resource in their centres.

Occupational health and safety: national harmonisation

Ms PENNICUIK (Southern Metropolitan) — My question is for the Assistant Treasurer. It is in regard to OHS (occupational health and safety) national harmonisation. Every other jurisdiction has either passed or indicated that they will pass national OHS laws, and on 28 September the minister issued a press release suggesting that Victoria wanted a 12-month delay. My question is: does the government maintain its commitment to the principle of national OHS harmonisation, and can the minister give an indication to members and the Victorian public of when it is meaning to act?

Hon. G. K. RICH-PHILLIPS (Assistant Treasurer) — I thank Ms Pennicuik for her question and for her interest in this issue. The Victorian government has said that it supports the principle of occupational health and safety harmonisation. However, we will not implement a package that is not in Victoria's interests. The government is currently undertaking a regulatory impact review of the package from a Victorian perspective because the regulatory impact statement that was undertaken by the commonwealth does not have jurisdictional data in it. We will assess the package in terms of its impact on Victoria and then determine the best way to move forward with harmonisation of OHS.

Supplementary question

Ms PENNICUIK (Southern Metropolitan) — Under the seamless economy and the implementation of the national OHS regulations and laws the states will receive reward payments if they implement by 1 January 2012. Obviously Victoria is not going to do that. Victoria is eligible to receive more than \$111 million, \$50 million of which is already factored into the Victorian budget. What does the minister plan to do with regard to forfeiting that money?

Hon. G. K. RICH-PHILLIPS (Assistant Treasurer) — I thank Ms Pennicuik for her

supplementary question. It is not up to the Victorian government to decide on reward payments; ultimately that will come through the Council of Australian Governments Reform Council, and the commonwealth will make a decision. However, I point out to Ms Pennicuik that the commonwealth has since sought a delay from the states for implementation of certain aspects of the OHS package and that a number of other states have not passed their packages as yet, so legislation is not in place across Australia. We will implement a package in the interests of Victoria, and that is the overriding concern of the Victorian government in how we proceed on this matter.

Regional and rural Victoria: town planning

Mr O'BRIEN (Western Victoria) — My question is to the Minister for Planning, the Honourable Matthew Guy. Can the minister advise the house what action the Baillieu government has taken to address rural and regional municipality planning backlogs that have built up over the past decade?

Hon. M. J. GUY (Minister for Planning) — I thank Mr O'Brien for his very sensible question about how the Baillieu government is addressing the backlog of planning permits in regional Victoria. I am very pleased to inform the house of yet another policy being implemented in the planning portfolio of the Baillieu government which is assisting those regional councils. I can inform the house today that the Minister for Local Government and I recently announced a \$2.8 million initiative to assist country councils with some of those planning issues and planning backlogs through the flying squad that the coalition promised during the 2010 election would go out to regional councils to assist with some of those issues, whether it be for farming zones, whether it be regional growth plans or whatever those issues are. We have now implemented that commitment of a flying squad to assist regional Victoria.

It is a policy implementation that clearly not everyone in this chamber thinks regional Victorians deserve, but I can tell you, President, that on this side of the chamber the Liberal Party and The Nationals know that country councils need that support. We know they need that extra \$2.8 million. That is \$2.8 million well spent. The Labor Party might want to spend that \$2.8 million on, say, a man safe, which its members are obsessed with, or acting classes or classes for Mr Pakula from Leadership Victoria when he eventually becomes leader of the Labor Party in this chamber, but we believe that \$2.8 million can be better spent going towards regional councils, regional planning initiatives,

assisting and following up on the promise we made to country councils during the election campaign in 2010.

Country councils had 10 years of neglect from the previous Labor government. They had 10 dark years in planning. They have had one year of action from the Baillieu government — one year of action from the Liberal Party and The Nationals. This initiative of \$2.8 million shows that the Baillieu government is not like the previous government. It is not about talk and it is not about spin; it is about action. This \$2.8 million represents action. It is a win for country councils, it is a win for country Victorians, and it is more evidence that the Baillieu government is acting and delivering on its word to regional Victorians.

QUESTIONS ON NOTICE

Answers

Hon. D. M. DAVIS (Minister for Health) — There are no answers today to questions on notice.

Ms PENNICUIK (Southern Metropolitan) — This is the last opportunity this year to yet again raise a number of unanswered questions on notice. The date today is 7 December, and the next time it will be possible to have answers tabled in the Parliament will be 7 February 2012, which is a full two months from now. Four questions were supplied to me yesterday, which leaves 29 questions still unanswered. Seven of those questions date from March this year: questions 139 and 140 from 2 March for the Minister for Police and Emergency Services; and questions 167, 170, 172, 173 and 175 from 22 March.

The following questions are also still unanswered: question 688 for the Minister for Corrections; questions 692, 705, 710, 711 and 714 dating from 24 May; questions 848, 849, 850 and 851 dating from 16 June; question 3566 for the Minister for Police and Emergency Services dating from 18 August; question 4455 from 1 September for the Minister for Ports; and from 15 September question 8138 for the Minister for Roads as well as questions 8139, 8140, 8141, 8142 and 8147. It is interesting that yesterday I received answers to questions 8143, 8144, 8145 and 8146 from the Minister for Racing, yet an answer to a similar question from the same day, no. 8147, was not supplied by him. Question 8148 from 13 October is also unanswered. There are also three answers outstanding from questions asked in November.

Hon. D. M. DAVIS (Minister for Health) — I note the number of questions the member has referred to,

and I will follow them up for her. I note that yesterday a large number of questions were answered. I am hopeful that further questions will be answered tomorrow, which may assist in some way, but I will further follow them up.

Hon. M. P. PAKULA (Western Metropolitan) — The sitting week before last I raised with Mr Davis the practice that has been adopted by ministers of responding to specific questions with the response that a whole-of-government answer will be provided. Last sitting week Mr Davis said he had undertaken inquiries and that whole-of-government responses to each and every question would be provided to me very shortly. Since then I have received more answers telling me yet again that a whole-of-government answer will be provided. I wonder whether Mr Davis is now able to be more specific about when these whole-of-government answers will be provided — whether they will be provided tomorrow or whether they will be provided within the balance of 2011. If not, President, I seek guidance from you as to whether it is a proper form of answer to a specific question to simply advise a member that someone else will answer the question and then never have them answer it.

Hon. D. M. DAVIS (Minister for Health) — I find that a bit rich coming from this member, but I will endeavour to follow up on these points. My understanding is that a whole-of-government response will not be provided in that way and that answers will be specific, so I will follow that up for the member. I will assiduously follow that up. I make the point that in this case the member was part of a government that did not answer questions for three years. We know the famous pink book; it is just as fat. I will follow up those points for the member.

Ms HARTLAND (Western Metropolitan) — I also have a number of questions still outstanding: question 235 from 24 March, question 599 from 6 April, question 677 from 5 May and question 789 from 1 June. I received five answers yesterday, but the question I would like to have answered is: why, when most of these were dated around 20 September, did I receive them on 6 December? It seems that it is taking 60 days on average for signed answers to questions to come from the minister's office into this chamber. I have not received answers to question 4262, which was asked on 31 August, or to question 4724, which was asked on 14 September.

Hon. D. M. DAVIS (Minister for Health) — I note that there are a number of outstanding questions, and I will follow them up. I am pleased that a number were

answered yesterday, and I will seek to have further answers tomorrow.

Ms HARTLAND (Western Metropolitan) — The second question was: why is it taking 60 days on average for a signed answer to come from the minister's office into this chamber? I find that quite extraordinary.

Hon. D. M. DAVIS (Minister for Health) — The member would be aware that we have faced an unprecedented number of questions on notice. We are endeavouring to answer them as best we can. We have made significant progress. In fact just recently we hit a new world record for the number of answers in one day. The precise time period for each question will obviously vary.

Ms HARTLAND (Western Metropolitan) — I am talking about answers that have been signed by the minister. For example, I received an answer yesterday that was signed by the minister on 20 September 2011, so it took 60 days to get from the minister's office in Exhibition Street to this chamber. It takes about 10 minutes for me to walk that distance, so I do not understand why it is taking 60 days to get from Exhibition Street to here.

Hon. D. M. DAVIS (Minister for Health) — I do not know the answer to the specific question, but I am happy to look into it.

PETITIONS

Trams: conductors

Debate resumed.

Mr O'DONOHUE (Eastern Victoria) — Before question time I was rebutting some of the assertions put forward by Mr Barber. I again thank Mr Barber for providing me with a copy of the report prepared by Professor Bill Russell. Having had the opportunity to review some of the comments made by Professor Russell, I know there is a difference in the net cost estimated to the system by Professor Russell compared with the cost estimated by the Public Transport Users Association. I note that on page 10 of his report Professor Russell says, as Mr Barber quoted, that the net cost would be \$12 million to \$15 million per year, depending on the number of conductors employed, whereas the PTUA estimates the net cost to be around \$20 million per year. There is some discrepancy in the cost, but there is no doubt that the cost to the network would be significant.

Before the break I was making the point that the benefits put forward by Mr Barber regarding the introduction of conductors may not be as strong as he asserts, particularly around the issue of fare evasion, and that there are other ways to achieve the outcomes we all support: improved customer service and improved passenger safety. Reflecting on the issue of passenger safety, the rollout of new tram stops that are compliant with the commonwealth Disability Discrimination Act 1992 continues across the network. Outside Parliament House at the moment there is construction of a new tram stop that will significantly improve safety for passengers. Mr Barber referred to parents with prams and people with a disability. The new tram stops that are being rolled out across the network improve access to trams and improve safety.

As the Minister for Public Transport has previously expressed, at this stage the government does not support the reintroduction of conductors to the tram network. We believe there are other ways to achieve the outcomes that we all support and aspire to. However, having said that, I thank Mr Barber for providing me with a copy of this report. New ideas and new information are always welcome. On that basis I am pleased to have contributed to this take-note debate.

Mr LEANE (Eastern Metropolitan) — I too am happy to join in this debate on the motion moved by Mr Barber to take note of the petition, which I understand he tabled yesterday. It is important that everyone in this chamber respects the point of view of people who sign a petition that is presented to us and that in this take-note motion we do seriously take note of what they have signed to indicate what they believe should happen.

I think it might have been on the same day of the tabling of this petition that the government decided to increase public transport fares by a record 8 per cent. In doing so the government gave no indication that the increased collection of revenue through the increase in fares would go towards increased infrastructure. If that is the case and it is a big whack to public transport users with no promise or commitment of more infrastructure, then the people who signed this petition may look at it as an opportunity where some of their aspirations may be fulfilled by the government. I am saying 'may be'. I understand that the new model trams do not necessarily allow for the way that conductors used to operate in the older model trams back in the days when conductors were utilised. As I said, the opposition seriously takes note of the petition Mr Barber has tabled and respects the opinions of all the people who have signed it.

I will touch briefly on Mr O'Donohue's contribution. I think he would be a bit disappointed if I did not. He talked a bit about the government's commitments in the public transport realm, and he talked about numerous heavy rail feasibility studies. It would be very difficult to catch a feasibility study to Doncaster, to Rowville or to the airport, unless the study was printed on the same material magic carpets are made from, and I am not sure that is around. In the case of the Doncaster rail line I, and a lot of people who live out in that part of the east, will be very disappointed if the government does not fulfil its commitment, as stated by the Premier. I know he gave it on election eve, but that does not take away the commitment. On the eve of the election the Premier was out at Doncaster saying, 'This is a great day for Doncaster. We're going to do the study for this heavy rail line, find the funds and build it'.

Mr Barber interjected.

Mr LEANE — I am very cynical about whether that is going to happen. If Mr Barber is bullish about it, then that is terrific. I am very cynical because I think this commitment was made at a time when Mr Baillieu as the opposition leader was throwing in the steak knives. He was saying, 'Yes, we'll build a rail line to the airport, we'll build one to Doncaster and we'll throw in a set of those steak knives that are so sharp they cut Coke cans in half. If you have a recipe which needs half a Coke can, you can throw it in'. He was throwing everything in. I think the Doncaster rail line was part of throwing in the steak knives. In saying that, one has to take people at their word. The Premier said his government would do the study, find the funds and build it. While making a commitment is a good thing, the most important thing about a commitment is actually fulfilling it.

I will sit down now. I am the first speaker on the next item. There is no chance of any lunch is there, President?

Being serious, the opposition takes note of the petition, and we are interested to see in which way the government goes forward.

Mr BARBER (Northern Metropolitan) — I thank all members for their contributions, and they were quite worthy. I advise members that we will have opportunities for further debate on this issue, as I am sure further petitions and other related actions in the community will be coming before this Parliament over its remaining life.

Motion agreed to.

NURSES: ENTERPRISE BARGAINING

Debate resumed from 9 November; motion of Mr JENNINGS (South Eastern Metropolitan):

That this house condemns the Minister for Health for his secret plan to —

- (1) cut nurse numbers;
- (2) replace nurses with low-skilled nurse assistants; and
- (3) reduce nurse-to-patient ratios;

and for his premeditated plan to force nurses into arbitration by failing to negotiate in good faith.

Mr LEANE (Eastern Metropolitan) — I am pleased to contribute to the debate on this motion which Mr Jennings moved in the last sitting week. I will touch on the premeditated plan to force nurses into arbitration. It is very hard for nurses when in this particular set of negotiations their main position has been to defend their nurse-to-patient ratios but the government has had a premeditated plan to force them into arbitration and to make sure that the nurse-to-patient ratios were on the table. Part of the plan which would affect the ratios was to replace fully trained nurses with lesser trained and obviously lesser skilled and cheaper people who would take up some roles. That would be a way of padding out the staff numbers and taking away what is necessary for what the nurses believe are safe ratios. They are very passionate about what they consider to be safe ratios for them to service their patients safely and properly.

The nurses have been very passionate on this issue. We understand that they have had a number of rallies around the metropolitan area and in some regional areas, including some in front of hospitals, where they have aired their grievances about how this negotiation is moving forward, with the government appearing to be hell bent on changing the ratios. I understand the Australian Nursing Federation (ANF) and the individual nurses who make up its membership. They are a very determined and passionate group of people who will defend as hard as they possibly can the care of their patients, which is where their passion has come from.

From listening to the Premier and the Minister for Health in recent media discussions, whether on radio or television, and from recent statements in this place, they have gone out on a campaign of trying to demonise the ANF to some degree. As members know, ANF stands for Australian Nursing Federation, but, as I said, of recent times with any chance that the Premier and the Minister for Health have had they have taken up what I would call a new strategy. When they talk

about the ANF they say the 'ANF union'. They seem to think that adding 'union' to the title demonises this particular — —

Mr Barber — Like the 'Greens political party'.

Mr LEANE — The 'Greens political party', the 'ANF union' — —

Mr Barber — You demonise us because we are politicians.

Mr LEANE — I would not have thought that we would demonise Mr Barber. He is one of my favourite MPs in here — I would not do that — and so is the President. I get into a bit of trouble when I say that, so I had better not.

Referring to the organisation as the 'ANF union' is a form of demonising the federation. I do not think that members of the Victorian community have fallen for it. I think they are behind the nurses in what they are trying to do and where they have been going with this dispute. As I said, knowing the nurses and their federation as I do, they will not lie down and let nurses be replaced by low-skilled nursing assistants. They will not allow that to happen and let this government cut nurse numbers. They will fight this with every means that they can bring to bear.

The only people being demonised in the eyes of the community the more this dispute drags on are the members of the executive government who are forcing this issue. The further this goes on, they are the ones that community members will see as the bad guys in this dispute. That is coming to the fore more and more as time goes on.

Members should not take lightly moving a motion condemning a minister for his actions, but this case, especially with the premeditated plan and the strategy around how these very important and well-respected workers in our community are being treated by the minister and other members of the executive, is of real concern, so I wholeheartedly support Mr Jennings's motion.

Mrs COOTE (Southern Metropolitan) — I have a quite long contribution to make to the debate. Although there are only 5 minutes before lunch, I will commence my contribution. I am sure members will all be very pleased to hear that I will continue with it after lunch. I was interested in what Mr Leane said in his contribution just a moment ago when he suggested that the Premier and the Minister for Health are demonising the nurses. I have to say that that is very far from the truth. In the contribution I intend to make after lunch I

will be dealing with facts, as the Premier and the Minister for Health have throughout the recent discussions that have been taking place.

Another issue that Mr Leane raised was that in his opinion the ANF (Australian Nursing Federation) has huge community support. What he is really intimating needs to be qualified. I think that, just as I do, the Premier and the Minister for Health have huge respect for the nurses and midwives in this state. Nurses have done a phenomenal job. Not just today but also in the past the nurses of this state have been exemplary and of the highest standard. I have to suggest that Mr Leane needs to clarify what he means because I do think that our community has a very high regard for the nurses in Victoria. However, just as Premier Baillieu and Minister Davis and I have huge respect for the nurses, we are not at all impressed with the unlawful actions of a small group of nurses led by the ANF. I suggest that members of the public at large can see through this latest very visible campaign and that, although they support the nurses and the job they do, they are seriously unimpressed with this unlawful action by the ANF. I think the public is fast running out of patience with the nurses and that that will be seen more and more as the nurses continue their action.

It is interesting to consider what has happened over the past week. The nurses made a huge song and dance about demonstrating outside country and rural hospitals, but there are actually very few of them. Where are they all? There are very few and the numbers are getting tiny. Their campaign is running out of steam, and I suggest that they are probably picking up the fact that members of the community are running out of patience with this campaign, this unlawful action by the ANF.

In the 3 minutes before the lunch break, I will start my contribution.

The PRESIDENT — Order! Is this an appropriate juncture for Mrs Coote to be interrupted?

Mrs COOTE — Yes, it would be.

The PRESIDENT — Given the proximity to the suspension for lunch, I would be happy for Mrs Coote to make her substantive contribution to the debate after lunch.

Mrs COOTE — President, I thank you very much for that suggestion. I do have a quite long contribution and I value that offer.

Sitting suspended 12.57 p.m. until 2.02 p.m.

Mrs COOTE — As I was saying before the lunch break — —

Mr Lenders interjected.

Mrs COOTE — As Mr Lenders said, before I was so rudely interrupted by the lunch break I was saying that Mr Leane in his contribution said he felt that the community was on the side of the nurses. As I was rightly pointing out, in fact the real issue is that the community is very sympathetic as indeed are we, the Liberal Party, to nurses and the work that nurses do. We think the work the nurses do is absolutely fantastic; however, the community is very unhappy with the unlawful actions of the ANF, and Mr Leane needs to understand that and differentiate between what the community thinks and what is reality; there is a very fine line there.

As I pointed out in my contribution prior to the luncheon break, the ANF campaign is running out of steam. We are seeing the rallies outside hospitals diminishing in size, and the campaign is seriously running out of steam. However, since this motion was brought to this house some weeks ago there have been some changes. I put on record my praise for the contribution made by Ms Crozier when she spoke on this motion, and indeed my colleague Mr David Davis as well. But I want to clarify some of the issues that have arisen since they spoke during that debate. I note that the motion was spoken to by my colleagues Georgie Crozier and David Davis several weeks ago. It is worth updating the house about the important developments that have taken place since then, and I will endeavour to do that right now.

The ANF union has repeatedly and flagrantly disobeyed the orders of Fair Work Australia — —

Mr Lenders interjected.

Mrs COOTE — Through you, Acting President, to Mr Lenders. There have been a number of rallies and demonstrations held, which I might add is entirely the right of the union members. It is a democracy, and so it is their right to rally. After a series of legal rulings against the ANF union, it eventually complied with the independent industrial umpire's decisions. The government meanwhile has been eager to progress the conciliation and negotiation process to achieve the best outcome for nurses, hospitals and the community. It is important for the members of this chamber to understand that it is for the betterment of our community as a whole that Minister Davis is working to make certain that Victoria gets the very best service it can get.

The Victorian Hospitals Industry Association and the 86 health services with support from the government were very pleased to have reached a heads of agreement with the Health Services Union east branch. Importantly the Health Services Union is prepared to negotiate in good faith within the government wages policy. There is still a way to go in the process with the balance, and we look forward to achieving a positive outcome with the HSU. I urge the ANF union to work harder to negotiate with the government to reach an agreement that will benefit nurses, hospitals and, most importantly, the Victorian community, and to do so in a way that will not put patient safety at risk. This is what is at the heart of this issue: to ensure patient safety. It is important that we have a health system that people in this state can feel confident about.

Despite what the Labor Party is saying, the government is investing additional resources in our health system. These investments mean that more nurses will be employed by Victorian hospitals and that there will be increased support for our health services. Nurses are critical to the quality of care and the safety of patients in our hospital services. They are professionals on whom all parties in our hospitals and other clinical services rely for clinical care and support.

This government is concerned that the ANF's approach to its current negotiations toward an enterprise bargaining agreement (EBA) encourages nurses to think that they are not held in high esteem by this government, but that is an untruth. Nurses are held in the greatest esteem by this government, and that they are not is a myth that has been perpetrated by the Labor Party in an attempt to engender the spin that was its hallmark when in government. It is trying to put spin on this issue, but it is in fact a myth. This government is very supportive of nurses and holds them in very high esteem. The government's wages policy enables nurses through the ANF to negotiate arrangements that would provide greater and more productive working conditions for nurses and the health services. The government's wages policy means that nurses could seek outcomes that may well mean there will be even more nurses for our hospitals and that may enable better working arrangements for all nurses, particularly those who have family commitments, such as those who are parents, or who have other personal commitments or preferences.

It is very important for this chamber and the community at large to know that this government wants what the previous government tried to provide for nurses. I draw the attention of the house — as I have on many occasions, but which the Labor Party chooses to ignore — to comments made in 2007 by the then

Minister for Health, now Leader of the Opposition in the Assembly, Daniel Andrews. He said:

Our health system is seeking significant change.

Mr Andrews also said:

We need to equip our health services and our nurses to meet these challenges and also recognise nurses' own desire for improved work-family balance.

The major outcomes we are seeking are better matching nurse workloads with patient needs and ensuring a fairer work-family balance for nurses.

It is important to note that a lot of this dialogue has been happening in the current debate. As a government we recognise opportunities in this EBA to improve working arrangements for nurses and patients, which could include significant wage increases. The government wages policy sets a platform for nursing salaries to be increased with agreed productivity gains and improvements enabling higher salaries and better conditions for nurses. This action gets lost in the debate that the Labor Party keeps perpetrating and in the spin it is trying to put out that we are cold and heartless and do not care about nurses. Nothing could be further from the truth. The intention of the government's wages policy is an important opportunity for nurses.

It is important to understand this issue. We want to advance and improve nursing practices. We believe that care should be timely and delivered in clinically appropriate settings by clinically appropriate personnel. Labor members when they were in government held the same view. This motion is even more absurd because of that view expressed by Daniel Andrews, who was the then health minister, and in light of Labor's claims in 2007.

Let me make this clear: the Baillieu government supports the retention of current nurse-to-patient ratios. What is important for nurses, patients and health services is the capacity to provide some local flexibility. This would enable health services and senior nurses to respond to peaks and troughs in workload during the course of the day or the week, and it would also mean that patients would have quality care during the busiest times as well as during the quieter times. Matching the acuity of patients to their support level is important.

It is important for the Labor Party to understand and remember these facts. We have had the hype of the rallies, we have had Lisa Fitzpatrick out there and we have had all the spin from the former government. The reality is that these are the fundamentals the Liberal-Nationals coalition government believes in. It is

important to get it on the record that this is what we significantly believe in.

We want to allow outcomes that enable nurses to focus on the roles for which they are best qualified. A number of nurse-led trials in Victorian health services have assessed the introduction of nursing assistants to the health services to complement the roles and responsibilities of highly trained nurses. I spoke with a nurse who is getting quite elderly, and in her day the ratio was something like 1 to 25. But back in that time the dispensation of medication was a very different process from what it is today, given that now we have blister packs and a whole range of other things, as well as nurses who have a much greater responsibility to their patients. Certainly modern technology has helped, and the nurses are very highly qualified to use that, but there are some things nursing assistants can do to help alleviate the workload of nurses. As I said, these nurse-led trials have been well received by staff working with nursing assistants and well received by patients and the broader community. They have shown that nursing assistants in health services can create a more appropriate workforce profile and better align the skill mix and duties required resulting in flow-on benefits of increased staff morale and reduced stress on the workforce.

It is important to understand that not too long ago the then Labor government was espousing these principles. I have heard its members talk about them in this chamber interminably. Now that they are on the opposition benches they have changed their tune. As I have said before, they are trying to be in opposition. I know it is difficult and I know it is hard. They have had a year at it now, and they are finding it very difficult to come to terms with the fact that they are absolutely in opposition. Hopefully next year when we come back to the Parliament they will have recognised their true position in this place and they will be able to be a bit more constructive and indeed conciliatory enough to understand that some of the fundamentals we are speaking about on these issues are things that we agree upon. I am sure with a bit more maturity in opposition they will be able to say those things.

The trials have shown that the addition of nursing assistants has enabled care tasks to be undertaken that were previously delayed or not otherwise accomplished due to time constraints and workload pressures. In fact patient complaints have fallen significantly — almost by half — in the wards where nursing assistants have been working.

Where is Mr Jennings? Mr Jennings has gone; he is not here for this debate. He is supposed to be passionately

interested in this debate, but where is he? He is not to be found here at all. Where is Mr Jennings?

Mrs Peulich — He has probably got his red T-shirt on.

Mrs COOTE — Indeed he could have.

When considering this motion it is important to note that the nursing assistant trials began under the previous Labor government. Those trials have enabled nursing staff to undertake clinical responsibilities more efficiently. Assistance with patient care and comfort has included performing daily tasks such as washing and shaving patients and assisting patients with meals. Assistance with patient transfers has improved the ability of nurses to complete transfers efficiently and safely. Mr Jennings knows that, and that is probably why he is not here.

Mr Leane — Acting President, as there seems to be a keenness for certain members to be in the chamber, I draw your attention to the state of the house.

Quorum formed.

Mrs COOTE — It is pleasing to see government members in the chamber to support what I am saying. However, not only is Mr Jennings not here but Mr Lenders also took the opportunity to flee the chamber during the ringing of the bells. In any case, Mr Jennings's motion is nonsense. This government has no intention of cutting nurse numbers. The government's funding commitment to health services this year will enable more nurses to be employed. The EBA enables employers and nurses to consider opportunities for even more nurses to be employed. That is a really important point for the opposition to understand.

Nursing assistants contribute significantly to patient care and comfort in many Australian hospitals — in most states and territories. Victoria has had two trials that have confirmed the value of nursing assistants in complementing and supporting the work of highly skilled nurses. Labor supported these trials during its term of government, and we support them now. I encourage the Labor Party to take a bipartisan view and to say it does think the enabling and training of nursing assistants is important. We can agree to agree on these issues. It is all right to do that. As for nurse-to-patient ratios, as I have already said and as the Minister for Health, Mr Davis, said, this government supports the retention of nurse-to-patient ratios.

The government also supports nurses who for a long time have wanted improved shift arrangements to

benefit themselves and their patients. We also support nursing managers who want their nursing teams to have better working conditions, with more resourcing at times of peak demand to deliver safe patient care. Above all — and wherever he is I hope Mr Jennings will read this — the government is committed to improving Victoria's health services for nurses as well as for patients. The government is committed to providing support for nurses and employers in working towards that goal through the EBA process.

I thank Mr Jennings for bringing this motion to the attention of the house because it gave the government the opportunity to put on the record some good points about what it is we are doing and to clarify many of the myths that the opposition is trying to perpetuate. Members should read the contributions to this debate from Ms Crozier and the Minister for Health, as well as the points I have brought to everyone's attention today, because the Baillieu coalition government is very supportive of the nurses of this state. We want the best health care, and we want our patients and nurses to work collaboratively to make our health service work well for all Victorians.

Mr VINEY (Eastern Victoria) — Mrs Coote always seems to get the job of doing the dirty work for the government, including defending the indefensible. She has just done it again today. That seems to be the new role for the former Deputy Leader of the Opposition — now sitting where she does — in taking up battles that are very difficult to justify. I note her frequent commentary about the shadow minister having brought this debate on and now not being in the chamber. It is quite instructive that the minister is not in the chamber; he walked out as soon as I started talking. We can continue to go down that tit-for-tat path, but I do not think it is particularly constructive.

Mrs Coote suggested the opposition should take a bipartisan position on the health portfolio, but there is no bipartisan position on health when the government of the day decides to cut more than \$400 million from the health system over four years and announces a further \$100 million cut each year on top of that. There is no bipartisan position when a government of the day decides to, in the process of an enterprise bargaining agreement (EBA) negotiation, attempt to reduce the hard-fought and hard-negotiated agreements on nurse-patient ratios. There is no bipartisan position on seeing a new government do exactly what the Kennett government did; under the Kennett government nurse numbers were cut by 4000.

During its decade in office it was hard work for the Labor Party to rebuild the health system, to put

confidence back, to introduce nurse-patient ratios, to fully fund those nurse-patient ratios, to recruit nurses and increase resources in our hospital system and to increase the funding of the health system, particularly the recurrent funding of the hospital system.

In the first term of the former Labor government I held the position of Parliamentary Secretary for Health from 1999 to 2002, and in that period an incredible amount of hard work was done to rebuild the health system after its decimation. A lot of work was done to create a new set of boards with smaller hospital structures than the previous government had set up to ensure that hospitals were in touch with their local communities. There was hard work done in negotiating and reaching agreements with nurses and medical staff in the health system and in making sure it was properly funded.

We inherited a health system whereby the silver was being sold in order to fund recurrent expenditure. Those things were all hard fought and hard won, and there will be no bipartisan position on a system that sees those things undone. The issue before the government right now is maintaining those nurse-patient ratios, rewarding nurses properly for the work they do and recognising and valuing the contribution they make to our community. The Minister for Health is baulking at and obfuscating those issues.

Mrs Coote, in her contribution to the debate, used the oft-used management jargons of rationalisation and efficiencies to justify what are fundamentally cuts to the health system. Those cuts will fundamentally endanger the health system and the faith the community has in the security of the health system. I wish we could have a bipartisan position on health, but we cannot when we are faced with a new government determined to cut into the health system in Victoria.

The Minister for Health has put much time and expenditure into the current dispute by taking matters to Fair Work Australia and getting injunctions and orders from the commission to ensure that nurses stop closing beds and so on. There is one thing the Minister for Health has not done. The one thing the Minister for Health has not done in this entire dispute is actually start a process of negotiation. The one thing he has not done is say, 'Okay, let's sit down and work it out. Let's sit down and sort it out'. That was the policy position and the approach that we took in government, and it is what is lacking here because the government of the day now has determined that it wants to have a dispute with the nurses because it wants to reduce its expenditure on the health system.

It wants to have this dispute and it wants to bring it on, and unless the government changes its position on that and says, 'We will sit down and negotiate an outcome that is satisfactory for the nurses and appropriate for the health system in Victoria', this dispute will continue. No amount of taking matters to Fair Work Australia and getting injunctions and orders for people to return to work and to reopen beds is going to change the dispute.

What will change the dispute is the Minister for Health, through his agencies, deciding to resolve it and deciding to sit down and negotiate in good faith. I do not believe there has been any demonstration that that is the position the government is taking. The government is taking a position based on the fact that it wants to achieve rationalisations and cost cutting, and this dispute will continue for as long as it takes that view.

I heard recently a comment that I have to agree with. The comment was that there has never been a dispute with nurses in Victoria where the government in dispute with nurses over an EBA or a wage claim or a conditions claim has won the public relations war. This government will lose this public relations war with the nurses because if there is one group of workers in the community that the community fully supports, it is nurses. It does that because all of us know the great work that nurses do; all of us know that possibly at any point we could be requiring that service and that support, or members of our family could. People really value what nurses do, and what they expect of the government of the day is for it to also value what nurses do.

It is an absolute truism that the government of the day has an obligation to make sure that nurses can perform their duties and provide their services in confidence and in a way that maintains patient safety. That is really the fundamental in dispute. I have to say that for as long as nurses continue to have that as their key priority — that is, providing good service for the patients they care for — they will continue to have the public's confidence. I have hardly seen any issues here that indicate that the nurses are making outrageous wage or salary claims. If the government wants to stick to its wages policy, I guess that it is a matter for it, but if the government wants to engage in a public relations war with the nurses, as it is doing and as Mrs Coote continued, by referring to the Australian Nursing Federation as the ANF union and using that kind of terminology to demonise nurses and make them appear to be fighting for something they are not, the government will lose this public relations war. That is up to the government, I guess. It is not for us to give it gratuitous advice but that is an absolute fact. I think the

government is making a terrible strategic error, but that is a matter for the government.

It is interesting to note that in the contribution from Mrs Coote there was a lot of criticism of the Labor Party and very little acknowledgement of the obligations and responsibilities of members opposite now that they are in government, but I will say this in response to some of Mrs Coote's criticisms: as a former Parliamentary Secretary for Human Services and as a member of the former Labor government, I am very proud of what we did in health. I am very proud of the fact that it was a Labor government that rebuilt the Austin Hospital. I am very proud of the fact that we built a new children's hospital. I am very proud of the fact that we started all of the work — —

Mrs Coote interjected.

Mr VINEY — I am very proud of the fact that we built a children's hospital. Mrs Coote can criticise that children's hospital all she likes, but I am telling her that it is a great project that I was pleased to be in a very minor way a part of when I helped to develop the Parkville precinct strategy. I am very proud of the fact that we have supported the rebuilding of our health system across the state, in particular of ambulance services which I did have policy responsibility for in the first term of the Labor government from 1999 to 2002. I am very proud of those developments, and I am very proud of the fact that it was a Labor government that I was a part of that did the planning for the comprehensive cancer centre to be built in the Parkville precinct.

Of all of the work that I have done, I guess some of the work that I did in health and some of the work that I did in medical research areas as a Parliamentary Secretary for Human Services and later for innovation and industry are things that I think were probably some of the biggest contributions I feel I have been able to make in my political life. For Mrs Coote to be attempting to criticise the last Labor government for a dispute that this government faces because of its policies and its decisions is a little difficult to swallow. We certainly are proud of the fact that we introduced nurse-patient ratios. We think they ought to be protected and maintained, if not strengthened, and for this government to be putting those ratios on the line again in the way it is in this dispute is a very serious error of judgement. It is an error of judgement that the community of Victoria will judge the government harshly for.

Ms PENNICUIK (Southern Metropolitan) — I would like to make a few remarks on Mr Jennings's

motion. Ms Hartland has already spoken on this motion on behalf of The Greens, but I would like to make a few remarks following on from Mrs Coote's contribution in which she said that she felt that the nurses' campaign was losing momentum and that the community was losing patience with the nurses. That fired me up somewhat and compelled me to make a few remarks, because I am sure Mrs Coote could remember that during the last parliamentary sitting week thousands of nurses marched from Federation Square up to Parliament House. If you were looking from the steps of Parliament House you could not see the end of the crowd of nurses on Bourke Street.

That to me does not indicate that the nurses' campaign is running out of steam; it is not. It has a great deal of community support. Many people I speak to in the community ask me about the nurses' campaign. I also have many acquaintances who are nurses and who speak to me about it. They raise the issue of nurse-patient ratios, which The Greens fully support. I was privileged enough to speak to the nurses when they came to Parliament and to give our support to the maintenance and strengthening of nurse-patient ratios, not just for the benefit of nurses but for the benefit of patients because obviously nurse-patient ratios are critical both for patient care and for the health and safety of nurses. In order to make sure that those two things are protected, we need to maintain nurse-patient ratios.

I agree with Mr Viney's comment that the nurses' wage claim is completely reasonable. If we want to attract people to the nursing profession, then they need to be well remunerated. They need to have appropriate nurse-patient ratios. In particular I make mention of the issue of split shifts, which has been raised with me by many nurses and is something they do not want to see introduced.

I also spoke about split shifts to the nurses rally in my capacity as an ex-occupational health and safety practitioner and co-author of the Australian Council of Trade Unions' *Health and Safety Guidelines for Shift Work and Extended Working Hours*. In those guidelines we pointed out the dangers and hazards of split shifts for workers in terms of the fatigue suffered when people do not get a proper rest. They work for several hours and they go off and then they come back to work again. Split shifts are bad news in any profession, but they are particularly bad in nursing where you need vigilance and not to be suffering from fatigue. Split shifts are a fatigue hazard. They should not be used in any industry if at all avoidable and certainly not in nursing. There is no support amongst the nursing profession for the introduction of split shifts.

I support Mr Jennings's motion and refute Mrs Coote's comment that the nurses' campaign is running out of steam. In fact it is full steam ahead, and it has the support of both the Victorian community and the Greens.

House divided on motion:

Ayes, 19

Barber, Mr	Pakula, Mr
Broad, Ms	Pennicuik, Ms
Darveniza, Ms	Pulford, Ms (<i>Teller</i>)
Eideh, Mr	Scheffer, Mr
Elasmar, Mr	Somyurek, Mr (<i>Teller</i>)
Hartland, Ms	Tarlamis, Mr
Jennings, Mr	Tee, Mr
Leane, Mr	Tierney, Ms
Lenders, Mr	Viney, Mr
Mikakos, Ms	

Noes, 21

Atkinson, Mr	Koch, Mr
Coote, Mrs	Kronberg, Mrs
Crozier, Ms	Lovell, Ms
Dalla-Riva, Mr	O'Brien, Mr
Davis, Mr D.	O'Donohue, Mr
Davis, Mr P.	Ondarchie, Mr
Drum, Mr	Petrovich, Mrs
Elsbury, Mr (<i>Teller</i>)	Peulich, Mrs
Finn, Mr	Ramsay, Mr
Guy, Mr	Rich-Phillips, Mr
Hall, Mr (<i>Teller</i>)	

Motion negatived.

The PRESIDENT — Order! I meant to mention first thing this morning that last night I had the opportunity to attend a function in Parliament House conducted by the Consul General of El Salvador at which the people and the government of El Salvador conferred upon Telmo Languiller, the member for Derrimut in another place, an award as a friend of El Salvador. I had the privilege of participating in the event and making a speech on behalf of the Parliament to recognise Mr Languiller's enthusiastic representation and support of South American communities — Central American communities in the case of El Salvador, of course. I thought members might well be interested to know that he received that award last night.

PRODUCTION OF DOCUMENTS

Ms PENNICUIK (Southern Metropolitan) — I move:

That this house —

- (1) notes that not all the documents ordered by the resolution of the Council on 2 March 2011 to be

tabled in the Council by 12.00 noon on 22 March 2011 have been received by the Council;

- (2) affirms the privileges, immunities and powers conferred on the Council pursuant to section 19 of the Constitution Act 1975 and the power to make standing orders under section 43 of that act;
- (3) affirms the need to protect the high standing of Parliament and to ensure that the Council may properly discharge its duties and responsibilities; and
- (4) again requires the Leader of the Government representing the Premier to table by 12.00 noon on Tuesday, 7 February 2012, a copy of —
 - (a) the financial arrangement/current contract between the government of Victoria and the Australian Grand Prix Corporation (AGPC) regarding the staging of the 2010 Formula One Grand Prix event and, if not included in the above document, the rent paid by the AGPC to Parks Victoria for the use of Albert Park Reserve for the 2010 event, any subsidies in the form of sponsorships, advertising or corporate entertainment or for other services relating to the 2010 event, paid by government departments or agencies to the AGPC, any services provided to the AGPC by other government departments (e.g., Victoria Police) relating to the 2010 event; and
 - (b) the economic study performed as the basis of the five-year contract extension to 2015.

I move the motion because the Minister for Tourism and Major Events has tabled a letter in the Legislative Council with regard to documents that were requested by the Council under a resolution on 2 March. There were several letters, ones dated 21 March and 24 May from the Attorney-General and one from the Minister for Tourism and Major Events dated 14 June, regarding the tabling of those documents and that that was not able to be complied with in the time stipulated. A letter from the Minister for Tourism and Major Events then confirmed that 10 of the documents that I had asked for, which the Council had supported by its resolution, had been provided. However, in her letter the minister said that she wished to:

draw the Legislative Council's attention to the fact that some of the documents sought contain sensitive financial and commercial information. This information along with the names of various individuals has been redacted from these documents.

That was true. On examination it can be seen that most of the documents tabled did not contain any of the financial information I was seeking under the resolution of 2 March. Two documents had been withheld as the release of those documents in their totality would

damage the state's financial and commercial interests. In the letter the minister asked:

I respectfully request that the Council not insist on the production of these documents or the withheld text of the documents provided.

I wish to insist on them, because the cost and claimed benefits of the grand prix to Victorians are ongoing and still remain issues for Victorians. We know that last year the race cost at least \$50 million, but we do not have the documents regarding the contract and the financial arrangements between the government and the Australian Grand Prix Corporation. The letter implies that the public of Victoria cannot see that financial arrangement because of its commercially sensitive information. However, the grand prix has been staged in Victoria by the one provider, the Australian Grand Prix Corporation, since 1996. There are no competing tenderers for that gig; it is provided by the Australian Grand Prix Corporation and underwritten by the taxpayers of Victoria.

In the lead-up to the last election the current government maintained — and still maintains; even this week we have heard members of the government talking about it — that it is about accountability and transparency. This event has lost money for the people of Victoria for over 15 years, and there is no accountability or transparency as far as that goes.

I was spurred on to move this motion. I draw the attention of the house to an amendment that was made to the motion; the date for the tabling of the documents was amended to Tuesday, 7 February. That will allow the government another two months to table the outstanding documents and re-table the ones that have been redacted, because the people of Victoria need the government to show full accountability and transparency. I was spurred on by an article by Jason Dowling in the *Age* of Monday, 5 December, regarding the expenses of the Department of Premier and Cabinet at the grand prix. It states:

A list of entertainment and hospitality expenses for the Department of Premier and Cabinet for the year to 16 March shows the government forked out \$125 000 on venue hire and food and drinks at the government's suite for the 2010 Australian Grand Prix.

Further, the article says that the office of the Premier, Ted Baillieu, invited almost 200 guests to this year's event, paid for under the \$125 000 bill. It also reports the government as saying that hospitality costs in the future had been absorbed into the new contract. The contract is not something that is available to the people of Victoria to peruse, and that is included in my call for documents.

In the meantime, an economic impact study of the grand prix commissioned by the Minister for Tourism and Major Events and carried out by Ernst and Young financial consultants has been posted on the website, and it claims that the grand prix is of benefit to Victorians.

However, I have also had a look at a review of that report done by Economists at Large, headed *Review of Tourism Victoria's Report Formula One Australian Grand Prix — Benefits to Victoria*, which takes issue with the claim made by the previous government and again by the current government in this report that the grand prix is of benefit to Victorians. What the Economists at Large report points out is that again we have a report tabled by the government which is not a cost-benefit analysis, so it does not tell us what the costs or benefits are to Victorians; it is merely an economic impact analysis. The last time a review was conducted by the Auditor-General it found that Victorians were worse off as a result of the grand prix, and there is nothing in the Ernst and Young report to suggest that anything has changed.

The Economists at Large report finds that there are errors in the calculation of the economic impact and that the methodology is flawed. For example, it includes retained expenditure which, as the Auditor-General found in his report, was a dubious inclusion, and the survey that looked at retained expenditure and whether people in Victoria would go to a grand prix elsewhere was conducted while people were at the grand prix, presumably enjoying themselves. When asked if they would go to a grand prix somewhere else people said that they would be likely to, which showed that in that particular circumstance people would be more likely to say, 'Yes, I would go to a grand prix elsewhere'. However, this review of the report suggests if they were asked the same question three weeks later, they probably would not think of going, so that methodology is flawed, amongst other things. In essence it is an economic impact analysis which does not tell us anything about the costs and benefits, and that is what we really need to know. I presume that we are still in a situation where a proper cost-benefit analysis has never been conducted.

The issue of induced tourism — which the previous government relied upon and which has again been trotted out by this minister — is that people who have watched the grand prix would be induced to come to Melbourne and therefore as a result of watching the grand prix more tourists would come to Melbourne. The Auditor-General found in his report in 2007 that there was absolutely no evidence to support that. The Economists at Large report states on page 9:

Both Tourism Victoria (2011) and Ernst and Young (2011) highlight the findings of a report by Comperio Research into the value of the television coverage of the GP to Victoria. This report has not been released.

It further states that phone calls and emails to the office of the Minister for Tourism and Major Events have gone unreturned and the report has not been released. I suggest that, even though it is not part of my motion, if the government relies on that report, it would be a good idea to release it as well.

The Economists at Large report goes on to say:

Tourism Victoria claims that the exposure of television coverage:

is associated with longer-term benefits such as induced tourism ... It can be particularly beneficial in markets that are growing in importance for Victoria in trade and tourism, such as China and India.

But the Economists at Large review says, and it echoes what the Auditor-General said in 2007, that:

This claim has absolutely no basis in economic literature. Abelson —

for example —

recommends a conservative approach towards induced tourism and the Auditor-General (2007) was sceptical about its inclusion in analysis of the GP.

Economists at Large concludes:

... that the Australian Formula One Grand Prix brings about a loss of economic welfare for Victoria. This was the conclusion of the only cost-benefit analysis of the event and recent analysis shows nothing to the contrary. Tourism Victoria has not responded to the Auditor-General's appeal for cost-benefit analysis and transparent modelling. Instead they have commissioned an economic impact assessment that shows only changes to gross state product and expenditure — neither of these are good measures of economic welfare. The analysis they commissioned contains errors in its methodology that result in the GP's effect on GSP —

gross state product —

being overstated. These errors stem from poor administration of the survey of GP attendees, carried through into modelling of retained expenditure.

Members would be aware that I have long maintained that both governments have completely overstated the benefits, if any, of the grand prix to the greater Victorian public. Attendance at the grand prix has been overestimated from the first race until the last one held last year, and I am sure that will continue next year because, as has been documented in the past, people are counted as attending even if they have not attended. There may have just been a ticket given away and they may not have actually fronted up there. Employees,

contractors and all staff on the ground are also counted as attendees. I participated in the counting that was carried out by Save Albert Park in the first decade of the race, and our counts were always vastly different from the estimates by the Australian Grand Prix Corporation.

It is important for me to move this motion and insist on the outstanding documents being tabled in the Council prior to the event next year so that once and for all Victorians will know what it is that their taxpayer money is being spent on and whether there is any benefit to them as Victorians.

Mr LEANE (Eastern Metropolitan) — I wish to put forward the opposition's position on Ms Pennicuik's motion: we will be supporting the motion. However, I want to note that I am not sure if Ms Pennicuik believes that the grand prix is a bad thing.

Ms Pennicuik interjected.

Mr LEANE — I suppose we could glean that. I know she put forward an argument about whether having this event is worth its cost. Melbourne's major events program has been important to this state, and one thing that makes it important is the jobs that it creates. So whether someone loves or hates one particular event in Melbourne's major events calendar, there has to be some acknowledgement of the job creation that occurs as a result of it. There is an intensive amount of work to do in setting up and decamping the grand prix. It takes a few hundred construction workers and road workers to facilitate it. In speaking on this motion, I do not share Ms Pennicuik's sentiment that the grand prix is a bad event for the state, but if Ms Pennicuik is seeking information to help her determine otherwise, then I think that is fair enough.

The opposition's position in this area has been consistent, as it was in the government. We understand that the government has issues in regard to handing over cabinet-in-confidence documents as some of these are commercial documents. I am a person who likes to give people a go, but I must say that this government has been in office for just over a year.

During the term of the former government, when I sat on the other side of the chamber, we had to endure the comments from the coalition MPs who were in opposition at that time about that government's secrecy, lack of transparency and failure in regard to the provision of freedom of information. We heard that a new Baillieu government would change all that, that it would be open and transparent, that document requests

would fly in, that FOI would be easier, and that it would all be easier to access and would not be a hassle.

I have to say that after a 12-month test period the situation has actually proved to be the opposite. Despite the commitments made by the Baillieu government in regard to freedom of information and access to important documents of interest to the public, any claims made by the coalition in opposition that all of this would be so much easier under a Baillieu government are just completely false.

We have an FOI situation where an employee of the Premier's office has the final say and where the flow of documents has been less than impressive. I accept that there are certain areas where the government required privileges — it has to have some privileges to get some fear-without-favour advice in regard to certain decisions that have to be made — and we have always made that point outside the chamber. However, I have to say that we are a quarter of the way through this government's term, and the open and transparent Baillieu government that we were told we would have is just a fallacy — it is a myth. It is not there now and we do not expect it to be there later. We are one-quarter of the way through and we are not holding our breath. We cannot hold our breath until halfway or three-quarters of the way through the term.

Mrs Petrovich — Go on!

Mr LEANE — I can actually breathe through my ears, so I will be all right! It is just not going to happen. We do not expect it to happen. It will be interesting to hear the contribution of government members on this motion, but we have been very underwhelmed by this new transparency we were all promised. At this point we do not expect to see it at all.

Mr O'DONOHUE (Eastern Victoria) — Thank you, President, for the opportunity to contribute to this debate and respond to notice of motion 178 moved by Ms Pennicuik. The issue of the production of documents relating to the grand prix is a matter that is very familiar to this chamber as a result of previous motions moved by Ms Pennicuik.

I have to start by responding to Mr Leane; I know he would be disappointed if I did not. Whilst Mr Leane was entertaining in his comments, he did not reflect the improvements that have been made by the Baillieu government in responding to freedom of information requests in this place or the way the government has been conducting itself in an open and transparent fashion more generally. The way documents have been provided in response to requests made through motions

moved in the house is instructive in regard to these matters. Ms Hartland moved a motion during the last sitting week regarding the Western Autistic School. As I understand it, that report was tabled this morning.

Ms Pennicuik has moved a motion today seeking further documents regarding the Australian Formula One Grand Prix. Whilst I note her comments about the need for more documents, it is also worth reflecting on the documents that have been released. I have obtained from the papers office copies of documents that have been released to Ms Pennicuik and to the house. They are voluminous and extensive, and they do, notwithstanding Ms Pennicuik's comments, address a number of substantive issues in regard to the operation of the grand prix. Ms Asher, the Minister for Tourism and Major Events, is to be congratulated.

To reflect on the comments made by Mr Leane about the importance of major events to the economy of Victoria, I agree with him that they are important. These events should not be pursued at any cost, but they are very important as contributors to the state of Victoria. Ms Asher recently released the attendance figures for the Tutankhamen exhibition, which was a fantastic success for Victoria. It was a great reflection on Melbourne as a destination, Victoria as a destination and of the management of these events by the Victorian government.

In that limited sense I endorse Mr Leane's comments, and I hope that his comments also reflect on the significant events that have been secured by this new government. Mr David Davis, the Leader of the Government in this place, responded to a question in question time today about a new conference that has been secured by this government. Such events are an important part of our economy, an important part of the diversity of our economic activity and they secure many jobs for Victorians. However, as I say, these things should not be secured at any cost; they have to make sense.

In a media release of 22 March Ms Asher said:

When the coalition left office in 1999 the cost of the Australian Formula One Grand Prix was \$3.2 million, but under Labor it blew out to \$49.2 million in 2010 ...

She goes on to say:

The coalition believes that it is important to assess the current economic impact of the event ...

In her contribution Ms Pennicuik spoke about the outcome of a report by Ernst and Young that was made public to the community. Ms Pennicuik offered a critique of that report. I am not an economist and I am

not in a position to assess the veracity of the critique by Economists at Large, but I do know that Ernst and Young is a reputable firm and no doubt the report that it has put together was prepared in a professional and diligent fashion. The point I am making is that there may be additional material that Ms Pennicuik seeks the government to release but in general the government has provided a significant amount of information. Ms Asher said publicly that an independent analysis of the grand prix would be conducted and released publicly, and that has happened.

The government is delivering and fulfilling the pledges it made before the election to be open and transparent. Here with me I have some of the documents, as I mentioned before, that have been released: the memorandum of understanding between Victoria Police and the Australian Grand Prix Corporation; the critical on-track incident response protocol for the 2010 Formula One Qantas Australian Grand Prix; the funding agreements between the state of Victoria and the Australian Grand Prix Corporation in relation to the funding of the Australian grands prix 2008 to 2010 and the Australian Motorcycle Grands Prix 2007 to 2011; documents relating to medical services between 2007 and 2010 for the grands prix; the on-track service agreement between Ambulance Victoria and the Australian Grand Prix Corporation, which goes into some quite significant detail; the transport services agreement between the director of public transport and the Australian Grand Prix Corporation; the agreement between the Australian Grand Prix Corporation and Bayside Health in respect of the Alfred and the Confederation of Australian Motor Sport Ltd in respect of the provision of medical services for the Foster's Australian Grand Prix; the licence agreement between Parks Victoria and the Australian Grand Prix Corporation to use part of Albert Park to carry out works; and the subsequent licence agreement between Parks Victoria and the Australian Grand Prix Corporation to use Albert Park to carry out works.

The government is responding to the motions moved by the house. It is providing significant documentation to Ms Pennicuik and the house in relation to this matter. It takes its responsibilities to be open and accountable very seriously, and on that basis the government will not oppose this motion. The government is happy to review the request by Ms Pennicuik and respond.

The ACTING PRESIDENT (Mr Ramsay) — I advise Ms Pennicuik that there is another speaker before her.

Ms CROZIER (Southern Metropolitan) — I am very pleased to rise to speak on Ms Pennicuik's notice

of motion 178. Like Ms Pennicuik, I represent the area where the grand prix is held — Southern Metropolitan Region — so it is very relevant for me to be standing here to speak on this motion. At the outset I commend my colleague Mr O'Donohue for his contribution, because as he has pointed out, since coming to government the Baillieu government has been open and transparent in a number of areas, and this is one of those areas in relation to documents that have been requested in the past that we have released.

Nevertheless, let us go back to this motion, which requests a number of documents and raises a number of aspects in relation to the Australian Grand Prix Corporation and the operation of the grand prix event. The motion requests the financial arrangements and contracts. Just to go back to the history of the grand prix, which was touched on briefly, it is relevant to make note of the event, because it is such a major event and has been a major event in this state for a number of years. It was brought to Victoria in the mid-1990s. The Kennett government had come to power in Victoria in 1993, following the Cain-Kirner years, and at that time Victoria was in a pretty tawdry state in relation to its financial aspects. I think the debt at that time was in excess of \$32 billion, and there was an ongoing budget deficit of significantly more than that.

Nevertheless it was seen as a real coup to be able to get such a major event at the time, and it did much to stimulate the major events here in this state. It did much for many industries associated with tourism, and even though I will acknowledge it caused some disruption to those residents within the vicinity of Albert Park, the whole development of Albert Park during the time of the grand prix has been a significant improvement to that whole parks precinct. Anybody who had been down to Albert Park before 1996, when the grand prix first came to Victoria, would see a significant change today in that parkland and the events that are carried out there. It is a wonderful precinct for all Victorians to be able to utilise.

The grand prix has done a lot for economic activity here in the state, as I said. It has contributed to attracting both interstate and international visitors. It showcases Melbourne in some of its very finest forms, and anyone who has seen those international pictures of Melbourne should be very proud of our city and our state. The flow-on benefits that that economic activity has contributed to the Victorian economy have been significant over many years, and what it has done to local and city cafes, restaurants, accommodation and the retail sector has been very significant.

There is no doubt that major events have an important impact on Victoria and that it is very important to maintain that no. 1 position in Australia. I do not think any members in the chamber would dispute that fact. Nevertheless I think there was a turnover of approximately \$1.4 billion, and over 230 000 international visitors were attracted by various major events around the state in the last year. The Formula One Australian Grand Prix is just one of those major events, and of course there are many others, like the various art exhibitions, including the Tutankhamen exhibition, which was highly successful, and the major sporting events that are undertaken in this state. They are all significant major events, and they provide significant social and cultural benefits for all Victorians.

Ms Pennicuik referred to a report that was commissioned by the minister and undertaken by Ernst and Young earlier this year, and that report talked about the positive economic impacts on the state. Mr O'Donohue clearly laid out some of those aspects in relation to the report, as did Ms Pennicuik in her contribution. In saying that, the report acknowledges that some aspects are commercial in confidence. As is well recognised in commercial dealings, some aspects of contractual arrangements are commercial in confidence. This has been acknowledged by the Auditor-General, and the Greens should not be surprised that commercial arrangements are usually conducted in this manner. They are significant and common business dealings, so the commercial-in-confidence aspects are not untoward.

Ms Pennicuik's motion goes to the documents that have been released, and a number of documents have been provided. Earlier this year the Clerk laid on the table a letter from the Minister for Tourism and Major Events that was received on 30 June 2011. The letter says:

I also refer to two letters dated 21 March 2011 and 24 May 2011 respectively from the Attorney-General, and my letter to you dated 14 June 2011, regarding the above matter.

I confirm that, save for with respect to cabinet documents, the government has arranged for relevant departments and agencies to identify documents in relation to the Legislative Council's resolution.

A number of letters have been written by the Attorney-General and the Minister for Tourism and Major Events. The letter further states:

Following ... diligent searches 12 documents were located.

Ten of those documents were provided. The letter also advises:

... some of the documents sought contain sensitive financial and commercial information.

I have explained why that is so. Like Mr O'Donohue, I have copies of a number of the documents that have been released. The Clerk laid on the table the following documents in accordance with the Council's resolution of 2 March: an agreement between the Australian Grand Prix Corporation, Bayside Health in respect of the Alfred and the Confederation of Australian Motor Sport Ltd; the transport services agreement between the director of public transport and the Australian Grand Prix Corporation; an agreement between the Australian Grand Prix Corporation and Ambulance Victoria in relation to emergency management; a number of documents in relation to the on-track services agreement; further documents from Bayside Health in respect of medical services at the Formula One event; a funding agreement between the state of Victoria, as represented by the then Department for Victorian Communities, and the Australian Grand Prix Corporation; a memorandum of understanding with Victoria Police regarding access to the Australian Grand Prix Corporation's closed-circuit television system; the critical on-track incident response protocol for the grand prix; and Parks Victoria licences 160 and 161 to use part of Albert Park to carry out works.

A number of documents have been released in relation to this request, which goes to what this government is doing — it is prepared to release documents. As Mr O'Donohue highlighted, we did so in response to a motion that came before this chamber in the last sitting week. The government will not be opposing the motion.

Ms PENNICUIK (Southern Metropolitan) — I apologise to Ms Crozier for nearly pre-empting her contribution, but we are accustomed to having just one speaker from each side on a production of documents motion. I thank Mr Leane, Mr O'Donohue and Ms Crozier for their contributions, and I thank the government for not opposing the motion. I acknowledge that the report Ms Hartland asked for in the last sitting week appeared this week, and I acknowledge that documents I have called for in the past regarding, for example, alpine grazing and the sentencing survey — interestingly this week there were some developments regarding that survey — have been supplied to me. However, we have struggled to get the full complement of documents I have asked for with regard to the Australian grand prix event.

Mr O'Donohue was correct in his description of the documents that have been supplied to me as 'voluminous and extensive'. I agree with that, and I have had the pleasure of wading through those documents. I will not repeat what they are. They are mainly operational documents between agencies and

departments of government and the Australian Grand Prix Corporation, and they are interesting in that they outline the amount of work that needs to be done by many government agencies and departments in support of the grand prix. Unfortunately none of the documents go to how much it costs the taxpayer through the activities of those government departments, including the police, ambulance services, Bayside Health, the Department of Transport and Parks Victoria. How much does it cost the taxpayer for those departments to operationally support the conduct of the grand prix in March every year?

The Parks Victoria licence documents that were provided to me outline the licence agreement but do not outline the fee paid by the Australian Grand Prix Corporation to Parks Victoria for the use of Albert Park, which I specifically asked for in my previous production of documents motion, which the Council supported. The crux of the information I am trying to get has not been supplied. However, I do find the documents that have been supplied to me useful and quite enlightening as to the amount of work done by various government agencies and departments.

In her contribution Ms Crozier said that the grand prix has been and continues to be a major event in Victoria, but in fact it is a diminishing event. Attendance at the grand prix has been falling, particularly over the last 10 years. The amount of taxpayers money going into the grand prix has risen, as Mr O'Donohue mentioned, from \$3.2 million in 1999 to \$49.2 million in 2009. It appears that it has to be propped up more and more by taxpayers money, but we do not know how much money is paid out of those government departments. I would like that information, and I have requested it in my motion. We do not know the fee paid to Parks Victoria, and we do not know the fee paid to Bernie Ecclestone. That is the holy grail that everyone wants to know, and it should be public information. Taxpayers money has been paid to Mr Ecclestone, and that information has been asked for by members of the public. This is the sort of information my motion goes to. While I have received some documents, I have not received the critical information I am after.

Ms Crozier talked about the great economic impact of major events. I agree that our arts and cultural events are fantastic, and many of our sporting events are too, but I do not believe the grand prix is in that category. She talked about the economic impact, and I refer to the critique of the report. Ms Crozier said it was called for by Ernst and Young, but actually it was called for by Tourism Victoria and conducted by Ernst and Young.

I am not casting aspersions on Ernst and Young, because I do not think Ernst and Young was asked to do the right thing. The company was asked to do an economic impact analysis and not a cost-benefit analysis, and that is the whole point that Ms Crozier glossed over. She said there has been an economic impact analysis showing that there is an economic impact that is of benefit to Victorians. That has not been shown at all. The analysis by the Auditor-General back in 2007 and that by Economists at Large just last month showed that. As the Economists at Large report says:

Clearly what is required to assess net benefits to Victorians is cost-benefit analysis. However, Tourism Victoria seems not to understand this, claiming that:

The economic value of major events can be measured using direct expenditure, input-output modelling, computable general equilibrium (CGE) modelling and/or cost-benefit analysis. (p. 7)

This is misleading. The best tool for economic decision making is cost-benefit analysis. This is the opinion of virtually the entire economics profession, see for example (Dobes and Bennett 2009; Ergas 2009; Abelson 2011) and many others, including Tourism Victoria's own consultants, Ernst and Young (2011):

To understand whether the grand prix delivers net welfare improvements to Victoria, a full cost-benefit analysis would need to be prepared. (p. 55)

That is the point; we have never had a proper cost-benefit analysis.

Lastly, Ms Crozier said the grand prix is of benefit to local cafes et cetera. Many local businesses certainly do not have that view. In fact their view is that the grand prix weekend has a negative impact on their businesses because most people stay on track and do not go to local cafes et cetera. Many local residents leave the area, which is well documented. The grand prix is not a winner for the local community.

I thank the government for not opposing the motion. I look forward to the government's review — as Mr O'Donohue put it — of my motion. I look forward to receiving the actual guts of the documents I am after.

Motion agreed to.

VICTORIAN FAMILIES STATEMENT

Debate resumed from 23 November; motion of Mr LENDERS (Southern Metropolitan):

That this house —

- (1) notes the Baillieu-Ryan government's failure to conclude parliamentary debate on its much hyped 2011 Victorian families statement;

- (2) expresses concern that the Baillieu-Ryan government has now had a year to fulfil the promise contained in the statement but has not kept true to the spirit of the statement, nor respected it in its budget or its administrative decisions, which has hurt many Victorian families; and
- (3) calls on the Baillieu-Ryan government to immediately cease its regime of harsh funding cuts impacting on Victorian families.

Mr LEANE (Eastern Metropolitan) — I rise to support the motion that was moved in the last sitting week by Mr Lenders concerning the Victorian families statement and the effect of funding cuts on families. The funding cuts are a huge concern, but I will start with the Victorian families statement and its meaning. I wonder about the idea of the statement being for Victorian families and being about how they will thrive or how they will cope in Victoria under a certain government.

There are not many people who do not consider themselves to be part of a family. There was a debate at the Labor Party conference about what a marriage should be. Sometimes I wonder what we determine a family to be. I hate to think that individuals who do not consider themselves to be part of a family unit would feel that they are left out of the sentiment of this particular document. I am sure that is not the intention of the government, but sometimes I think we are a bit vague in the way we bandy around the term ‘family’.

When John Brumby was Premier he was ridiculed by the Liberal-Nationals coalition for making a statement of government intentions at the start of every year. In the statement he would outline the legislative program that the government intended to deliver in that year. It was derided by the then opposition as being similar to the State of the Union address in the US, and the Premier was accused of being big-headed about it. But I think it was an honest approach to saying this is the legislation we intend to deliver. It opened up the Premier to criticism if he did not deliver every bit of the legislation he committed to.

To come out and say, ‘This is our goal and this is where we want to go’, was not a bad thing to do. I am not necessarily saying that this government making an annual Victorian families statement is a bad thing to do. If the document were clearer about the things the government is going to concentrate on and if it contained some facts and figures with respect to funding, then the process would be a good thing.

When I looked at the Victorian families statement I saw there was a commitment to — and forgive me if I do not get the terminology right — kitchen table meetings

with families about what concerns them. We could all probably hazard a guess that when speaking to families in that sort of situation there would be a lot of issues around a good education system, a good health system and, obviously, being safe. A lot of families and individuals do not want the government to intrude too much into their lives. They feel they should have some relative freedom if they are not doing harm to anyone else.

I think that where the families statement might have fallen down this year is with the cuts, as Mr Lenders mentioned. Cutting funding for VCAL (Victorian certificate of applied learning) coordinators was a harsh if not strange decision, taking into account that in some secondary schools VCAL is a good vehicle for some young people, and that what it is all about is for them to have a pathway to a career that does not necessarily involve having to attend a tertiary institution. Some promises that were made have not been delivered, including that families would have access to 100 more hospital beds within a year. I acknowledge that it would have been a good thing if they had been delivered. I am happy to concede that a number of other commitments would have been good things for families if they had been delivered, but unfortunately what was committed to in the families statement was not delivered.

I look forward to seeing if what the Premier tables next year is a statement that has some substance and actual goals. I look forward to those goals being achieved. If the statement is marked on delivery from the start of the year and we all agree on what the term ‘families’ means — I am not sure we do — I think that Victorian families might have been let down.

Mr O’DONOHUE (Eastern Victoria) — I am very pleased to speak on Mr Lenders’s motion on the 2011 Victorian Families Statement. I am very proud of the work that the government has done on that statement. The concept of and putting together the data for the families statement was a significant initiative when the government was in opposition. With the change of government, the 2011 statement was delivered.

Mr Leane touched on this, but it says something about the difference between the previous government and the current government, the difference between the focus of the statement of government intentions that the previous Premier, Mr Brumby, initiated and the families statement that this government has produced and will continue to produce annually. It has a focus on data, families and the impact and effects of government, the economy and other factors on communities in general and families in particular.

Mr Leane talked about what is a family. It prompted me to recall a dialogue with a constituent who wrote to the former Prime Minister, Mr Rudd, about the definition of a working family. After the exchange of several letters, my constituent received a concession from Mr Rudd's office that a working family could be virtually anyone. As Mr Leane said, most people would consider themselves to be part of a family group.

The families statement is a very good document because it sets the basis for the future, it gives a snapshot of what is current and it establishes benchmarks going forward. I know that this document has been used as the basis for a dialogue with families across Victoria throughout the course of 2011, which has been a very useful process and exercise. I congratulate the government on that very worthwhile process.

I acknowledge also the contribution made during the previous sitting week by Mrs Coote, the leader speaker for the government on this motion. She outlined in detail some of the steps the government has taken to assist with alleviating cost of living pressures, to deliver on election commitments and to improve the lives of Victorians. I will not repeat what she said, but I will mention just a couple of projects that I consider very important for my constituents.

First, the Officer special school was campaigned for prior to the election and the then shadow Minister for Education committed to funding it. The then government refused to make the same commitment. Since coming to government, a decision has been made to increase the investment for the establishment of the Officer special school. It will make a real difference to a lot of families in the south-east who currently have to put their children on buses on which they travel for up to 2 hours to attend special schools some significant distance from the region covering Berwick, Officer, Beaconsfield, Pakenham, Nar Nar Goon and Koo Wee Rup. The development of that school was funded in this year's budget and I know that it is progressing. Like many others in the south-east, I look forward to that school being constructed and opened. Similarly, the construction of the new Officer secondary college will make a real difference to the provision of education in the south-east. They are a couple of schools that will make a real difference to families in my electorate.

I want to reflect briefly also on the contributions of members of the opposition. As they correctly pointed out, we are one-quarter of the way through this term of government, being more than a year into this Parliament. Mr Lenders, a former Leader of the Government and now the Leader of the Opposition in

this place, moved this motion. The substance of his contribution as the lead speaker for the opposition in the debate was to defend the north-south pipeline and the desalination plant. Good on Mr Lenders and good on the previous government for their wasteful and disgraceful management of water policy in Victoria! The way the previous government dealt with the water problems is an absolute disgrace. For Mr Lenders, as the Leader of the Opposition, to come into this place after a year in opposition and do nothing more than mouth a defence of previous failed policies demonstrates how little vision opposition members have for the future and how little they have learnt from the mistakes they made while they were in government.

Mr Lenders and all other members of the opposition should reflect on the fact that we are one year into this term of Parliament. What have they put forward in motions in general business to improve the lives of Victorians? The answer is absolutely nothing. Reading between the lines of Mr Lenders's contribution, he wants more desalination plants. Having inflicted one on the Bass Coast, perhaps he would like to have one on the west coast as well. The lack of an agenda, the lack of policies and the lack of a forward-looking approach to the future from opposition members in trying to critique this families statement says much more about opposition members than about the government. Mr Lenders can defend the north-south pipeline and the desalination plant that he has saddled Victorians with for a generation, but I think most Victorians do not consider those two projects have assisted families in Victoria.

I am very pleased to speak in the debate on this motion. I am pleased also to reflect on some of the things that the government has done to reduce the cost of living, such as halving ambulance membership fees, extending electricity and water concessions so that they are year-round concessions, and some of the other steps that have been taken to improve the lives of Victorians.

It is worth noting also that here we are on general business day when, after a year in opposition, members of the opposition have the opportunity to put forward their plans, policies and agenda for the future. As Mr Leane said, we are more than a quarter of the way through this parliamentary term, and what do we have? We have a defence of the past and nothing for the future. It says a lot about opposition members, about the way that they are looking in the rear-vision mirror and not looking forward.

Ms MIKAKOS (Northern Metropolitan) — I rise to enthusiastically support Mr Lenders's motion. It is extraordinary that the opposition has had to raise the

issue of the Victorian families statement for debate in this house because the government is not interested in speaking about its own families statement. It was a nice glossy brochure when it came out. It has some lovely photos in it, but it is very light on detail. Since its release it has been forgotten by members of the government.

The opposition takes this opportunity today to remind members opposite of the existence of the families statement, of the fine rhetoric contained in the statement about the aspirations of the government in relation to services that Victorian families rely on. Clearly it has not put that rhetoric into practice. We have seen the government, in the state budget earlier this year and in successive policy announcements during the course of the year, fail to support the expectations of Victorian families, which would be disappointing for those families.

We are now at the end of the 12-month mark since the election of the Baillieu government. Mr O'Donohue, as the lead speaker for the government today, made an 8-minute contribution in which his defence, in summary, is that it has had only 12 months. Twelve months is a significant period for a government to move to deliver on the promises it made during the last election campaign. The Victorian public's expectation would be that it would move to deliver on those promises, and it just does not wash as a defence to say, 'We have had only 12 months'. The government went to the election making all sorts of promises about fixing the so-called problems it sought to identify during the campaign last year, but it has delivered a lot on rhetoric and very little in reality.

Victorian families deserve decent services from the state government — for example, they expect the state government to deliver an education system that will provide opportunities for their children. They expect the schools their children attend will have appropriate facilities and programs to support them, irrespective of their level of English proficiency or the financial background or income levels of their family. What we have seen from this government is a stripping of \$300 from the household budgets of 100 000 families by its slashing of the eligibility to the School Start bonus, something that flies in the face of the government's so-called commitment to address cost of living pressures. Apprenticeship fees have also been forced up by an extra \$200 per year.

In relation to the infrastructure that families expect the government to deliver to school students across the state, the former Labor government's \$1.9 billion Victorian schools plan has been axed. It committed to

fund every Victorian government school to be rebuilt, renovated or extended by 2016. That commitment the previous Labor government made would have seen schools supported irrespective of where the student lived. You have to live in a marginal seat in the eastern part of metropolitan Melbourne to get your school funded, because you certainly will not get your school funded if you live in Northern Metropolitan Region. The government went to the election with a list of election commitments in relation to schools which did not provide for a single school in my electorate to be rebuilt or modernised during this term of government. It is an absolute indictment of this government that it seeks to provide funding on the basis of where you are located in *Melway* rather than on the basis of need.

We have also seen that kind of pork-barrelling in other areas. For example, when it comes to railway crossings, the good burghers of Brighton get the benefit of a railway crossing even though their railway crossing is no. 223 on the Department of Transport's list, but my constituents in Northern Metropolitan Region will miss out on a railway crossing despite the fact that Bell Street, Coburg, and Bell Street, Preston, happen to be in the top 10 of the Department of Transport's list. It is an absolute indictment of the Baillieu government that it is seeking to deprive Victorian families of important infrastructure based on their geography.

Mr Elsbury — Absolute rubbish!

Ms MIKAKOS — It is absolute fact. Mr Elsbury needs to go back and check the coalition's election commitments and see for himself the pork-barrelling that occurred. That will also deprive his constituents, because the western suburbs fared very badly in the list of election commitments that his party made.

Hon. W. A. Lovell — Acting President, today is opposition business day but I note that opposition members fail to be here to support their speaker, and I draw your attention to the state of the house.

Quorum formed.

Ms MIKAKOS — I am pleased that members of the government have come into the house to listen to my contribution, because I hope they may learn a few things.

Hon. W. A. Lovell — Yet the opposition didn't!

Ms MIKAKOS — The members of the opposition are very well informed about the failures of this government to provide for Victorian families. It is time that members of the government took note of the

abysmal failures of Ms Lovell's government in its first 12 months of office.

I was saying that it is an absolute disgrace that this government has failed to provide essential programs and infrastructure in our education system. Labor has always regarded a good education system as the no. 1 priority of a state government. That was our no. 1 priority and it continues to be our no. 1 priority, and I am very proud of that fact.

What we have seen from the Baillieu government is, for example, the stripping of funding to the renowned Reading Recovery program, which I spoke about yesterday. That program helps young children who are struggling with literacy and numeracy skills to acquire those skills, and gives them an equal opportunity with every other child in the education system to be able to utilise their educational opportunities. We have seen schools in my electorate affected by cuts to this program. I raised the issue yesterday evening of Mill Park Heights Primary School. It has had to notify parents that it will be discontinuing this program because of cuts to the Department of Education and Early Childhood Development northern region office and the flow-on effects of that for that school.

I am sure there are many other schools that are similarly affected, because this Reading Recovery program has been very popular. It is popular in working-class suburbs, such as those in the northern and western suburbs, where there are a lot of migrant families with children who may well struggle to acquire English language literacy skills. They are families who deserve support. Minister Lovell gave an answer to a Dorothy Dixer in question time today when she was talking about supporting young children. She was happy to launch a brochure, but what about actually putting some dollars into programs like the Reading Recovery program that would enable children from those families to acquire literacy skills that they will need in life?

We have seen the absurd situation of cuts to the VCAL (Victorian certificate of applied learning) program, an extremely popular program that seeks to give young people of various backgrounds opportunities to pursue vocationally oriented education. Not everyone will be able to undertake the Victorian certificate of education program and go on to tertiary education. Some young people will prefer to undertake the VCAL program, which has proved to be extremely popular with the many thousands of students who have enrolled in it. We have seen \$48 million cut from the VCAL program, and people in many of my local schools are saying they will struggle to keep that program going.

What does it say about the priorities of this government that it is seeking to make such significant cuts to the education budget? Education has been stripped of \$481 million and has seen its capital works budget halved, cuts to literacy and numeracy programs and the scrapping of 200 teaching and learning coaches. They are all cuts that will impact on Victorian families. Many northern suburbs schools have been notified that they will miss out on completing their infrastructure projects. Many of those projects were under way during the term of the previous government, and those school communities are extremely disappointed by those cuts. In the north, for example, we had the cancelling of the Greensborough Secondary College upgrade and the stalling of building the new Doreen secondary college.

Mr Ondarchie — When you were in government how many times did you mention Greensborough Secondary College?

Ms MIKAKOS — What are we seeing from Mr Ondarchie? Last week he was going around with the minister, attending ribbon-cutting ceremonies for Labor projects. It is terrific that Mr Ondarchie has been tweeting about those wonderful Labor projects that will benefit our constituents in the northern suburbs.

Mr Ondarchie interjected.

Ms MIKAKOS — But how about you take your job seriously and advocate to your cabinet colleagues and your government the need — —

The ACTING PRESIDENT (Mr Ramsay) — Order! Ms Mikakos should address her remarks through the Chair.

Ms MIKAKOS — We are seeing a complete failure by the two members of the coalition who represent the Northern Metropolitan Region — Mr Ondarchie and Minister Guy — to take the case up to their colleagues in the Baillieu government and actually get some services and infrastructure for schools in the north and get support for Victorian families in the northern suburbs. There have also been no road upgrades delivered to the Assembly electorate of Yan Yean, which is a growing community.

We see the Minister for Planning, Mr Guy, talking about expanding the urban growth boundary and seeking to bring more families into the northern suburbs of Melbourne, but providing no corresponding support for infrastructure. We have had the cancellation of the bus service to Mernda, no extra trains on the Epping and Hurstbridge lines and no new money for bus services. Mr Ondarchie should hang his head in shame because he has been an abysmal failure for the

Victorian families who live in the northern suburbs of Melbourne.

The other issue I want to mention in relation to education is the important issue of early childhood education. We have seen an absolute failure by the Baillieu government to support families with very young children through the early education system. We have seen numerous cuts in this area and the axing of the Take a Break occasional child-care program, and I am sure this will excite Mr Drum and other members of the government because they are very sensitive to criticism around this issue. They seek to mislead the Victorian public on these issues.

An affected parent, Ms Vicki Weatherlake, posed a question to the Premier which was published in the *Sunday Age* a couple of weeks ago, asking the Premier why he would not reinstate funding for the Take a Break program. In an extraordinary response the Premier sought to ignore the fact that it was the previous Labor government that had saved the program and fully funded it in the previous financial year. Rather, the Premier spoke about how his government had stepped in to continue funding till the end of the year. Thank you very much, Premier, but what your decision in this year's budget actually means is that a number of centres have either wound up their occasional care programs or are in the process of doing so. A number of centres have advised their local communities that they will be discontinuing their occasional care programs, and some have already done so. These include The Basin Community House, Longbeach PLACE occasional child care, Chelsea Heights Community Centre, Mallacoota Kindergarten, Crib Point Community House and Baranduda Community Centre.

Mr Ondarchie — Did you visit them all?

Ms MIKAKOS — All of these communities have lost their occasional child-care programs.

Mr Ondarchie — So you didn't visit them all?

Ms MIKAKOS — You would be surprised at the number of centres I have visited and the number of families who have spoken to me about how appalled they are that this state government has sought to axe a program that supports 9000 families across Victoria. If the government were serious about supporting Victorian families and if this document actually had any value, the government would be supporting the Take a Break occasional child-care program. But the fact that it has decided to axe that program speaks volumes about its priorities. It says the government is

prepared to have families deprived of occasional child care and to have families make very difficult decisions just before Christmas about what arrangements they will make for their children next year — difficult decisions about whether mum is able to continue her part-time job and what arrangements they will make for parents to attend medical and other necessary appointments.

Mr Drum interjected.

Ms MIKAKOS — A number of farming families have contacted me expressing concerns about how they will have to spray chemicals on their farms whilst their young children are around. In the past they have used occasional child care to place their children out of harm's way when these important jobs were being undertaken on the farm.

Mr Drum — Sickening. You are a disgrace. Pick up the phone and ring — —

Ms MIKAKOS — You think I am sickening, Mr Drum — —

Mr Drum interjected.

The ACTING PRESIDENT (Mr Ramsay) — Order! Enough! Mr Drum should return to his place if he wishes to comment.

Ms MIKAKOS — Thank you, Acting President. I know this is a very sensitive issue for members of the government, that they are embarrassed by the fact that Minister Lovell continues to come into this chamber sitting week after sitting week to defend the indefensible — a \$1.9 million cut to a program that supports 9000 Victorian families in this state. She seeks to play politics with an issue that is so critical to Victorian families. If Mr Drum and members of the government are serious about supporting Victorian families, then I would urge them to do a rethink about this issue and to give Victorian families an early Christmas present by announcing to them before Parliament rises tomorrow that the government will reinstate this funding.

It is a drop in the ocean of the Victorian state budget. You know that, Acting President, I know that, and Victorian families know that. The minister could find those funds very easily from within her departmental budget. It does not need to go to a budget line item; it is such a small program. Minister Lovell could fix this if she wanted to. If she was prepared to concede that she got it wrong, she could fix this tomorrow, but I suspect that ego will get in the way of good policy and she will not be prepared to come in here and do so, and that will

be a huge disappointment to those families that I have identified in all of those centres that are either already closed or are closing just before Christmas.

A number of local councils have had to step in to save occasional child-care programs around Victoria, and I take this opportunity to congratulate Glen Eira City Council, Frankston City Council, Greater Shepparton City Council — in the minister's own electorate — the City of Port Phillip, Brimbank City Council and Moynay Shire Council, which have all been prepared to step in to fund occasional child care for their local communities to ensure that their families do not miss out. But then what do we see? We see cost shifting going on from the state government to local government, and ratepayers will have to pick up the bill for those centres to continue to operate.

Also in relation to Take a Break, a number of centres have already told their families that they will be increasing fees next year in response to the loss of state government funding. These centres include Yarralea Children's Centre, Wingate Avenue Community Centre, Berwick Neighbourhood Centre, Greenhills Neighbourhood Centre, Heidelberg Occasional Child Care Centre and Wallan Neighbourhood House Occasional Care. I know there will be many other centres that will be forced to increase their fees in order to keep the program going. So much for support for families with cost of living pressures, and of course as fees go up the corresponding outcome will be that more families will reluctantly pull their children out of these programs and the viability of these programs will be affected, so we will see next year and perhaps the year after more centres closing their programs because they will not be able to keep going as enrolments decline and fees go up.

In early childhood education we have seen other programs affected. I particularly want to focus on the cutting of the program that Labor had established which provided dedicated funding to children's centres. Many communities, particularly in the growth suburbs, had plans to build new children's centres to cater for their growing populations. In the city of Whittlesea, for example, the local council had plans to build additional children's centres, but it will have to do so with its own ratepayers funds because it will be next to impossible for the state government to be able to provide both expansions to existing kindergartens in anticipation of increases to kindergarten participation hours as well as funding for new children's centres being built, so many communities will miss out. They will miss out on kindergarten expansions, but they will also miss out on new children's centres being built.

Mr Ondarchie interjected.

Ms MIKAKOS — Victorian families will know who is responsible. They will know that Mr Ondarchie will be responsible for failing the families in the northern suburbs by failing to provide additional children's centres. We have had Minister Lovell putting out media releases claiming credit for children's centres that were in fact funded by the previous Labor government — something that she has obviously been very embarrassed about since then — in Whittlesea, in Moreland and in other communities where she has sought to claim credit.

At the end of the day the facts speak for themselves, and we have seen very little from this government in relation to early childhood education. We have seen cuts to other programs that supported kindergartens under the previous government. We provided free internet access. The department advised kindergartens earlier this year that they will now no longer be able to access the internet through VICNET, which is supported by the state library. Those kindergartens will have to go out and fundraise to keep the internet access going, and a one-off grant by the state government is not going to be enough to access an internet service provider, an IT help desk and all the other things that will be required as a result of this change. Some centres will need to change their email addresses and change their website addresses because of this change. That will be accompanied by additional costs for new stationery and new signage in order for them to comply with children's regulations.

We have also seen the Young Readers program cut — again galling when you think about the need to support literacy skills amongst young children. We had a program that distributed free books through maternal and child health services. That program has been cut as well — another loss to the literacy skills of our young people.

There are many services that Victorian families rely on other than education, and a decent health system is an essential component of that too, but what we are seeing at the moment is a health system in crisis, with nurses being forced to take industrial action to defend important nurse-patient ratios that have provided good quality care to Victorian families and to Victorian patients over the last few years. We have seen ambulance response times at record lows. We have seen blow-outs in elective surgery waiting times and also hospital emergency departments that are overcrowded and in crisis.

We have not seen one extra doctor, one extra nurse or one extra hospital bed, despite the fact that the Baillieu government went to the election promising hundreds of new hospital beds. It promised to deliver an extra 100 hospital beds this year, but we now have one more sitting day before this parliamentary year ends and I would not count on the health minister being able to deliver 100 hospital beds before the end of the year.

We will see almost \$500 million being slashed from the health sector over the next four years. In my electorate we saw a broken promise with the failure to deliver on a new Royal Victorian Eye and Ear Hospital, which the coalition had promised to deliver. We have also seen other promises that the government made which it has not delivered on. It promised a Monash Children's hospital for families in Melbourne's south-east, a Ballarat helipad and a fully funded second hospital for Geelong, as well as fully funded upgrades to Box Hill, Bendigo, Castlemaine and Seymour hospitals. All those Victorian families affected will be very disappointed that these promises have not been delivered to date.

Projects that Labor initiated were threatened. The Olivia Newton-John Cancer and Wellness Centre at the Austin Hospital is a very important project initiated by Labor, and it was only because there was a community outcry that the government in the end backed down and decided to fund that important project.

There are other health programs that support Victorian families. I would particularly like to highlight the Living Longer Living Stronger program that relates to senior Victorians. This is a strength-building program that assists elderly Victorians to deal with a lot of chronic conditions. It has helped many thousands of senior Victorians deal with conditions such as arthritis and osteoporosis, as well as providing for the positive mental health and wellbeing of those seniors. We have seen 17 000 older Victorians participate in this program. It is an excellent program, and when I have spoken to program participants they have spoken very highly of it.

However, in this year's state budget the government decided to axe funding to that program. I am relieved that the Council for the Ageing has been able to continue to administer this program with its own funding, but this is only a short-term measure to keep the program going. Unless the state government steps in, I believe the program is at risk. This is another example of the failure of the Baillieu government to support Victorian families, whether they are families with young children, whether they are families with teenage children or whether they are in fact

grandparents. We have seen many Victorian families extremely disappointed by this government.

Lastly, I want to turn to the issue of public transport because the Victorian families statement purports to talk about cost of living pressures. I have already mentioned a range of examples — there are many of them — of cuts to programs that have impacted on cost of living pressures. The one that takes the cake is yesterday's announcement of an 8.6 per cent increase in public transport fares across metropolitan and regional services from next year. This is the largest single increase in almost a decade. The Minister for Public Transport claimed that he agonised over that decision, yet he then turned around and blamed the previous government for it. I found it interesting that he could claim to agonise over the decision yet also claim that it was the fault of the previous minister. That was very interesting in terms of the psychology of the current public transport minister.

We have seen commuters being slugged with hundreds of dollars extra per year, putting the lie to the government's claim about addressing cost of living pressures. At the same time the government has scrapped many of the projects that would have improved our public transport system. We have seen premium station upgrades slashed. In my electorate alone Newmarket, Lalor, East Richmond and Northcote stations will miss out on planned upgrades.

Mr Ondarchie interjected.

Ms MIKAKOS — Mr Ondarchie would do well to listen, because these railway stations and communities are going to miss out on upgrades they would have received under the previous government. We have also seen the politicisation of safety issues in relation to level crossing upgrades. We have seen good, working-class areas in Northern Metropolitan Region miss out on level crossing upgrades so that Ms Asher can deliver on an election commitment to the people of Brighton in relation to a railway crossing that is ranked no. 223 on the list.

We have seen many disappointments. The Victorian families statement is full of rhetoric and promises about improved services for Victorian families. What we have seen from the Baillieu government over the last 12 months is very little other than rhetoric. We have seen many broken promises. We have seen many programs slashed, and the government has indicated that there are more to come.

Today we are pleased to come into this chamber and remind members of the government of the existence of

this Victorian families statement. If they are serious about the contents of this statement, then they need to lift their game. Their first 12 months have been an abysmal failure. They have been abysmal in terms of the failure to deliver on important services and programs on which Victorian families depend. What we are seeing here is the arrogance of members of the government who come in here and seek to defend a position that has seen their own constituents miss out time and again.

With those words, I commend the motion to the house.

Mr RAMSAY (Western Victoria) — I am happy to stand and make a contribution on this motion in relation to the Victorian families statement. I am not quite sure why I just listened to 36 minutes and 33 seconds of a total rant from Ms Mikakos about all the things that are wrong with the Victorian families statement. I have taken the trouble to read the statement; I am not sure that Ms Mikakos has. I think it is a fairly benign document and, as I understand it, a living document, so it is to be assessed and reviewed in 12 months. The document talks about the wellbeing of families.

We have spent nearly 5 hours of non-government business talking about a families statement that provides direction and support for families across Victoria. Here we have the opposition ranting and raving for nearly 3 or 4 hours of its time when it could be providing some guidance as to where it thinks the state of Victoria should go in the future. Instead it chooses to criticise a document that is here to support farming families across Victoria.

It is disgraceful that as a government member I have to stand up here and defend a statement that is all about supporting farming families. I find the whole thing ludicrous. Nevertheless, we are here and that is what I am doing — and I am happy to do that. I speak with some conviction. I am a family man. I have three children, and I have been through the trials and tribulations of a father in raising those three children.

I refer to a number of comments made by Ms Mikakos during the 36-odd minutes of bile, criticism and ranting, really, from what I can understand of what she said. What is wrong with a document that talks about the wellbeing of families as a priority for the coalition government? I cannot see anything wrong with that. That is basically what this statement says. What is wrong with the Baillieu government being proactive about releasing the statement to Parliament so we can all understand it and use it as a reference to provide a better life for farming families across Victoria? What is wrong with it being a living document so it is

challenged and updated over the 12-month period to provide some real and tangible benefits for farming families? And what is wrong with identifying the challenges of farming families living in Victoria and providing some solutions that will help those families in the future?

Ms Mikakos raised a number of issues, mainly related to schools and education. Typically, some time was spent on the Take a Break program, which we have discussed ad nauseam in this Parliament for — —

Ms Mikakos — So it's not important anymore?

Mr RAMSAY — It is important, and if the federal government funded that program like it used to instead of withdrawing funding, many families in Western Victoria Region would again enjoy having the opportunity to take a break from their onerous duties.

Ms Mikakos interjected.

Mr RAMSAY — Farming families, particularly rural farming families, Ms Mikakos, require that support and the opportunity to take a break from the many duties that particularly rural partners or mothers or fathers of young family members have to commit to over that journey. But sadly the federal government, for whatever reason, decided to renege on and cancel that funding, and obviously that has had a huge impact on families right across Victoria, but particularly rural families, where time is so poor. It is disappointing to hear time and again Ms Mikakos abdicating the responsibility of the federal government for that funding.

Having said that, I come from a generation that did not have take-a-break programs or the child-care assistance that is now available for families across Victoria. I come from a family with dual working parents who had to make their own time and their own provisions in providing support for their children. It should not be taken as granted that for forever and a day there will be ongoing support for farming families, particularly in relation to child care. But having said that, I see the importance of the Take a Break program and the urgency for the federal government to recommit to that program so the state can commit as it said it would do.

Ms Mikakos talked about costs, which is interesting, given that last year the little legacy of the previous government was a \$50-billion budget deficit. Unfortunately the Baillieu government, apart from having \$4.5 billion wiped off its GST share thanks to the Gillard government, now has to face a significantly large deficit, thanks to the Brumby government, but also a significant running down of infrastructure.

Ms Mikakos is big on schools and education, but an audit the Minister for Education has just conducted of schools across Victoria has shown a complete run-down of infrastructure in most schools. Certainly in my region the Birregurra Primary School, which is where my three children went, where I went and where my grandfather went, has been promised a replacement — a portable — for the last 10 years under the Bracks and Brumby governments rule, and we are still waiting. I am happy to see that it has been prioritised under the Baillieu government, so at least it will get some attention in the future. I also refer to the Kyneton Secondary College. Pleas from the community for an upgrade to the college fell on deaf ears during the Bracks and Brumby reign, but I am happy to say that after his latest inspection the new Minister for Education, Martin Dixon, is appreciative of the total neglect and running down of that school by the Labor government.

It is pleasing to see in the Victorian families statement — and again I am still at a loss as to why we are debating this again today — that significant support is being provided to families right across Victoria. There are the stamp duty cuts, there is the \$1 billion growth fund which will help families in regional Victoria, we have promised law and order with 1700 more police, and there is a \$2.5 billion increase in funding for health services and a \$98 million boost for child protection.

Ms Mikakos talked about funding costs across the board, yet in the May budget there is a \$1.2 billion package which has been clearly identified to support those families who are affected by cost of living pressures. She talked about increases in power. I find that equally extraordinary, given the running down of infrastructure after 11 years of Labor. The reason we are now incurring significant costs in electricity is that there has not been the investment in infrastructure over the 11-year reign of the previous government.

The reason we are facing significant water charges — and these are basic costs to farming families — is because of the costs and the legacy of some absolutely poor planning and investments by the Labor government in relation to water security. I identify the desalination plant and the \$2 million per day cost to farming families across Victoria for this white elephant down in Wonthaggi — without a drop of water even being provided.

I talk about the smart meters, for which now all farming families are having to bear the costs as part of their electricity costs. I talk about the myki card system and transport costs. Ms Mikakos referred to the increase in

public transport costs, but that is yet another legacy of the Brumby government, which was revealed in the budget estimates for this year and which the Victorian public is now having to endure.

I talk about the north–south pipeline. I talk about it with some authority, given that I was a previous president of the Victorian Farmers Federation. I remember well when Premier Steve Bracks came to me and said, ‘I’ve got this wonderful new idea for the modernisation of the food bowl. We are going to put \$1 billion into renewing the irrigation channels and reducing the loss and evaporation of water. We have the Goulburn fruit growers on side, but’ — and there was a but — ‘there will be a requirement to provide a third, or 75 gegalitres, of water to the Melbourne water system for that investment’.

We raised considerable concerns at that time. We said it would divide rural and regional communities across Victoria, particularly in those areas where the pipeline was supposed to travel, and also affect those who are users of the Goulburn system from where the water was to be taken. At that time we were promised that no decision would be made in relation to the north–south pipeline until there was support from farmers across Victoria and, as its leading advocate, the Victorian Farmers Federation. Even as Mr Bracks left that office and that meeting, an advertisement was being put together to show Steve Bracks in a helicopter buzzing all over the Murray-Darling Basin saying what a wonderful idea the north–south pipeline was, that they had fully consulted with farmers across Victoria and they had their agreement, what a great investment that billion dollars of infrastructure would be, and that they had the blessing of the federal government with its billion dollars as well. It was a \$2 billion project. There would be a \$700 million pipeline for which Melbourne water users would pay. There was a shared agreement between the environment and the irrigators — and all would be well.

As we sadly now know, this was a lie from the then Premier. It was a lie to me and a lie to farmers and families across Victoria, but the Labor government at that time was committed to this path. There had been no consideration for regional and rural farming families across the northern part of Victoria and also those in the south who had to carry some of the burden by having that pipeline laid on their properties.

Ms Mikakos talked about the school programs and mentioned some funding cuts to the Reading Recovery program. She talked about the Take a Break program, as she has done assiduously for the last six months — in fact that is all she has talked about — and again I

note the great legacy we inherited in relation to the run-down conditions in our schools. I gave a good example of a school in my own region which for 10 years was promised a new school building to replace the temporary one, which unfortunately was never delivered, and that had a significant impact.

The good news about the 2011 Victorian Families Statement is that it shows the government's commitment to ongoing investment to upgrade the infrastructure of the school system and to the school programs that provide a good return on investment. Again I am sad that I am having to defend what I thought was a good, healthy statement that makes sure that the community continually refers to the wellbeing of our families, which is of course the lifeblood of generational Victoria.

I could stand here for hours and go through some of the legacies that have impacted on regional Victoria and the families who live in regional Victoria and whom I represent, but perhaps it would be more constructive to identify some of the things that are going to be important to Victorian families in the future. I briefly talked about law and order, and the government has responded to that by providing 1700 new police across Victoria. The Premier has also responded by providing protective services officers on railway stations between 6.00 p.m. and 6.00 a.m. Safety has been a real concern for families who want to use the public transport system — in fact they are turning away from using public transport, particularly at night, for the very reason of safety. I think it is a great credit to the Baillieu government that it has responded to that concern.

In response to increases to the cost of living, particularly in relation to electricity, we have provided around \$445 million a year for concessions and we have also provided water concessions to help with increasing costs. This has benefited about 815 000 low-income families, which equates to more than 1.5 million Victorians. Its reach has been quite significant, and the benefit will be particularly significant to those families that are able to access those concessions. We have spent about half a billion dollars in stamp duty cuts for first home buyers, many of whom have young families and have been trying to get into an overheated property market. We are certainly now seeing the fruits of that investment with young families being able to move into new homes where otherwise they would not have been able to afford them.

We have put \$242 million into providing a 50 per cent subsidy for ambulance membership fees, reducing those fees from \$150 to \$75 for families. This is an

important protection for families, particularly if a member of the family unexpectedly becomes ill or requires the services of an ambulance, because without ambulance membership this comes at a huge cost. So this subsidy provides at least some security and comfort for families, as they are now able to afford the fees and obtain that cover.

As part of managing the legacy of a \$50 million-plus debt for Victoria — thanks to the previous Labor government — we are dealing with reducing spending growth. We do not have a lot of opportunities to sell public utilities, as the previous Kennett government did, and we do not have a lot of opportunity to increase taxes — in fact, my view is this government should be looking at decreasing taxes, particularly for small businesses, which are large employers across the state and support a lot of young families. If there were any way we could reduce the cost of business to employers enabling them to employ more, that would be good for the people of Victoria. Reducing spending growth is a good strategy which this government has employed, and we are also looking at reducing some of the tax imposts like the fire services levy and stamp duty. Obviously I will be encouraging the government to look at payroll tax and other taxes that impact on employers in the future.

In summarising, I think it is a bit rich of the opposition to be spending an inordinate amount of time on a statement — a living document — which clearly demonstrates that the government is committed to the wellbeing of families. It provides some guidance to the readers about the government's commitment to investing in and providing support to Victorian families. The government has a significant legacy to overcome — 11 years of Labor's ineptitude — in providing for Victorian families and in investing in infrastructure that will help support the raising of families.

I will conclude by saying I look forward to the government reviewing this document and making the necessary changes so that it can continually refocus on what is important to Victorian children and to the parents who have the responsibility of bringing them up.

The families statement is important for us at this time of year, being the Christmas period, because during this time many families come under pressure for a range of reasons. We have seen a significant increase in domestic violence and in respect towards elders and a significant decrease in education in our school system about what is right and wrong in regard to bringing up children and how they should behave. I say this on the

basis that the Drugs and Crime Prevention Committee of which I am chair is conducting an inquiry at the moment that has clearly identified a breakdown in the respect ethos of young people — that is, respect for elders, for parents and for the police and generally a lack of respect among young people for their own health and wellbeing.

Given that that seems to be a significant shift from where we were a generation ago, it is truly important that we have a document that reviews how young people are behaving, that identifies how we might be able to help address some of the issues that are fragmenting society and that highlights the importance of the government playing a leading role in providing direction to and investment in our young families in Victoria.

Ms PULFORD (Western Victoria) — I am pleased to rise to speak about the 2011 Victorian Families Statement as it is now only 19 days until Christmas. I have been waiting a while for this opportunity, and I am pleased to have it today.

As Mr Lenders's motion indicates, the government has failed to conclude parliamentary debate on the families statement it released earlier in the year. The statement was introduced and then lapsed from the business program, and there are a number of members who did not have the opportunity to speak on it at the time. The motion also expresses concern that the government has had a full year to meet the great promise that is evident in the families statement. The sentiments expressed in the statement are not reflected in the budget, and they are not reflected in a great number of the acts of the government on a day-to-day basis. The third paragraph of Mr Lenders's motion calls on the government to immediately cease its current harsh funding cut regime, which is having a very significant effect on Victorian families throughout Victoria, including in our rural communities. In his contribution Mr Ramsay talked mainly about farming families but also about families in our larger regional centres, in our suburbs and indeed in our urban areas in places like Melbourne and Geelong.

With this document the government has promised a great deal, and indeed the same is true of the Premier's remarks when he introduced this statement in the other place earlier in the year. At that time he spoke about many things, including measures and processes of executive government that would ensure that as the government developed new legislation it would consider the impact that each piece of legislation would have on families. Mr Ramsay described the statement as 'a living document'. The government has indicated

that the making of the families statement will be an annual occasion. The 2012 families statement will include benchmarks that will help the government understand how families are faring. The 2011 statement talks about an extensive process of consultation about what families need and want from government. Again, it is a year down the track, and if the government is doing that, it is doing it in a pretty low-key, below-the-radar sort of way.

When we were in government we were often accused of having a good line in spin and of producing a good government glossy document, but the families statement takes the cake. Earlier speakers have indicated that the statement is comprised of very general statements without targets. However, I look forward to seeing the 2012 statement, because I believe we can expect much more tangible targets and things against which the government will seek to have its delivery of services to Victorian families measured. Hopefully that will live up to the spin.

There are a number of things the government has done in its first 12 months that have had a detrimental impact on Victorian families. In the area of public sector wages, we have had a promise from the government that school teachers would be the best paid in the commonwealth. This promise was swiftly broken. Nurses are protesting and taking industrial action —

Mr Drum — Lawful.

Ms PULFORD — They are taking lawful industrial action and working their way through negotiation process, and they are defending the line on split shifts — a proposition that the government will argue for in negotiations with nurses. I met with nurses in Hamilton, many of whom have a long way to travel to work, and many of them have told me that split shifts would have a devastating consequence on their working day. The other thing that the nurses are holding the line on is in regard to nurse-to-patient ratios. There was a group of people protesting outside the front of Parliament House today about conditions at mental health facilities and the quality and standard of mental health services in Victoria. Indeed those people are also seeking better remuneration, but a very important part of their campaign is about improving mental health services and securing greater funds for mental health services in Victoria.

Last week we had an extensive debate about the government's failure to fully commit to funding the outcomes of the equal pay test case for Victoria. I believe that yesterday, or perhaps even today, final submissions are being presented on that matter. We will

have the answer sooner rather than later to what the actual cost will be of the equal pay test case for Victoria, and I would remind Minister Wooldridge, the Minister for Community Services, that she did promise before the election that the government would fund that. Why do I talk about public sector wages? It is because in many Victorian families the income earner is affected by these matters. These questions about job security, job standards and things like split shifts are very important for the families of the people working in those sectors.

As previous speakers have indicated, there have been funding cuts to domestic violence services and to the Take a Break program. I know Ms Mikakos is a very passionate defender of the Take a Break program. Previous speakers have also mentioned Take a Break, but it is a — —

Honourable members interjecting.

Ms PULFORD — We are a bit sensitive about Take a Break, are we, team? Can I just respond, though?

Mr Finn — Tell us about the carbon tax while you're are at it.

Ms PULFORD — I do not believe we are time limited on a Wednesday, are we? Let us see if we don't get to that before I run out of steam.

With regard to Take a Break, just to set the record straight, the Australian government increased funding to early childhood education and care to the tune of \$20 billion over four years. This is a significant investment, and it is part of a reform and a rebalancing of responsibilities between the commonwealth and state and territory governments in the area of early childhood development. As part of that, the occasional care component was \$1.1 million, so Victoria will receive a share of \$20 billion. The Victorian government will receive \$210.6 million for kindergartens over the next five years, which is an area in which the commonwealth government previously had no responsibility whatsoever.

I know Ms Lovell tried to hold the line on the Take a Break program, but Victorian families, including many in my electorate, are not fooled, because there is significant additional funding from the state going into early childhood development. Part of that shifts the responsibility for occasional child-care funding to the state. It is important not to forget the \$20 billion over four years from the commonwealth when talking about Take a Break, and I would remind government members of that.

More examples of government decisions around funding commitments that impact on Victorian families are the decisions around TAFE fees and the apprenticeship bonus for younger students — so students at the other end of the spectrum. The School Start bonus for preps and year 7 students was cut by the Baillieu government, so I would invite the next government speaker to indicate how that helps Victorian families, because I know that that cut comes at a time of great expense for Victorian families. That bonus was a payment in recognition of the significant expense faced by families with prep and year 7 students — a new school, new uniforms, school book costs and school shoes. The School Start bonus was never designed to completely eliminate all the costs for families at the start of a school year, but for that first year — year 7 and prep — when there is a much more significant outlay, it was an important and well-targeted helping hand that the Baillieu government thought Victorian families would not miss and could do without.

Those of you who know four-and-a-half and five-year-olds will know that they are getting into their school uniforms already, because it is December and that is what people who are going to prep next year do. They are running around, very excited about the commencement of their formal schooling. It is a very exciting time.

Ms Mikakos interjected.

Ms PULFORD — You have nieces and nephews?

Ms Mikakos — I have a nephew.

Ms PULFORD — Ms Mikakos has a nephew who is running around in school uniform and is very excited. I certainly know people through my own school community and other networks who have excited almost-prep students. They are the families who are impacted on by those funding cuts.

In education more broadly Labor had committed to rebuild or modernise every single school in the state. We were about halfway through that project when the current government was elected. Schools that had not been part of the Building Futures program had every reasonable expectation that if we were re-elected, they would be included in the second 5 years of that 10-year program. There are now many schools in Victoria that have been very disappointed to learn that the government will not be matching that commitment and that their school facilities will not be upgraded.

The government is throwing around a bit of school maintenance money here and there, but that is a

devastating blow for the schools that had an expectation and were significantly advanced in their master planning. When government members talk about what is best for families clearly that does not include people who are being educated by the state, that does not include the almost-preps, that does not include the apprentices and that does not appear to include the people in between.

There are of course numerous other examples of the government failing to plan for the future of Victorian families. In the area of regional development, people who care about this — and I note that Mr Drum is in the chamber —

Mr Leane interjected.

Ms PULFORD — Thank you, Mr Leane, for the unnecessary distraction. In our regional communities the pace of investment has noticeably slowed in the last 12 months. The government had allocated \$500 million of its \$1 billion fund, and expectations are very high that the momentum in regional Victorian communities will continue, but I hear significant concerns from my electorate. They are very real concerns, and the government needs to be supporting those all-important infrastructure projects that will enable job creation, because a job is basically the most important thing a family can have.

I look forward to next year's families statement. Our government had a statement of legislative intentions. At the start of the year we would come into the Parliament — this was over the last couple of years, when John Brumby was the Premier — and say, 'This is the legislative program; these are the things we will be working on'. We thought that was an important enhancement of democracy in Victoria. People would know what was coming, they could involve themselves in the consultations and lobby furiously on the issues. There would be a work plan set out for the year, and that was something the government could be measured by. When members opposite were in opposition they rubbished and ridiculed our statement of government intentions, and Mr Baillieu's answer to that —

Mr Finn — And we're still doing it!

Ms PULFORD — It is nice to see that not all of you have changed, Mr Finn. In response to the statement of government intentions Mr Baillieu has offered the families statement to Victoria. If the families statement in 2012 is an honest analysis of what has been done in the Baillieu government's first year, it will mention Take a Break, the slowing of the apprentice bonus, the slowing of investment in regional communities and the

brutal round of negotiations for public sector employees, many of whom live in and are part of families.

Honourable members interjecting.

Ms PULFORD — We can re prosecute the budget if members feel it is absolutely necessary — perhaps tomorrow. The government started off the families statement with a spectacular bit of spin. On the back page it indicates that next year's statement will include some tangible measures. If the Victorian families statement were backed up by a cabinet process in which every act of government, every piece of legislation and every budget decision was seen through the prism of how it impacts on families, then decisions like the Victorian certificate of applied learning coordinator funding cuts and massive cuts to the education budget would not be made. Perhaps in the next families statement the government will indicate whether this is a completely ineffective mechanism or whether in fact it does not have a mechanism at all, because both cannot be true.

I am pleased to have had the opportunity to debate the families statement today. I expect the responsibility to put this back on the agenda has fallen to the opposition because the government is somewhat embarrassed about failing to live up to its own lofty expectations as set out in the families statement document. I urge members to support Mr Lenders's motion and urge the government, as the motion indicates, to immediately cease its regime of harsh funding cuts that are impacting on Victorian families and particularly young people.

Mrs KRONBERG (Eastern Metropolitan) — I rise to speak against the motion put to the house by Mr Lenders on the 2011 Victorian Families Statement. It is interesting to note, in terms of a paucity of ideas, that a motion such as this brings home to us all how the Labor opposition is struggling for ideas. The antics at the Labor Party conference over the weekend are proof positive of its struggle for ideas, for connection to the community and for the support of families as we have known them for thousands of years. Opposition members come in here and talk about families after recasting what families are all about. I find that breathtaking.

To come into this place with such a threadbare argument further highlights and underpins the government's argument that the Labor opposition is a pale shadow. It shows how many participants in the former government were propped up and provided with incredible support not only in ideas but in techniques,

tactics, strategy, policy, how to deliver ideas and even how to speak in this place. Now that they are not in government and do not have the support systems that government offers, what do we see? A pale shadow and a pale imitation of members of Parliament. They sound like dried-out husks to me, and they certainly need the Christmas break.

Ms Mikakos interjected.

The ACTING PRESIDENT (Ms Crozier) — Order! Ms Mikakos!

Mrs KRONBERG — We need to remind the state opposition that the wellbeing of Victorians is not solely its domain and concern; the coalition government cares about Victorians, as enunciated in the Victorian families statement delivered earlier this year.

When the coalition was in opposition we pledged to provide an annual statement as a result of our dialogue with families, our investigation, our consultation, our intelligence gathering and all the things that come to us and help us make sensible and prudent decisions — not whimsical decisions — that will be of direct benefit to Victorian families. Today we have heard a lot of bleating from opposition members about how we did not continue their programs when we came to government. They have used language such as, ‘People had expectations that the incoming government would continue our programs’. If it was not in our suite of policy offerings and pledges, why would that assumption have prevailed? It is completely misleading and a fraud. Now they are harping and carping that we should keep their pledges, promises and programs. What for? They were seen to be wasteful, incredibly extravagant and falling far short of the mark far too often.

It is important to recognise that the Victorian families statement is an ongoing discussion. It has a dynamism to it. We will continue to examine what is important, what is needed and what progress is being achieved in the state in our delivery to families. It is not a static document, and we pledge to update it every year. It is a bit of a shock to the opposition to acclimatise to the fact that we are delivering things in a factual and unemotional way that shows a workmanlike, prudent, careful, well-thought-out and professional approach to providing the best value for the running of this state, with taxpayers dollars best deployed through programs that serve Victorian families and communities. It is spin free, and opposition members do not recognise the language. It is the bald facts, without spin, of the things that are currently being delivered and will be delivered

in the future, and opposition members do not recognise the language.

The challenges for the future and the progress being made in addressing the issues will be fundamental to the structure of families statements in the future. The issues that are important to recognise will guide the decision making of the coalition government. It is important to stress that proposals presented to cabinet are derived from gathering information and underpinned by advice about the impacts on and benefits for Victorian families.

A few people in the chamber today will agree that the motion moved by Mr Lenders reflects poorly on opposition members and is an example of them struggling for relevance. Perhaps they are suffering quite acutely from relevance deprivation as we wind down to the end of the year. They are out of ideas and not really here. Few members of the opposition have been in the chamber today, and they keep weaving into the debate all sorts of things that have no bearing and no relevance at all. The truth will come out, and I will make some points that are factual.

The government set out what it proposes to do for Victorian families in this year’s budget, which is the right and proper place. The general intentions are set out in the families statement, and the hard-nosed items for delivery are set out in the budget. It seems the opposition has forgotten this. In this year’s budget the coalition provided a 17.5 per cent year-round electricity concession.

The cuts to stamp duty are important for families that need to set out now to secure a home within their reach in which they can have a family and allow their children to grow and flourish. Those families will be served by important elements of infrastructure and services to ensure that they flourish and are not impacted upon by all sorts of social pressures. The reality of providing relief for people who are seeking to buy their home has been manifest by the cut to stamp duty delivered by the coalition government.

Importantly for families in rural and regional Victoria, the \$1 billion Regional Growth Fund is already directly assisting rural and regional communities and the families that make up those communities. There are myriad examples of how that fund is being taken up right away. As we speak, that money is being deployed, needs are being addressed and suffering is being alleviated.

A lot of the information that came to me during the time I was in opposition were concerns from families,

young women and older women who were fearful of travelling in this state, of being alone in their own homes and even of would happen to them if they walked through their neighbourhoods in the dark. Central to the sense of wellbeing and belonging in this state is our pledge of 1700 extra police to buttress our reform agenda and deal with the frighteningly high levels of criminal activity, conduct and violence that prevailed under the Brumby Labor government. I say shame to the members of the Victorian opposition because they are still not recognising what a terrible legacy they left by way of violence and fear in this state.

Mr Finn — They should apologise.

Mrs KRONBERG — They should apologise, Mr Finn; they were totally inept over a sustained period of time. They were wrapped in denial and are obviously still in the foetal position as those conditions dawn on them.

Our funding increase for health services amounts to \$2.5 billion, because access to health services is a key priority for Victorian families. The coalition has provided a \$98 million boost in the area of child protection, which will support vulnerable families and children at risk.

We can look back over the history and the record of how inept the former Minister for Community Services was and how much suffering was inflicted on families who needed support services and on children who needed protection — the children who were battered, bruised, raped and left mental wrecks and some who actually died through neglect. I think about the role of the Minister for Community Services, the Honourable Mary Wooldridge, and her work. I often think of her and her work in my prayers. Through prudent administration and careful deployment of taxpayers money she is setting out to overhaul systems, practices and assumptions to save the lives of little children in this state. I still find it incredibly moving. God bless Mary Wooldridge in her work to save the children of Victoria.

I am not surprised by this, but the motion has ignored the fact that in a wide range of areas the coalition has actually invested additional resources. In trying to come up with an argument — and we all know it has been a very threadbare argument — the opposition has completely ignored the fact that we have provided significant additional resources. It is tragic and pathetic. There was a \$1.2 billion package in the May budget to ease cost of living pressures on Victorian families. We saw no mention of that in any of the arguments from

the opposition as it sought to whinge and carp over the fact that, even though it was not in our program of pledges and election promises, the expectation of the opposition was that we would continue its programs.

It is interesting to hear the bleating of opposition members over the Take a Break program. All anybody who attended the ALP conference in Sydney over the weekend — and I am not sure whether members of the opposition did — needed to do was sidle up to the Prime Minister and say, ‘Will you resume that funding, Julia Gillard?’. Opposition members might find that a challenging prospect. The woman surrounds herself with hyperbole — or as she calls it, ‘hyperbowl’. A remedial English language class for the Prime Minister would be a good thing.

In addition to the \$1.2 billion package for relieving the cost of living pressures on Victorian families, the budget contained an additional — opposition members please note — \$445 million for year-round electricity and water concessions that will help the budgets of Victorian families keep pace with the pressures of increasing costs.

If the Labor opposition has any real care for Victorian families, I want to hear what it said in lobbying the federal government on behalf of Victorian families to stop the madness of implementing the carbon tax. The carbon tax will be a crushing burden that percolates through every aspect of industry, endeavour and distribution and every form of service delivery. It will percolate through every layer of activity in this country and this state. That will be a crushing burden going forward which will be borne by Victorian families. There was not a whisper, not even a wisp, of information about the concern of opposition members, their consternation or what they actually did — in a spirited or limp-wristed way — to defend Victorian families on that very thing. What are they on about?

The \$450 million for year-round electricity and water concessions will mean that 815 000 low-income families will benefit from that funding tranche. That pledge equates to concessions flowing directly to 1.5 million Victorians. I am so proud of the coalition government because of what it delivered in the May budget, in spite of the fact that government members are still dealing with the burden of the disgraceful and sustained cost overruns on everything the former government set out to undertake or build.

The stamp duty reductions of \$500 million alone directly benefit first home buyers, pensioners and farmers. Ambulance membership fees have been halved because the coalition government has provided

\$242 million to reduce fees for Victorian families from \$150 to \$75. This is a stunning initiative. This brings ambulance transport within the reach of so many people when they need it.

Keeping the Victorian economy strong is critical to the welfare and wellbeing of families. The coalition government is attracting and will continue to attract people who will create jobs and who will come here and invest and feel comfortable about investing and see that this is a place for long-term investment. The Baillieu government intends to deliver a surplus of a minimum of \$100 million along with a reduction in spending growth amounting to 3.2 per cent. The term 'reduction in spending growth' is alien to members of the Labor opposition. They probably do not understand what it means. It means more prudent use of the taxpayer dollar. It is a pledge to do things more effectively and efficiently and not to go on compounding the problem with obscene cost overruns and no value for money.

In addition, the Baillieu government has introduced education and employment initiatives which even opposition members should agree are critical to the prosperity of Victorian families and their future security. Members of the coalition government will continue to listen to the people of Victoria and work to the very best of our ability to deliver the very best for Victorian families. We will continue to respond, and this will be borne out in the 2012 Victorian families statement.

Having talked about what the government has done, I would like to focus on what the former government did or did not do and whether it was asleep on its watch. It goes like this: this is a tale of a tragic 11 years of Labor government in this state. We know that Labor generally, whether it is the government in this state, any other state or federally, has a reputation for squandering taxpayers money. This has been confirmed by independent watchdogs, and now we have the revelation that \$4 billion was wasted by the previous Labor government. Labor's waste, incompetence and mismanagement — terms that members opposite heard government members use right throughout our time in opposition — mean that money that could have been spent on trains, hospitals, police, teachers and child protection workers has been wasted on budget blow-outs and cost overruns.

Having had a background in business before coming here, as I have said before in this chamber, I knew people who were well trained to do what was called a snow job on the previous government. In terms of government relations, purveyors of goods and services

and ideas knew that the Bracks and Brumby Labor governments were easy to snow. People out there in the business community came here and they knew that they could get those governments to sign up for anything and to sign all sorts of things away, that the members of those governments did not know how to ask about or to interpret what was coming to them, that they were all at sea. It goes to the make-up of the Labor Party, because its members have no understanding of commercial realities or prudence.

That is the legacy that the coalition government is left with and has to adroitly address — and its members will. I should imagine that there will be pain as we accommodate the excesses of the former Labor government. One of the things that I used to talk about a lot, because my original background is in the information technology industry and I saw all those systems overhaul projects that were going on under the former government, was that that government was being set up for exploitative tactics. Often it had to rely on third-party advice to know how to ask the right questions.

I will refer to the figures of the legacy that the government is left with — that is, what amounts to waste and budget blow-outs on particular projects. For the client relationship information system for service providers program the budget blow-out was \$47 million. The HealthSMART system cost blow-out was \$243 million. That was not the cost of the project; that was the blow-out. There was a nearly one-quarter of a billion dollars cost blow-out on the HealthSMART system. The housing integrated information program had a \$30 million cost blow-out. HR Assist had a \$23.7 million cost blow-out. That was one of the great disgraces of the previous government, because that system went on for a long time. It had many versions, and it was a classic snow job. The integrated courts management system had a \$21 million cost blow-out.

The next phrase will upset my colleague Mr Finn, who is sitting behind me, but I have to use it. It is the LINK police database. The cost overrun for the LINK police database was \$59.48 million. I do not know whether we need cold compresses or draughts of brandy, but I have to use another word. Are my colleagues ready? I have to use the word 'myki'. I am sorry, but the word 'myki' is used against the categorisation —

Honourable members interjecting.

Mrs KRONBERG — Those are the cost overruns that created the black holes for which the former government used taxpayers money. It has gone to the purveyors of the goods and services because opposition

members could not run a project to save themselves. The myki system cost overrun was \$350 million. There was no surefootedness in the issuing and auctioning of poker machine licences. Now this is a crawl-under-the-rock and go-into-the-foetal-position number. The money that was forgone by the Brumby government with those licences amounted to \$3.12 billion. The property and laboratory management system had a \$5 million overrun; the registration and licensing project had a \$52 million overrun; the ultranet project had a \$38 million overrun; and the West Gate Bridge strengthening project had a \$86 million overrun. That amounts to a total of waste and blow-outs of \$4075 million, or \$4.075 billion — —

Mr Ondarchie — Of taxpayers money.

Mrs KRONBERG — Some \$4 billion of taxpayers money went through to the keeper. The opposition, with its threadbare motion, has the temerity, with the foreknowledge of that scandalous waste, to actually say, ‘You are not continuing with some of our whimsical programs, and we are going to whinge, harp and carp about it’. The same members when in government allowed that amount of money to go through to the keeper. Shame! It is time for those members to go into rehabilitation. I hope those members use the Christmas recess to great effect and learn what they should do in opposition. They should also contemplate what they did in government when in charge of taxpayers dollars, because their history has all been a disgrace and an embarrassment. We will all understand if those members do not seek preselection for the upcoming election because that was a disgraceful performance.

It will be no surprise to members in the chamber if I say now that there is no way I could support the motion moved by Mr Lenders, but I rejoice in the fact that it has given us the opportunity to put on the record and lay out what we have done in terms of the prudent use of taxpayers money, what we are doing to directly assist families in this state and highlight what could have been done if the \$4 billion had not been squandered.

Business interrupted pursuant to standing orders.

STATEMENTS ON REPORTS AND PAPERS

Victorian Commission for Gambling Regulation: report 2010–11

Mr ELASMAR (Northern Metropolitan) — I rise to speak to the Victorian Commission for Gambling

Regulation report 2010–11. Firstly, I want to say, as we all know, gaming is a leisure industry. Like most leisure industries it has to be paid for. Most people understand this principle. Most people who indulge in a flutter at a casino or who go into a poker machine club know that nothing is free. The premises and the staff who work in these establishments have to be paid and it is normally by the punters or customers. The report highlights the commission’s key objectives and main achievements during 2010–11. I will expound on the implemented changes that have improved the gambling benefits for the players and some protective measures instituted to assist those people who are classified as problem gamblers.

A lady came to my electorate office last year to complain about the imposition of the \$400 daily limit from EFTPOS machines located in gaming clubs and pubs. This arose as a direct result of government and legislative intervention to minimise losses in any one 24-hour period. However, in recent discussions with this constituent she actually thanked me and said she had saved so much money by having to go home, once she had accessed her \$400 limit, thereby allowing her gambling fever to subside. Governments try to protect people from themselves, and then sometimes they are called a nanny state. Sometimes it can take a while before people understand and realise the benefits in legislative protective measures.

The gaming industry is known worldwide as a mecca for criminals within our society. When our gaming industry was first established in Victoria the dangers of encouraging and increasing illegal activity was very much in the forefront of the planners’ minds. Legislative protective measures were put in place to ensure that only reputable companies, clubs and individuals were allowed to operate a gaming establishment.

There are many community benefits other than government revenue to be gained from the gambling industry. Not-for-profit organisations, social clubs and RSLs are among the many beneficiaries. This industry has also allowed sporting associations to legitimately raise funds for junior sporting events. The Victorian Commission for Gambling Regulation also monitors those charitable organisations to ensure that the money raised is spent appropriately. Importantly, major licensees such as Tabcorp and Crown Casino are regularly scrutinised to ensure that they continue to be suitable gambling industry participants. That concludes my contribution on this report.

Ombudsman: investigation into ICT-enabled projects

Mr ONDARCHIE (Northern Metropolitan) — I rise today to make a statement on a report of November 2011 on the Ombudsman's own motion investigation into ICT-enabled projects. The Ombudsman found that Labor's bungled ICT projects cost taxpayers at least \$1.44 billion in cost blow-outs, money that I guess could have paid for more police, more schools, more child protection workers and two Bendigo hospitals. Projects that were supposed to cost \$1.3 billion blew out to at least \$2.74 billion. On average they were 110 per cent over budget and wasted a total of \$1.44 billion.

When it was in opposition the coalition raised these issues repeatedly with the Brumby Labor government. And what did the Brumby Labor government do? It did not listen; nothing was done. It cemented Labor's culture of poor leadership. There was no accountability and there was a lack of governance. The top 10 projects examined by the Ombudsman failed to meet expectations in every case. The original budgets totalled \$1.3 billion. The latest estimated cost is \$2.74 billion. On average they will have more than doubled in cost by the time they are finished. It has been an abject waste.

In 2005 Ombudsman Brouwer reported a significant problem with the law enforcement assistance program database. In 2005 and 2007 Ombudsman Brouwer recommended the development of a new system to manage the registration and licensing processes of VicRoads. In 2008 the Auditor-General raised concerns about the disappointing reports of ICT-enabled project developments in Victoria and published a guide called *Investing Smarter in Public Sector ICT — Turning Principles into Practice*. In 2009 and 2010 Ombudsman Brouwer tabled in Parliament two reports about the Department of Human Services child protection program and commented on the operation of the client relationship information system.

The previous government ignored the Ombudsman's concerns. The issues identified by the Ombudsman are not new; they have been discussed previously. The Brumby government should have been well aware of these key issues and taken steps to mitigate them.

Consider this list of projects: Victoria Police LINK project, HealthSMART, myki, registration and licensing, the client relationship information system, the ultranet, the integrated courts management system, the property and laboratory management system, HR Assist at Victoria Police and the housing integrated information program. Who stands up and is

accountable for this? The former government members who carped on today about things they think Victoria has not got should be saying right now that it was their fault, and they should apologise to Victorians for their lack of leadership.

It is important to note that the Ombudsman has found through this process that secretaries of ministers provided more critical oversight of ICT-enabled projects. Former government members should apologise for the poor governance. We are talking about high-risk, high-dollar complex projects, yet the Department of Treasury and Finance was represented on less than half of the 10 projects the Ombudsman examined. The former government should apologise for the poorly developed business cases. In some cases costs and time lines were based upon hope rather than evidence or comparisons with similar projects and despite evidence and advice from experts. The Labor government publicly announced major project funding decisions prior to the business case being developed. It was all about spin. It loved to take the limelight and be on the Sunday night news. The former government made announcements and promises it could not appropriately plan for or deliver.

The members of the former government should apologise for myki. They chose to be on the leading edge, rather than a fast follower. They went against worldwide practice in relation to myki. It is disappointing. When questioned on why HealthSMART was such a great project the executive director of financial and corporate services at the former Department of Housing advised that small backroom projects did not get any traction in the budget and expenditure review committee. Therefore there was a tendency to lump things together to try to create megaprojects that would grab the attention of the Labor decision-makers, a Labor government that was obsessed with image and not with effective delivery.

If members look at things like the registration and licensing project, they will see the cabinet budget committee committed \$115 million to the project and released \$49 million when the registration and licensing project requested \$156 million. There is no evidence from the cabinet budget committee documentation relating to this decision. It was typical of Labor's approach when in government; it just threw money at projects without any rational thought, crossed its fingers and hoped for the best. And who was the Treasurer at the time? The Leader of the Opposition, John Lenders. But we might be nearing the end, because I looked at the *Australian Financial Review* this morning and when I turned to page 7 there was a headline that said

'Lenders eyeing the cookie jar'. He could be well on his way, and it is about time!

Ombudsman: food bowl modernisation project

Mr BARBER (Northern Metropolitan) — I rise to address the tabled report, the Ombudsman's investigation into the Northern Victoria Irrigation Renewal Project, a subject on which I had much to say in the last term of Parliament. We now have some answers to questions the Greens were asking in the last four years, which is good. However, we also have a new set of questions, and they relate to stage 2 of the project.

Interestingly, in a media release from the member for Rodney in the other place, Mr Paul Weller, titled 'Ombudsman report raises serious questions for Labor' — and it absolutely did — he noted that:

As we always suspected, the former government's decision to invest \$1 billion of Victorian taxpayers money for stage 1 of the project was made in the absence of a business case approved by government, and that is simply outrageous.

I agree that it is simply outrageous, and it is equally outrageous that we are now investing more money in stage 2, also in the complete absence of a business case. Anybody who knows anybody knows that there is no business case associated with stage 2 either. Despite that, the Minister for Water, Mr Walsh, and the federal Minister for Sustainability, Environment, Water, Population and Communities, Tony Burke, put out a press release trumpeting the values of the second stage and noting that under a different financial arrangement Victoria has now agreed to sell its half of the water from the second stage to the commonwealth for \$219 million, which ironically enough will go into the achievement of a Murray-Darling Basin plan which the coalition actually does not support.

But I am very keen to see this business case that will no doubt be forthcoming for the second stage. In fact for that matter I would be keen simply to see a copy of the funding agreement between the state and federal governments, and members may have noticed that I have given notice of a motion to this effect which is on the notice paper and which I hope to bring forward in the new year.

It is quite clear, even from the sorts of numbers in these press releases and elsewhere, that irrigation upgrades are delivering water in the Goulburn region for up to \$5600 a megalitre. By contrast you can buy water on the market from willing sellers for \$1800 a megalitre, so there are very real questions to be answered in a transparent fashion about the value of this investment.

While we did get some answers from this report, we now have more questions that need to be answered, in this case by the new Victorian government.

Ombudsman: report 2011 (part 1)

Mr EIDEH (Western Metropolitan) — As I read through this report I became more and more convinced that if there were ever one report that each and every one of us in this house or in the other place should read, then it is the Victorian Ombudsman's *Annual Report 2011 — Part 1*. Indeed, it is a shame that the state government, presently in office on a one-seat majority, did not read it and learn from it before presenting the Victorian Inspectorate Bill 2011 and the Independent Broad-based Anti-corruption Commission Bill 2011, because I sincerely believe that we must all in this Parliament pay greater attention to what Mr George Brouwer has written in his most recent Ombudsman's report.

Each of us was elected by a community which rightfully expects that we act honestly, fairly and transparently. The community further demands that we ensure that government departments act in a similar manner. What Mr Brouwer clearly shows is that this is not the case, and the community has a right to expect that we will, in a bipartisan manner, ensure that the serious flaws outlined in his report are addressed. It concerns all of us when he refers to the 'failure of departments and agencies to perform their statutory duties', when there are 'poor procurement management' practices, when vulnerable people are not protected and when there is corrupt behaviour, incompetence and poor leadership, as he explains and proves within his report.

Not one of us would ever agree that any of these things are acceptable. Yet in the two bills to which I referred earlier there is no serious attempt to combat those aspects, which should fall within their jurisdiction. We must collectively provide the leadership that is essential to better government. To take an example, on page 15 the Ombudsman refers to very serious issues regarding child protection. I am 100 per cent positive that every member would be concerned about anything that places a child in danger. Yet here is an example of just that, and it cannot be tolerated or excused.

The Ombudsman refers also to cases involving errant ticket inspectors on public transport, leaking of sensitive information by staff, poor public department record keeping, delays in processing freedom of information requests, poor procurement management and a long list of other serious matters. Several of his complaints come back to one general area: the failure of

government departments to properly discharge their legal and moral duties to protect children in care from harm, to protect vulnerable children and to ensure that children are not unnecessarily exposed to risks from child offenders.

If we cannot collectively protect the most vulnerable people in our community, children, then we should collectively resign. If we ignore our own moral and legal obligations to ensure that government departments and agencies fully and properly discharge their duties in this regard, then we would be better off at the beach, imitating the federal Leader of the Opposition in budgie smugglers.

I must, however, laugh at one item on page 45 of the report, where the Ombudsman advises that he has discovered that police and the Department of Human Services ‘had different approaches to the concept of risk in relation to offenders on the sex offenders register’. Anyone who knows anything about these two state government bodies would know that they have rarely seen eye to eye on anything and in some cases have had significant clashes. It is up to us to ensure that such clashes cease and that children receive far better protection. That is why I support the Ombudsman’s call for a full review of the Sex Offenders Registration Act 2004.

I further fully support his calls in favour of the Whistleblowers Protection Act 2001, and that is why I was unimpressed with the government’s Independent Broad-based Anti-corruption Commission Bill 2011 in that it excludes that commission from that key legislation. Sadly, a number of government agencies and local government authorities have sought to bypass or ignore this legislation that we on this side of the house regard as essential to stamping out corruption, such as that in the ministerial office of the Minister for Police and Emergency Services.

I now come to the State Trustees and the fact that the number of complaints is rising year after year. Given that they are supposed to look after vulnerable aged and disabled persons, and given the billions of dollars under their control, I am deeply concerned that we should have had a closer look at the State Trustees years ago.

There is so much more that I could say, but I will leave it with this concluding statement: whether we like him or not, we have a tough but very honest Ombudsman in Mr George Brouwer, and we need him to keep all of our agencies, our departments and our local governments honest. I commend this report to each and every member in this house.

Ombudsman: investigation into ICT-enabled projects

Mrs COOTE (Southern Metropolitan) — I have an interesting commentary to make tonight on the Victorian Ombudsman’s own-motion investigation into ICT-enabled projects, which was conducted in consultation with the Victorian Auditor-General, and this in itself is what makes this interesting. The Ombudsman thought that the ICT in this state was so bad that he needed to have an investigation into it and to have a look at the programs, the funding into the programs and the outcomes to make quite certain that programs were doing what they were supposed to do. He was so concerned that he did it in consultation with the Victorian Auditor-General. It is not usual that we get a self-enabled project and two major organisations such as the Ombudsman and the Victorian Auditor-General investigating something of such importance to the state. That in itself is noteworthy and important when we look at this particular report.

This report is very concerning because of the findings. I would have to say that ICT is something we all now take for granted. We want, at the touch of a button, to be able to get as much information as we possibly can via information technology — and I commend our library here, which is absolutely terrific in providing us with instantaneous information at all times. We expect this. But we also expect things to be timely and cost effective, and the government is dealing here in this state — and the previous government did also — with enormous departments and huge funding costs for major projects, so this report is an indictment of the former government for its lack of accountability. That is the most worrying concern in this entire report: that there was an attitude of letting it just happen and of not being accountable for taxpayers money, not seeing where it went, not being cautious enough, not drawing a line in the sand and not being able to halt what in fact were appalling outcomes.

The costings show that these projects have been 110 per cent over budget, and these are current figures — they are not the finished product. In the executive summary on page 4, item 12, it says that they examined 10 projects and the 10 projects came in with an extraordinary blow-out. It says:

Each of the 10 projects I examined failed to meet expectations; most failed to meet delivery time frames; and all ran over budget. The original budgets for those projects totalled \$1.3 billion —

So it was not exactly a mean set of projects to start with —

The latest estimated cost is \$2.74 billion — an additional \$1.44 billion cost to government.

This is a shocking indictment of the government. He goes on to say:

On average, projects have more than doubled in cost by the time they are finished. Two of the projects will have more than tripled their original budgets in order to reach completion: CRIS, originally budgeted at \$22 million, has cost \$70 million; and LINK, originally budgeted at \$59 million, would cost \$187 million if it were to be completed. Together, the two largest projects will require almost \$600 million more than originally planned: myki, originally costed at \$999 million, will require at least an additional \$350 million to complete and HealthSMART, originally budgeted at \$323 million, will require an extra \$243 million to complete.

This is absolutely scandalous. The common themes found by the Ombudsman in his investigation were a number of concerns around leadership, accountability in governance, planning, funding, probity and procurement and project management. These are really simple, straightforward things that any government should be aware of, and it is an indictment of the former Labor government that it has left these huge blow-outs to such an extent that the Ombudsman, in consultation with the Auditor-General, has had to conduct an own-motion investigation into this problem because it was so rampant. These figures are a scandal. I have only been able to get to page 15 today and I have a great deal more to say because this report is —

The ACTING PRESIDENT (Mr Ramsay) — Order! Time, Mrs Coote.

VicRoads: report 2010–11

Ms BROAD (Northern Victoria) — I want to make some remarks on the VicRoads annual report for 2010–11, and I wish to focus in particular on that section of the report which addresses road safety. The report outlines the focus of VicRoads on improving the safety of Victoria's roads and roadsides, increasing the safety of vehicles on Victoria's roads and improving the safe behaviour of Victorian road users. It also refers to VicRoads's substantial input into the development of the National Road Safety Strategy 2011–2020, which was launched on 20 May this year.

The report goes on to outline Victoria's performance on key performance indicators, and it outlines that Victoria has made significant gains in road safety over the past 10 years. In fact in 2010 Victoria's road toll was 288, two fewer than in 2009 and the lowest road toll on record. During 2010 Victoria delivered the best road safety record of all Australian states with 5.25 deaths

per 100 000 population, compared with 6.43 for the rest of Australia.

This performance on road safety is no accident, no pun intended. It is the result of the systematic pursuit of a comprehensive road safety strategy in Victoria over a long period of time by previous governments — governments which have drawn on the expertise of the Transport Accident Commission, the advice and expertise of the Monash University Accident Research Centre and even the advice and expertise of the parliamentary Road Safety Committee. As this report outlines, we have the results to demonstrate that drawing on that advice and expertise has served former governments of all political persuasions very well indeed and, even more importantly, it has made all Victorians safer on our roads.

I am sad to see that it would appear that the current government, the Baillieu-Ryan government, feels that it can get by without a comprehensive road safety strategy. In fact the government has recently reported after 12 months in office that it is going to take another 12 months before it is in a position to put in place a comprehensive road safety strategy. We shall see in 12 months time what in the view of the current government may amount to a comprehensive road safety strategy.

Also, sadly for the safety of Victorians on the roads in the meantime, evidently the current government has no need to seek advice from the Transport Accident Commission, from the Monash University Accident Research Centre or from the Road Safety Committee of this Parliament. Evidently its members feel that they are such experts on road safety that they can put in place procedures without the need to seek any advice from anyone who might have any expertise in these areas.

We have seen further demonstration of that in the Parliament this week. We will have the opportunity this week to debate the latest flight of fancy from the coalition government which is based on no advice whatsoever from any of the expert bodies in the road safety field. In addition we have seen a whole series of minor actions by the government over the past 12 months. Sadly, it is entirely possible that we are going to see the safety of Victorian road users diminished as a result of the time that has been lost over the first 12 months by the Baillieu-Ryan government in this area, and a further 12 months —

The ACTING PRESIDENT (Mr Ramsay) — Order! The member's time has expired.

Regional Development Victoria: report 2010–11

Mr DRUM (Northern Victoria) — It is with great pleasure that I take this opportunity to comment on the Regional Development Victoria (RDV) annual report for 2010–11. One of the highlights in the report is the development of programs for the \$1 billion Regional Growth Fund to be implemented from 1 July 2011. That is obviously one of the great highlights for Regional Development Victoria during 2010–11.

The report also talks about the eight regional strategic plans that have been put forward. This government when in opposition supported the design and development of those regional strategic plans. The report also highlights just how much additional investment is on the table now as opposed to what was on the table previously. When you combine the \$1 billion Regional Growth Fund with the additional \$160 million over four years for the Country Roads and Bridges Fund, the Regional Aviation Fund, the other money in the standard budget of RDV as well as the Small Towns Development Fund, you get a situation where we have nearly twice the amount of money being dedicated to regional Victoria than the previous government planned to spend on regional Victoria had it been able to win the last election.

Xavier Csar, in his foreword to the report, talks about the number of opportunities RDV has had to build on existing achievements, with the most significant being the enactment of the new Regional Growth Fund Act on 1 July 2011 and the subsequent implementation of the \$1 billion Regional Growth Fund. Xavier Csar is firm in his belief that the Regional Growth Fund is the right way to go. I want to pay tribute to Xavier and the work that he did in assisting the government to bring forward the Regional Growth Fund and for making sure that we build into it the flexibility that he and the Department of Planning and Community Development were craving for and which, in their words, was sadly lacking under the Regional Infrastructure Development Fund.

Details about the administration of the Regional Growth Fund are also described in the report. The report states that the Regional Growth Fund will provide better infrastructure, facilities and services; strengthen the economic, social and environmental base of communities; create new jobs and improve career opportunities; support the planning and development of projects; and leverage increased investment. These are just some of the highlights of the Regional Growth Fund listed in the report.

The Regional Growth Fund's guidelines will provide flexibility in relation to the projects that can be supported. The report states how important flexibility will be for the delivery of a decent fund. The Regional Growth Fund can support feasibility studies. For the first time the flexibility built into the fund will enable the government to assist small rural councils to develop project proposals that they can then bring forward. Without this assistance many of those councils often do not have the money to get a project ready for funding because it is simply cost prohibitive.

The Regional Growth Fund will also provide funding certainty, something that is very important for local councils. Under the previous government councils did not have that certainty. Now, under the Local Government Infrastructure Fund, councils will know in advance the funding they can reasonably expect over the next four years. This really puts councils in a position where they can plan for the future.

The report goes on to mention the Latrobe Valley Advantage Fund. This is a \$25 million fund put on the table by the previous government and we have added a further \$5 million to it. We are going to build on the Latrobe Valley Advantage Fund. We are also going to improve the Latrobe Valley Industry and Employment Roadmap. These are the sorts of thing we will be doing to increase employment and generate investment in the valley because we know that the carbon tax is going to have a horrendous impact on jobs in the Latrobe Valley.

The \$10 million Latrobe Valley Industry and Infrastructure Fund will facilitate new employment opportunities and leverage new private sector investment through the provision of enabling infrastructure in the region. It is very important that the industry and employment roadmap properly targets areas that currently exist for further investment so that we can create jobs as opposed to what the federal government is doing, which is ripping the heart out of the Latrobe Valley through the introduction of a tax on carbon dioxide.

Regional Development Victoria: report 2010–11

Mr SCHEFFER (Eastern Victoria) — The 2010–11 annual report of Regional Development Victoria includes a couple of pages on its 2011–12 priorities. This part of the report states that Victoria's regional population is projected to grow from the current population of 1.45 million to 1.86 million. This will be the key driver of the state's growth and will be a key determinant of

Regional Development Victoria's priorities. The RDV report also states that its priorities will be determined by the emergence of new markets, improved infrastructure and connectivity.

The report says that in the years to come we will see a continuation of the shift from agriculture and mining to a more diverse, service-based economy and that new opportunities such as the introduction of carbon pricing and reforms to the management of the Murray-Darling Basin will create new opportunities and that this in turn will attract more young people to regional and rural Victoria. This view is, as we would expect, consistent with the local government regional development strategies that were developed across the state as a result of the work of the previous Labor government in partnership with local governments.

It is reassuring that the Victorian public service and in this instance RDV is picking up the slack for a government that has in its first year abysmally failed to deliver any serious plan for job creation or infrastructure investment. The RDV annual report sets out the priorities that the Baillieu government is incapable of announcing, much less delivering. These are to strengthen regional Victoria's economic base, create jobs in the regions and support the development of better community and lifestyle infrastructure, facilities and services.

Earlier today we heard Mr Finn once again railing and flailing against Professor Tim Flannery and the federal Parliament's passing of the clean energy future carbon pricing scheme. Yet here in this annual report we see a key priority of Regional Development Victoria will be to work with regional communities, including the Latrobe Valley, on the carbon trading scheme. I have said before, and I will most likely be saying in this place for some time to come, that the Baillieu government is trying to have it all ways.

In this place and out on the streets and on the airwaves some on the other side nail their flag to the irrational Abbott federal opposition that shakes its puny and increasingly irrelevant fist at the movement of history. But at the same time, in the real world of public administration, its departments continue to subscribe to policies and programs that improve Victoria by seizing opportunities that will benefit the environment and provide jobs and sustainable livelihoods for our citizens.

During the last sitting week I referred to the low-carbon growth plan for Gippsland which was prepared by ClimateWorks Australia and which models how Gippsland can save around \$100 million per annum by

saving energy and reducing greenhouse emissions. ClimateWorks estimates that by 2020 around \$44 million a year could be saved in the manufacturing, mining and freight sector, and around \$39 million a year in the commercial and services sector. The good news is — and Mr Finn needs to take this into consideration — that when the carbon price is factored in, the results are even better because the carbon price can help turn costs into profits and over the long term help the environment and benefit future generations.

RDV's priorities are exactly right, and the Baillieu government's attack on the clean energy future laws is exactly wrong. The RDV annual report also puts a priority on job creation — on regional employment growth — and of course in this annual report RDV draws the connection between job creation, participation in higher education and the necessary enabling infrastructure.

Job creation is of fundamental importance to the Labor Party, and when we were in government just about everything we did — our investment in education and skills formation, in infrastructure, in fostering emerging industries and in marketing both at home and overseas — was to create jobs. And we did this because all the evidence tells us that education and sustainable employment is the best way to maintain high standards of living and the best way out of poverty. We also know that most people feel better in themselves and better in the community through having a good job that is fairly remunerated and where workers are valued and respected. This is a core value of the Labor Party, and we seek its promotion in every policy we espouse and in every program we implement.

The Baillieu government should do no less, but after one year in government there is very little to give Victorians much confidence in the future. I commend this annual report from Regional Development Victoria and congratulate all those within the department for their excellent work.

Ombudsman: food bowl modernisation project

Mrs PETROVICH (Northern Victoria) — I rise to speak on the Ombudsman's report headed *Investigation into the Foodbowl Modernisation Project and Related Matters — November 2011*. I read this report with some interest. It was probably agreed by all that our irrigation system needed work and needed to be modernised. The report talks about what a good opportunity that was. One of its conclusions is that the project:

... provides an extraordinary opportunity for irrigators, the environment and communities to benefit from a more efficient and modernised irrigation system.

It was run at the same time as the ill-fated north–south pipeline, which is a great example of what the former government did when it had little thought for the fact that we were in a 10-year drought cycle and that Melbourne had been left high and dry without a reliable water source. The idea of building a pipeline from the north of Victoria away from the food bowl to fill Melbourne’s water supply probably came a little too late in some respects, because there had been a long-running drought, but perhaps it was not politically expedient for the previous government to have looked at a range of water-saving initiatives earlier on.

At its key conclusion 14 the report talks about the definition of ‘water savings’, which is central to the project, being:

... problematic because it allows water to be described as a ‘saving’ even though, in certain situations, it was previously being productively used and was not ‘lost’.

That was one of the key arguments used by the Liberal-Nationals coalition: that the irrigation renewal project was in fact a furphy in relation to the amount of water savings which would be then used as a key element in shipping water out of the north and to Melbourne. It was effectively disadvantaging those people who were producing the food for metropolitan Melbourne and export.

The report also states that the food bowl project is a significant and complex undertaking. It was of course a significant undertaking. Among the issues I would really like to expand on today are the issues around governance. There was a clear design of inappropriate behaviour, lack of governance and money and jobs for mates. The Ombudsman stated:

My investigation identified a range of inappropriate practices and behaviours involving staff from both the Department of Sustainability and Environment ... and NVIRP —

The Northern Victorian Irrigation Renewal Project —
over several years.

He further stated that this related to:

... Inappropriate assistance to a private entity (NVIRP and the department)

... Breaches of privacy ...

... Poor security of NVIRP information ...

... A lack of understanding of conflicts of interest and the perceptions that may arise as a result of acceptance of gifts and hospitality ...

... Inappropriate hospitality expenditure ...

... Untimely payment of contractors ...

... Inadequate complaints handling —
and —

... A lack of departmental oversight ...

I would like to expand on the issue of inappropriate assistance to a private entity. In the report the Ombudsman stated:

My investigation identified that in early 2010 NVIRP paid a private company over \$1 million to help the company purchase properties in Leitchville, northern Victoria. The private company, Sustainable Soils and Farms Pty Ltd (SSF) —

which is what I will call it from now on —

... was able to reduce the amount of water needed to farm the land and obtain water savings for the food bowl project. SSF said it would be able to purchase ‘pods’ of properties ...

The net result of this purchase was the beneficiary was the chair of SSF, Mr Neil O’Keefe, a former federal MP and director of Water for Rivers. Prior to engaging in the NVIRP program, SSF was not a landowner in northern Victoria. The time frame for when that land was purchased is interesting, and there are some questions to be answered around why that land was purchased. Further the Ombudsman stated that ultimately:

After using NVIRP’s money to purchase the properties, SSF bought approximately \$7 million (or 2600 megalitres) for water shares from elsewhere and placed those water shares on the properties. SSF then sold the water shares to the Living Murray for \$7.52 million.

At interview, Mr O’Keefe said ‘... we made a margin of about \$300 a [megalitre]’. This is around \$780 000 profit.

Concerns were raised —

funnily enough —

An honourable member — Nice capitalism.

Mrs PETROVICH — Yes, great capitalism — socialism and capitalism were running hand in hand here. It continues:

Concerns were raised in the media — —

The ACTING PRESIDENT (Mr Ramsay) — Time!

Ombudsman: food bowl modernisation project

Ms DARVENIZA (Northern Victoria) — I also rise to make some comments on the Victorian Ombudsman’s report headed *Investigation into the Foodbowl Modernisation Project and Related Matters* — November 2011. I want to preface the

comments I will make by saying that the decision to go ahead with the food bowl modernisation project and also the timing in which the project was determined have to be seen in context.

It should be remembered that the project was an initiative that was brought to the previous Labor government by irrigators and industry based in the Goulburn Valley. Those of us who are regionally based know only too well — and Mrs Petrovich mentioned this in her contribution — how the worst drought in 100 years had left rural Victorian communities absolutely reeling. It is all very well to sit here now, after good rain — and in a number of cases, too much rain — and knock the food bowl modernisation project and all those involved in getting it up and running.

Back in 2007 there was no indication that the drought was going to break any time soon, and it was very obvious to Labor MPs and to the Labor government that urgent action was needed to secure water for our future. That is what it was all about: water security for our future — for our rural and regional communities, for our rivers, for our environment and particularly for our farmers.

Our rivers were in a shocking state. Irrigation infrastructure was old, leaky, seeping, overrunning, terribly inefficient and very expensive to maintain. Communities were hurting. It was not the time to sit around and dither; it was the time to take action. Anyone who has had any contact with the farming community, particularly irrigators, knows exactly what I am talking about because they understand only too well what the state of the infrastructure was like. The Labor government showed that it was able to take the necessary action and to show leadership. We recognised that the proposal brought to the government for its consideration by irrigators and industry bodies from the Goulburn Valley — a proposal to modernise an antiquated irrigation system — had a great deal of merit and was a way of securing water for irrigators, the community and the environment, not only for that particular time but also for our future.

As the Ombudsman himself points out, the former Labor government food bowl modernisation project provided:

... an extraordinary opportunity for irrigators, the environment and communities to benefit from a more efficient and modernised irrigation system.

He went on to state:

The project scope and level of capital works activities planned as part of the modernisation program is ambitious and NVIRP —

the Northern Victoria Irrigation Renewal Project —
has made significant progress.

The report goes on to praise the completion of the capital works program in the annual winter works periods; the transfer of around \$200 million of improved irrigation assets to Goulburn Valley Water; and, very importantly, the creation of business and employment opportunities within the region as a result of the rollout of the project. The Ombudsman also stated that NVIRP had ‘achieved its progressive water savings targets to date’ and that landowners were ‘generally supportive of modernisation’.

It should also be noted that the food bowl modernisation project has been recognised by government water authorities from around the world — from California, China, Africa, the Middle East and Europe. It is also important in the light of the recently released draft basin plan that we acknowledge there is a lot of support in regional Australia for more projects like this.

Ombudsman: investigation into ICT-enabled projects

Mr ELSBURY (Western Metropolitan) — I am very pleased to be able to join my colleagues Mr Ondarchie and Mrs Coote in speaking to the Victorian Ombudsman’s report entitled *Own Motion Investigation into ICT-enabled Projects* and dated November 2011. As Mrs Coote adequately pointed out in her contribution, this project was done in consultation with the Victorian Auditor-General.

This report looked at over 10 ICT projects, some of which have become so infamous that they have become household names. I will read them out now. We have LINK for Victoria Police; HealthSMART for the Department of Health; the boogie man of myki for the Transport Ticketing Authority; registration and licensing for VicRoads; client relationship information system for service providers program for the Department of Human Services; ultranet for the Department of Education and Early Childhood Development; integrated courts management system for the Department of Justice; property and laboratory management system for Victoria Police; HR Assist for Victoria Police; and the housing integrated information program for the Office of Housing, Department of Human Services.

The Ombudsman found in his report, and I quote from his executive summary:

Each of the 10 projects examined failed to meet expectations; most failed to meet delivery time frames; and all ran over budget. The original budgets for these projects totalled \$1.3 billion. The latest estimated cost is \$2.74 billion — an additional \$1.44 billion cost to government.

That quote does not convey enough gravitas so I will say that this is \$1440 million of Victorian taxpayer dollars that has been pumped into systems over and beyond their original budget. The Ombudsman found that there were issues with leadership, accountability and governance, and that there was an acceptance among those who were running these projects that ‘you know, these things cost a fair bit of money and it is not unexpected for them to run over cost’. But again, I point out to the ladies and gentlemen who are listening — even via the internet, which I suppose is part of the ICT project — that this is taxpayers money. Why was the governance and the probity not put into these projects by the previous government? The money was being sought from it to implement these projects but there was not adequate planning and there was no adequate presentation of business cases that defined what the intended outcome of most of these projects were. The common theme in the Ombudsman’s report was that there was a problem with leadership, accountability and governance, planning, funding, probity and procurement, and project management.

Mrs Petrovich — All the Ps.

Mr ELSBURY — All the Ps indeed! There was a basic lack of leadership. I quote from the report again:

Senior officers in agencies were often reluctant to make critical decisions about projects such as placing them on hold or terminating contracts.

If you are put in charge of something, I would have thought that you would have the guts to actually do something about it, or you would actually be given the ability to do the job.

If you go to the LINK issue, the Ombudsman recommended a new system to replace the law enforcement assistance program system for Victoria Police in March 2005. The former government acted in August 2005 with a commitment of \$50 million. The first business case was developed in February 2006, and it suggested that \$59.48 million was needed over four years. A second business case was developed in 2011. It suggested that a further \$127.7 million was needed after four years. Victoria Police spent the money that the former government allocated to the project and it still needed more money. Where was the accountability in that particular project?

I would love to go on about myki, but unfortunately, due to the limited time I have, I will not be able to flesh out that particular issue, nor will I be able to talk about the ultranet. I commend this report to the house.

Ombudsman: investigation into ICT-enabled projects

Mr O’BRIEN (Western Victoria) — I rise to join my coalition colleagues, Mrs Coote, Mr Ondarchie and Mr Elsbury, to speak briefly on the Victorian Ombudsman’s report entitled *Own Motion Investigation into ICT-Enabled Projects*, dated November 2011. What an indictment of the former government’s ability to handle major projects in general, but particularly in relation to the ICT sector, is this report. The report was completed in consultation with the Victorian Auditor-General, and it provides further confirmation of what many of us have long known, which is that the Labor way of governing results in blow-outs and expenses that communities have to wear for years and years. On our election to government we in the coalition have been faced with the difficult task of bringing the budget back to an acceptable financial position and taking control of these blown-out projects.

I commend Mrs Kronberg on the excellent and passionate contribution she made today to the debate on the motion regarding the 2011 Victorian Families Statement. She also referred to this particular problem and the difficulty that is faced by governments — that is, if you cannot manage the budget or the books because you cannot manage the projects, then that creates budgetary and cost of living pressures.

The findings of this report have been well documented, but it is a blow-out at this stage. It has been documented as costing government around \$1.4 billion, after the original estimate of some \$1.3 billion and a revised estimate of \$2.7 billion.

In my humble view there may well be further costs that will arise or have already arisen as a result of the legacy of these projects, particularly the failure to conduct business cases prior to commencing such major projects. Part of the reason this was done — as has been revealed by this report — was the Labor Party’s style of running business, which was all about spin and big announcements, such as its approach to solving the water crisis by making it a seven-day media cycle event. There was no considered business case or policy of going through the documentation; there was an announcement on the desalination plant and the north–south pipeline that apparently was Said

to have solved all our water problems. That same legacy has affected these projects.

Another aspect of this blow-out was the failure in leadership, governance and accountability on the part of the former government, and this was picked up by the Ombudsman in paragraph 63 where he noted:

It is important that secretaries and ministers provide more critical oversight of ICT-enabled projects.

That includes governance, the ability to say no and the ability to tell IT people that if things have not met expectations, they will have to fund the project themselves, pay the government back or revise their claims on the government's purse. There was none of that oversight because the former government was wedded to making big policy announcements prior to undertaking business cases. In this regard some of those projects should have been terminated by the previous government.

I refer to paragraph 347, which I also referred to last week in the debate on the myki project. There were opportunities as a result of the delays in that project, and again we had a situation where the budget blew out. The extent to which the original budget could have been used is always a bit difficult to determine when a business case has not been properly undertaken. In that regard it is known, at least from the Ombudsman's report, that the original business case included an estimate of \$741 million. There was also an estimate of \$500 million and an original capital cost of around \$200 million in the first year. That has now blown out to over \$1.35 billion. That is not the only project. Other projects are listed in paragraph 38 of the report, including the HR Assist project, the integrated courts management system, the ultranet, the property and laboratory management project, and the list goes on.

These cost blow-outs are a result of the former government's failures, and it ought to be condemned.

VicRoads: report 2010–11

Mr LEANE (Eastern Metropolitan) — In the short time available I will speak on the Roads Corporation Report 2010–11, which Ms Broad also spoke on. I will briefly touch on VicRoads and vent about a bit of a bugbear of mine. VicRoads is a great department and, as I have said before, some of the members of its executive are fantastic, but the one problem I have with VicRoads is that it has relied on research done by all sorts of boffins to tell us that early education for drivers is a waste of time.

I cannot understand how VicRoads could fathom that, considering that it has been acknowledged that the three ways to improve road safety are the roads, the cars and the drivers. With roads you can take out a bit of a bend and make a road a bit straighter — you can improve it — or you can duplicate a road. With cars we are seeing improvements with side curtain airbags and a number of technology improvements to cars that have made them a lot safer. In relation to drivers, the only thing that I can see that would improve driving is education.

In discussions I had with staff of VicRoads during the last term of the former government they stated that they believed any early driver training was an absolute waste of time, but intuition would tell me that that cannot be right. I would urge the department to have a rethink — —

The DEPUTY PRESIDENT — Time!

Business interrupted pursuant to sessional orders.

ADJOURNMENT

The DEPUTY PRESIDENT — Order! The question is:

That the house do now adjourn.

Bushfires: community preparedness

Mr LENDERS (Southern Metropolitan) — The matter I raise tonight is for the Premier. I am reluctant to raise issues for the Premier because, in contempt of his own charter and rhetoric, he actually does not reply to them. Nevertheless, I will raise it with him because it is an important issue.

The issue relates to bushfire response. The government is a long way behind on the Department of Sustainability and Environment burn-offs, and hopefully it will rectify that. The government is obviously embarking on an important campaign to make the community aware of the risks. It has been a few years now since the fires, and sadly much of our community has become complacent in that time. I wish the government well with its alerts to the community and in determining how to bring them forward.

The reason I raise this issue with the Premier tonight is that I recall, and the Deputy President may also recall, that on 10 December 2009 in this house, I, as Leader of the Government at the time, was asked a question about bushfire response by Mr Kavanagh, a former member for Western Victoria Region. In particular

Mr Kavanagh took great exception to the fact that the letters that were sent out to the community during Bushfire Awareness Week were signed by then Premier, John Brumby.

We had a fiery exchange — no pun intended — in this house on this issue. I outlined and actually defended a Premier elevating these issues by sending a letter out to the community about them. During that fiery exchange in this house Mr Drum and Mr David Davis took great exception to the fact that I should defend the Premier for sending letters out to warn the community. It was put by Mr Kavanagh that the Governor, the Chief Commissioner of Police or someone else who is neutral should send out these letters rather than the Premier. I do not dispute the Premier sending out the letters, because that is what I defended in this house on 10 December 2009, and I think it is appropriate.

The matter I raise for the Premier is that if it was inappropriate for Premier Brumby to send out those letters, why is it suddenly appropriate for Premier Baillieu to send them out? In particular — and I say that this is an important issue — I support the Premier sending the letters out and alerting the community, but I do not support the double standard, the hypocrisy, the hyperbole and the spin from Mr Davis, Mr Drum and others who took exception to Premier Brumby doing it but now believe it is okay for Premier Baillieu to do it. In particular Mr David Davis, a great champion of sincerity, took note of my answer at the time, so I ask the Premier to intervene to clarify and potentially ask Mr Davis —

The DEPUTY PRESIDENT — Time!

Breast cancer: screening

Ms CROZIER (Southern Metropolitan) — My adjournment matter is for the Minister for Health, who is also the Minister for Ageing. It is in relation to breast cancer and breast cancer screening. Many members of the house have probably been affected or know people who have been affected by breast cancer. It is the most common form of cancer in women in Victoria, with 3400 women in the state diagnosed with breast cancer and over 700 women dying from the disease each year, amounting to roughly 2 women each day, so it has a significant impact on women in particular and their families. Both of my grandmothers were diagnosed with breast cancer, so it is something I am very aware of in my family, and we take breast cancer screening very seriously.

Earlier this year I was pleased to see that a record \$13 billion was provided in health funding in the

budget, including new programs to improve health service delivery. BreastScreen Victoria is an important population health program that has been demonstrated across the board to reduce mortality and morbidity from breast cancer through early detection. Over the years there has been much improvement in the treatment of breast cancer, with early detection and technology that has had a significant impact in relation to women who live in rural and remote areas — they can get far more accessible diagnostic outcomes. I think all those issues are very good.

As I said, my adjournment matter is for the Minister for Health. The action I seek from the minister is for him to outline what he is going to be doing to increase support for further breast screening for Victorian women. As I said, this is a significant problem for Victorian women, and I am looking forward to the minister's response in relation to that matter.

Road safety: Northern Metropolitan Region

Mr ELASMAR (Northern Metropolitan) — My adjournment matter is for the Minister for Roads, the Honourable Terry Mulder. In my electorate there are two major intersections that have painted arrows on the road surface. The first is the Albion Street and Sydney Road intersection driving west, and the second is the Banksia Street and Lower Heidelberg Road intersection driving east. By way of background to this issue, I understand that these intersections have two lanes, one going straight ahead with a right-turn arrow and one designated for left turns only. What happens is that the lane going straight ahead backs up because drivers turning right have to give way to oncoming traffic and the left-turn-only lane is often empty, so drivers take the left-turn lane and cut across the path of the straight-ahead lane, resulting in near misses every day, especially during peak-hour traffic. I ask the minister to investigate these hot-spot intersections as a matter of urgency, as it is only a matter of time before there is a serious vehicle accident.

Transgender services: government support

Ms PENNICUIK (Southern Metropolitan) — My adjournment matter is for the attention of the Minister for Health and relates to the issues concerning sex and gender-diverse (SGD) people. SGD is a term used to refer to many sex and gender identities other than male or female, including transgender. Ygender is a group established in December 2010 with which I have met, along with TransGender Victoria, to discuss various issues relating to the SGD community. Ygender organises events and provides a range of programs based around the needs and interests of SGD people up

to the age of 30. The programs developed have been youth led and organised voluntarily to intervene despite the lack of resources. Twenty-eight per cent of SGD youth who participated in a 2010 research study headed 'Writing Themselves in 3' have attempted suicide.

This year Ygender organised Victoria's largest ever event to acknowledge the international Transgender Day of Remembrance, held on Sunday, 20 November, which I attended. This day is dedicated to remembering those who have died from anti-transgender violence. There are 955 murders documented on the Transgender Day of Remembrance website, with 221 murders reported this year. The day included performances by transgender musicians Jade Starr and Paige Phoenix. Representatives from Ygender, TransGender Victoria, and Seahorse Victoria Inc spoke about SGD issues, including statistics of terrible murders and hate crimes against transgender people. A minute's silence was observed at 4.00 p.m. to pay respects to those who have lost their lives as a result of either murder or suicide.

Issues raised that the SGD community would like the government to address include financial support for the expansion of the services provided by the Southern Health Gender Dysphoria Clinic, including an increase in funding to extend the opening hours from two days to three days per week to reduce the waiting periods and lists for clinic patients; to enable the clinic to produce a long-term plan addressing physiological rather than purely psychological health management; to enable the clinic to produce, in conjunction with transgender groups, a long-term plan to assist disadvantaged patients to become socially and financially secure; to assist the clinic in developing, again in conjunction with transgender groups, a financial assistance plan to support the medical transition of financially disadvantaged patients; and to assist in establishing the availability of surgical procedures for transgender women and men in the Victorian public health system.

Transgender people also require the law to be amended regarding the change of sex or gender on official documents, especially birth certificates, so surgical intervention is no longer a requirement. The results of having documentation that differs from a person's self-identified gender can create distress that damages mental health and could also out people unnecessarily, potentially creating risks to their physical safety.

My request to the minister is that he meet with representatives of Ygender and TransGender Victoria to discuss the issues they have raised, and I am happy to facilitate that meeting.

The DEPUTY PRESIDENT — Order! I apologise to Ms Pennicuik for the rude interruption from someone in the chamber!

Freedom of information: annual report

Hon. M. P. PAKULA (Western Metropolitan) — Deputy President, I almost had a Pavlovian response to the sound emanating from your iPhone. I was reaching for my wallet.

My adjournment matter is for the attention of the Minister responsible for the establishment of an anti-corruption commission, Minister McIntosh, in his capacity as the minister responsible for freedom of information, and it concerns the freedom of information annual report. Section 64 of the Freedom of Information Act 1982 requires the minister who administers the act to:

... as soon as practicable after the end of each year prepare a report on the operation of this Act during that year and cause a copy of the report to be laid before each House of the Parliament.

The annual report is an important piece of information that provides members of the house and the community with information about the number of FOI requests, the number of internal reviews, the number of Victorian Civil and Administrative Tribunal appeals, access decisions on requests, the most frequently cited exemptions, fees and charges for requests and the 30 agencies receiving the most requests. It is always an eagerly anticipated report.

I suspect that when the report is tabled the government's performance during the last financial year will be seen to have been not particularly good. We have ministers sitting on FOI requests for months and months, which is a matter the Ombudsman is looking at. We have filing systems in the Premier's office that do not allow for proper searches, and the Ombudsman has already commented on that. We have ministerial advisers handling FOI requests, chiefs of staff in ministers' offices conducting the internal reviews of the decisions of those advisers and more and more spurious grounds for rejection being trotted out all the time.

The last FOI annual report tabled was the 2009–10 report, which was tabled in September 2010 by Rob Hulls, the member for Niddrie in the Assembly, as the then Attorney-General. The last sitting day for 2011 is tomorrow, and there is still no sign of the 2010–11 FOI annual report. It has been 15 months since the last one was tabled and almost 6 months since the end of the financial year. Unless the report is tabled tomorrow, we

will not see it until February 2012 at the earliest. The action I seek from the minister is that he advise me of why the report has not been tabled and when we can expect to see it.

Rail: Doncaster

Mr LEANE (Eastern Metropolitan) — My adjournment matter is for the attention of the Minister for Public Transport and is in regard to the proposed Doncaster rail line. I call on the minister to back up the words of the Premier, who said last year what a great day it was for Doncaster because if Mr Baillieu's party won government the new government would do a feasibility study, find the funds and build the rail line. I respect that the feasibility study has started. The thing about a feasibility study, as the name suggests, is that it is a study to see whether something is feasible, but this study should be counted out because the Premier said he would build the rail line. The study is good, but I am looking for the minister to give me and the community of Doncaster some clue or indication as to when in the future the construction will actually start — it has obviously been planned, given that a year ago it was announced that the line would be built — so that the people of Doncaster can be reassured that the commitment will be fulfilled.

Australian Country Spinners: job losses

Mr SOMYUREK (South Eastern Metropolitan) — I raise a matter for the attention of the Minister for Manufacturing, Exports and Trade, Mr Dalla-Riva, concerning the cutting of 49 manufacturing jobs by Wangaratta wool manufacturer Australian Country Spinners, otherwise known as ACS. I understand that 20 of these jobs will be cut before Christmas and the remainder by February 2012. I take this opportunity to express my sympathies to the retrenched workers and their families for this terrible news, which has come just around the corner from Christmas.

The plight of the retrenched workers at ACS is the result of inaction by the current state government, which, despite being in office for more than one year, still has no manufacturing plan and no manufacturing policy. Throughout the year I have consistently called on the government, and Mr Dalla-Riva in particular, to urgently formulate a serious manufacturing plan to assist the manufacturing sector during these stressful times. I have consistently warned the minister that allowing the manufacturing sector to drift while waiting for the bureaucracy, through the processes of the Victorian Competition and Efficiency Commission, to come up with a plan for the manufacturing sector was simply not good enough. Unfortunately the minister did

not take note of my warnings, and as a consequence we have had close to 10 000 manufacturing jobs going south during the coalition's term of office.

The action I seek from the minister is that he provide assistance to ACS so that it does not scale down or close its Wangaratta operations.

Responses

Hon. M. J. GUY (Minister for Planning) — I have written responses to adjournment matters raised by Ms Tierney, Ms Crozier, Ms Pennicuik, Mr Ramsay, Mr Pakula, Mr Tarlamis and Ms Hartland as well as responses to two matters raised by Mr Barber.

I will refer Mr Lenders's matter in relation to the bushfire response to the Premier, to whom he addressed the matter.

Ms Crozier raised a matter about breast screening for the attention of the Minister for Health, and I will refer that to Mr Davis.

Mr Elasmara raised a matter for the attention of the Minister for Roads, Terry Mulder, in relation to upgrades to intersections on Sydney Road and Banksia Street, and I will refer that matter to the roads minister.

Ms Pennicuik raised a matter in relation to transgender issues for the attention of the Minister for Health. She wants Mr Davis to meet with the Ygender organisation. I will pass that on to him for a response.

Mr Pakula raised a matter for the attention of the Minister responsible for the establishment of an anti-corruption commission, Mr McIntosh, who is the minister responsible for freedom of information, in relation to a report being tabled under section 64 of the FOI act, and I will ask Mr McIntosh to respond to Mr Pakula.

Mr Leane raised a matter for the attention of the Minister for Public Transport in relation to the construction and timing of the Doncaster rail line, and I will ask Mr Mulder to reply to him directly.

Mr Somyurek raised a matter for the attention of the Minister for Manufacturing, Exports and Trade in relation to 49 jobs at Australian Country Spinners in Wangaratta. I note that in the past Mr Somyurek has blamed Mr Dalla-Riva for the high Australian dollar, and tonight he directly blamed him for the loss of those jobs. I am sure that criticism is unwarranted. However, I will ask Mr Dalla-Riva to respond to the matter raised by Mr Somyurek, which is important.

Ms MIKAKOS (Northern Metropolitan) — Under standing order 4.13 I wish to raise the issue of two outstanding adjournment matters that I have previously raised. The first one was addressed to the Minister for Ageing on 13 October this year, and it related to Alzheimer's research funding. The second one was raised with the Minister for Housing on 26 October to be directed to the Minister for Youth Affairs, and it related to youth mentoring programs. I ask the Minister for Planning if he can provide an explanation as to why those two adjournment matters have not been responded to.

Mr SCHEFFER (Eastern Victoria) — I have three adjournment matters that have been outstanding for more than 30 days, in contravention of standing order 4.13. The first matter is from 8 February this year for the Minister for Environment and Climate Change, the second is from 18 August for the Minister for Planning and the third from 11 October is also for the Minister for Planning. I seek either an explanation or a response to these outstanding adjournment matters from the Minister for Planning, who is of course in the chamber, and also from the Minister for Environment and Climate Change.

Hon. M. J. GUY (Minister for Planning) — I will take on board the matters of 13 October to David Davis and 26 October to Ms Lovell from Ms Mikakos and seek a response as to where those answers are. I will chase up the matter of 8 February to the Minister for Environment and Climate Change from Mr Scheffer. I apologise to Mr Scheffer if I have not had those responses to him in the time frame that should be the case. Obviously that is something I will need to go back and chase up myself, and I will endeavour to have those responses to Mr Scheffer as quick as I possibly can.

The DEPUTY PRESIDENT — Order! The house now stands adjourned.

House adjourned 6.50 p.m.