

**PARLIAMENT OF VICTORIA**

**PARLIAMENTARY DEBATES  
(HANSARD)**

**LEGISLATIVE COUNCIL**

**FIFTY-SEVENTH PARLIAMENT**

**FIRST SESSION**

**Wednesday, 20 June 2012**

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## Legislative Council standing committees

**Economy and Infrastructure Legislation Committee** — Mr Barber, Ms Broad, Mrs Coote, #Ms Crozier, Mr Drum, Mr Finn, #Ms Hartland, #Mr Leane, #Mr Lenders, #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 Leane, #Mr Lenders, #Mr Ondarchie, Ms Pulford, Mr Ramsay and Mr Somyurek.

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

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

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**Economic Development and Infrastructure Committee** — (*Council*): Mrs Peulich. (*Assembly*): Mr Burgess, Mr Foley, Mr Noonan and Mr Shaw.

**Education and Training Committee** — (*Council*): Mr Elasmr and Ms Tierney. (*Assembly*): Mr Crisp, Ms Miller and Mr Southwick.

**Electoral Matters Committee** — (*Council*): Mr Finn, Mr Somyurek and Mr Tarlamis. (*Assembly*): Ms Ryall and Mrs Victoria.

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

**Family and Community Development Committee** — (*Council*): Mrs Coote and Ms Crozier. (*Assembly*): Mrs Bauer, Ms Halfpenny, Mr McGuire and Mr Wakeling.

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

**Outer Suburban/Interface Services and Development Committee** — (*Council*): Mrs Kronberg and Mr Ondarchie. (*Assembly*): Ms Graley, Ms Hutchins and Ms McLeish.

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

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

*Parliamentary Services* — Secretary: Mr P. Lochert

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**FIFTY-SEVENTH PARLIAMENT — FIRST SESSION**

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Kronberg, Mrs Janice Susan	Eastern Metropolitan	LP	Viney, Mr Matthew Shaw	Eastern Victoria	ALP



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**Wednesday, 20 June 2012**

**The PRESIDENT (Hon. B. N. Atkinson) took the chair at 9.34 a.m. and read the prayer.**

**The PRESIDENT** — I am advised that the Economy and Infrastructure Reference Committee is meeting this day following the conclusion of the sitting of the Council.

**Hon. D. M. Davis** — On a point of order, President, or perhaps clarification, yesterday Mr Barber moved a motion to put a particular issue on the notice paper. Does that motion take priority or is it not prioritised on the notice paper?

**The PRESIDENT** — Order! It was not prioritised. As the Leader of the Government may recall, the Leader of the Opposition moved a motion to set the order of proceedings for today in regard to opposition business, and the issue raised by Mr Barber during question time was not included in that motion. It is on the notice paper, but it is not included in the order of business agreed yesterday.

**PETITIONS**

**Following petitions presented to house:**

**Higher education: Auslan programs**

To the Legislative Council of Victoria,

The petition of the residents of Victoria draws the attention of the house to the announced closure of the full-time diploma of Auslan course at Kangan Institute. This diploma is the only one of its kind in Victoria providing comprehensive high-level Auslan training. With the closure of this course, students will no longer have the opportunity to attain the high-level language fluency necessary to progress to postgraduate interpreting courses or effectively work within other integral areas of the deaf community. The result will place increased strain on an already understaffed Auslan interpreting pool and be a devastating setback in the rights of deaf people and other disability groups which rely on Auslan as a means of communication.

The petitioners therefore request that the Legislative Council of Victoria take action to save the full-time diploma of Auslan course at Kangan Institute thereby ensuring the continuation of comprehensive, high-level Auslan training.

**By Ms HARTLAND (Western Metropolitan) (1559 signatures).**

**Laid on table.**

**Lawn bowls: single-gender events**

To the Legislative Council of Victoria,

The petition of certain citizens of the state of Victoria draws to the attention of the Legislative Council the inequality that currently allows women to organise and play 'women's only' lawn bowls events and prohibits men from organising and playing 'men's only' lawn bowls events.

The petitioners therefore request that there be legislative change to the Equal Opportunity Act 2010 to allow men to organise and play 'men's only' lawn bowls events and as such bring Victoria into line with the position in all other states that allows men and women to organise and play their separate bowls events.

**By Mr O'DONOHUE (Eastern Victoria) (103 signatures).**

**Laid on table.**

**OFFICE OF THE RACING INTEGRITY COMMISSIONER****Betting activities of racing officials employed by Victorian racing industry**

**Mr RICH-PHILLIPS (Assistant Treasurer), by leave, presented report.**

**Laid on table.**

**LEGAL AND SOCIAL ISSUES LEGISLATION COMMITTEE****Wills Amendment (International Wills) Bill 2011**

**Mr O'DONOHUE (Eastern Victoria) presented report, including an appendix.**

**Laid on table.**

**Ordered that report be printed.**

**Mr O'DONOHUE (Eastern Victoria) — I move:**

That the Council take note of the report.

In doing so I thank the committee staff — senior secretary, Richard Willis, research officer, Lisa Kazalac, and research assistant, Sean Marshall — for their assistance in making this report happen.

On 27 March the Legislative Council, with the support of the entire house, referred this bill to the Legal and Social Issues Legislation Committee. The terms of reference asked the committee to consider and examine

the practical benefits of the bill to Victorians. I note that other jurisdictions in Australia are contemplating the introduction of similar bills following the decision by the Standing Committee of Attorneys-General several years ago to adopt the UNIDROIT (International Institute for the Unification of Private Law) convention.

As I understand it, the Australian Capital Territory has passed such a bill and the Western Australian Parliament is currently considering its bill, which it also has referred to a parliamentary committee for examination and report. In that context this bill is obviously of interest to this house. It was referred to the committee with the support of the entire house, but I also hope it informs other jurisdictions that are yet to consider this bill as to the benefits the bill may bring once passed and once Australia accedes to that convention.

On 30 May the committee received evidence from the Law Institute of Victoria, State Trustees and the Australian Italian Lawyers Association. The public hearings were of benefit, and in particular the Law Institute of Victoria clarified its position with regard to this bill. In a submission to the Department of Justice in 2009 it expressed some reservations about the bill, whether it is necessary, whether it would have any benefits and whether it would create additional workload.

In evidence to the committee at the public hearing, the law institute clarified its position. It now supports the bill and believes it will have some benefits. Of course those benefits will depend to a degree on the implementation of the recommendations that the committee has made, which I will get to in a second.

The Italian lawyers association believes the bill as a step in the process towards the adoption of the UNIDROIT convention will facilitate estate planning and give Victorians certainty that their will applies elsewhere. It will provide additional flexibility in managing estate matters, particularly for those who have assets in other jurisdictions.

The committee has made two recommendations, the first of which is that the Victorian government advocate to the federal government to lobby for more countries to adopt the UNIDROIT convention. Victoria is a multicultural community, and an international will has force only in another country that has also adopted the UNIDROIT convention. The Victorian community is made up of people from all over the world, and it is important that the Victorian government advocate to the federal government and the federal government

advocate to the international community for more countries to adopt this convention.

The other recommendation that the committee has made is that once Australia has acceded to the convention, the Victorian government liaise with the Law Institute of Victoria and other relevant stakeholders to undertake an education campaign with respect to making an international will. What is clear from the public hearings and the second-reading debate is that there is some confusion about exactly what an international will is and how to make one. For the relevant stakeholders — that is, the Law Institute of Victoria and others — it is important that exactly what that means is clearly understood.

I am pleased that the committee was unanimous in support of the recommendations and was able to work effectively to discharge the reference given to it by the house with a short turnaround time. I commend the report to the house.

**Ms MIKAKOS** (Northern Metropolitan) — I am pleased to speak today on what is the first report of the Legal and Social Issues Legislation Committee on a reference proposed by the government to consider the benefits to Victorians of a simplified process for the recognition of international wills in Victoria. I should say at the outset that the terms of reference were focused on the benefits rather than looking at the disadvantages.

I also want to point out that in the 19 months since the government has been in office members of this chamber have attempted to have 13 bills before the Legislative Council referred to this committee; however, the government chose to send only one bill to the committee for inquiry, and it picked the most non-contentious one. It is no surprise then that this is a unanimous report, and that none of the recommendations are proposing any groundbreaking changes to this bill. There is no recommendation to make any changes to this bill — surprise, surprise! — and I could have told the house that before we commenced the inquiry.

I would like to express my appreciation to those members of the public who made submissions. There were a limited number of submissions provided, and some organisations gave evidence to the committee.

The opposition supports the bill — we made that clear during the second-reading debate. It arose from a process that began in the Standing Committee of Attorneys-General when Labor was in government. The bill's major limitation is that the vast majority of

migrants in this state have come from countries that are not signed up to this convention — for example, China, Greece, Malaysia, New Zealand and Vietnam. However, I point out that there will be some beneficiaries, particularly migrants from Italy and other countries that are signatories. The evidence also made it clear that people should get independent advice about succession laws that are applicable to those countries.

I thank the secretariat — Richard Willis, Lisa Kazalac and Sean Marshall — for its work, and I look forward to the government taking this committee seriously in the future.

**Mr O'BRIEN** (Western Victoria) — I also rise to lend my comments to discussion of the report of the Legal and Social Issues Legislation Committee inquiry into the Wills Amendment (International Wills) Bill 2011. Contrary to the unnecessarily divisive comments of the previous speaker, I think this inquiry was a worthwhile exercise by this important committee on an important bill.

I would like to begin by thanking the chair, the deputy chair, all the members of the committee and the secretariat staff — Mr Richard Willis, Ms Lisa Kazalac and Mr Sean Marshall — as well as the witnesses who gave their time to appear before the committee, including the representatives from the Law Institute of Victoria, Ms Wilson and Mr Morrison, and from State Trustees Victoria, Mr Craig and Mr Esposito, who is a solicitor who used to brief me and is a very formidable advocate. In this instance he was a very formidable advocate in support of the benefits of international wills for his community — that is, the Australian Italian Lawyers Association. I refer members to the relevant transcripts of the evidence of those witnesses.

In a brief response to Ms Mikakos, her phrase was that this was a 'major limitation' of the bill. The bill received no criticism. The only criticism was the extent to which the bill may or may not be applicable in Victoria, which is fundamentally an issue about the level of adoption of the convention by international countries and by other states. The two recommendations of this committee involve supporting awareness of the legislation, so instead of sniping the Labor Party should get on board to support sensible government initiatives like this bill and support our international wills community.

**Mr ELASMAR** (Northern Metropolitan) — I am pleased to speak to the report of the inquiry into the Wills Amendment (International Wills) Bill 2011. Members may remember that I spoke on that legislation in this house in March, and I would like to thank my

parliamentary colleagues and the secretariat of the committee for their hard work, even in such a short time, and their diligence in bringing this inquiry to its fitting end.

The committee made two recommendations, both of which are worthy of support and implementation. It is important for families to know that their final wishes can be executed in a valid and legally enforceable document whether they reside in Australia or overseas or their estate is overseas or vice versa. The overall intention of the committee is that we should be in step with most of the Western world on this important matter; because as we all know we cannot take it with us when we go, but we should be able to ensure that final wishes are legally and lawfully carried out.

The bill, together with this report's recommendations, will at least start the ball rolling. I point out for Mr O'Brien that the Labor Party has already supported this report. There is no need to attack us, because we are on board with this report. We are speaking about it today — even for a short 2 minutes — and I support Ms Mikakos on the issue while at the same time saying that we support the report.

**Mrs PETROVICH** (Northern Victoria) — I rise to speak on the inquiry into the Wills Amendment (International Wills) Bill 2011 by the all-party Legal and Social Issues Legislation Committee. Ms Mikakos made some interesting comments. This was a unanimous report, and there was a level of goodwill around this legislation review. I commend my colleagues Edward O'Donohue, Matt Viney, Georgie Crozier, Nazih Elasmr, Colleen Hartland, Jenny Mikakos and David O'Brien; the committee staff, Richard Willis, Lisa Kazalac and Sean Marshall; and the people who took the time to attend the hearings and make submissions, which were very interesting and well presented.

The background of the report is that the purpose of the bill is to amend the Wills Act 1997 to adopt into Victorian law the uniform law contained in the UNIDROIT Convention providing a Uniform Law on the Form of an International Will 1973. Victoria was the first jurisdiction in Australia to introduce the legislation into Parliament, which it did in November 2011, and since that time the Australian Capital Territory has introduced and passed its local legislation. The committee is aware that a Western Australian parliamentary committee is currently examining a local wills bill and is expected to report back to the Western Australian Legislative Council in August. Legislation has also been introduced in the Tasmanian Parliament.

As I said, this was a unanimous report and there was a level of goodwill around the table. The committee's evidence supports the bill's passage and notes its benefits. The committee considered the important issues, and it believes once all Australian states and territories have passed the legislation the Australian government will need to encourage other countries represented in Australia's multicultural community to sign up to the convention. We live in a multicultural community, and this is important work.

**Ms CROZIER** (Southern Metropolitan) — I am also pleased to rise to speak on the Legal and Social Issues Legislation Committee report on the inquiry into the Wills Amendment (International Wills) Bill 2011. At the outset I also acknowledge and thank the committee secretariat — Richard Willis, Lisa Kazalac and Sean Marshall — for their time and effort in conducting this inquiry, and I thank the organisations that came before us to give evidence on this issue. I also support the comments of other members of the committee by saying I am pleased that there was unanimous support and there is no minority report in relation to this inquiry. In addition I am pleased the house referred the bill to the committee without dissent.

As Mr Elasmarr said, the recommendations the committee put forward after hearing the evidence need support, because a number of people will benefit from the bill. As has already been said, the bill will lead to numerous benefits and will facilitate estate planning, giving Victorians certainty that their wills apply elsewhere. The requirement of the international wills convention that the will be certified by a third authorised person will provide for more validity of the will. The option to have an international will would provide Victorians with additional flexibility in managing their estate matters. I think that will give clarity.

As has been said, other jurisdictions are considering adopting the convention. The evidence given to us by those who appeared before the inquiry provided useful additional information over and above the second-reading debate. In conclusion, I thank all those who were involved in this process and commend the report to the house.

**Motion agreed to.**

## EDUCATION AND TRAINING COMMITTEE

### Education of gifted and talented students

**Ms TIERNEY (Western Victoria) presented report, including appendices, together with transcripts of evidence.**

**Laid on table.**

**Ordered that report be printed.**

**Ms TIERNEY (Western Victoria) — I move:**

That the Council take note of the report.

I am pleased to rise this morning to make some comments on the joint parliamentary Education and Training Committee's inquiry into the education of gifted and talented students. One of the common myths around gifted and talented children is that because of their gifts and talents they will be all right, they will survive and they will not require assistance.

Another myth is that gifted and talented children have an evenness in their giftedness and talents. These myths enable the perpetuation of a school of thought that says that education policy and programs should simply cater for the majority in the classroom and, hopefully, provide a leg-up for those students who come from disadvantaged backgrounds. I believe we need to aspire to a higher objective that enables children of all abilities the opportunity to excel. For many who have worked in the sector this may seem to be pie in the sky, and it could be, but there needs to be leadership to change the current approach and of course the physical and financial resources to ensure that what is required is actually delivered.

That will be the challenge for this government, as resources are needed and need to be allocated for things like early identification of gifted and talented students, proper and regular evaluations of gifted programs and other provisions, developing a comprehensive gifted education policy and providing teachers with support and specialist training, particularly in differential curriculums. Teachers and schools need to be provided with information on strategies for educating gifted and talented children, including individual learning plans; curriculum differentiation; acceleration; ability groups, including vertical timetabling; and enrichment and enhancement programs.

Also, we have recommended the establishment of a unit within the Department of Education and Early Childhood Development to lead the development of a

new way forward, the details of which are outlined in recommendation 8, which is referenced and interlinked with some 24 other recommendations. This unit would provide the support which is so badly needed by teachers, parents and students.

I am also well aware of the pressure and strains teachers face in the classroom and all the work that is done outside of the classroom. It was never the intention of the committee to add further work to the shoulders of our teachers; rather, we suggest a different approach. I believe this approach can only be successful if there are significant additional resources in teacher training and education, teacher development programs and backup teacher replacement so that teachers can attend programs, forums and networks and know where they can access information and how they can deliver differential curriculum. Real support for teachers is imperative.

I wish to reaffirm my position that the monitoring of all programs for gifted and talented students is critical. We need to know what works and what needs adjustment whilst maintaining an understanding that there is no single strategy that can be employed to meet the learning needs of all gifted and talented students. We also need to be vigilant in ensuring that no one grouping within our community dominates access to programs and that students from lower socioeconomic backgrounds, indigenous students and rural and regional students are seriously represented in what our education department will offer to gifted and talented students. Giftedness and talent are not owned or handed out by those who have comfortable lives and significant opportunities. I hope the recommendations in this report will encourage the government to deal with identification and access issues as soon as possible.

I would like to thank the schools we visited, the many academics who presented to us and the teachers, the students and the parents who provided insightful evidence. Everyone who presented brought to the table their passion for educating gifted and talented students in an appropriate and meaningful way. I thank the committee members — the chair, the member for Caulfield in the other place, David Southwick; the member for Mildura in the other place, Peter Crisp; Nazih Elasmr; and the member for Bentleigh in the other place, Elizabeth Miller — for their work throughout this inquiry.

I also thank the committee staff, including Kerryn Riseley, the executive officer, who oversaw the research program and wrote the final report; Natalie Tyler, the committee administrative officer, who provided high-quality administrative assistance and

support to the committee; Anita Madden, the research officer, who provided assistance with editing and report finalisation while working on the committee's second inquiry into agricultural education and training; and Maria Scott, the former research officer, who undertook the preliminary research on this report. I believe everyone on this committee and everyone associated with the committee found this inquiry to be a rewarding experience — —

**The PRESIDENT** — Order! Thank you, Ms Tierney.

**Mr ELASMAR** (Northern Metropolitan) — I am pleased to contribute to the motion to take note of the report of the Education and Training Committee's inquiry into the education of gifted and talented students. Firstly, I would like to acknowledge my fellow committee members: the committee chair and member for Caulfield in the Legislative Assembly, David Southwick; deputy chair, Gayle Tierney; the member for Bentleigh in the Legislative Assembly, Elizabeth Miller; and the member for Mildura in the Legislative Assembly, Peter Crisp. We all worked hard to produce this report on gifted and talented children within our school systems. This report is so unique that I urge all parliamentarians to read it. As a former teacher I was fascinated with the subject matter. The committee welcomed the opportunity to consult with the parents the teachers and the students themselves. I would like to thank them all.

Over the 15 months of this investigation I was impressed by the passion and commitment of our educators to recognising gifted students, then trying, without a framework, to encourage the development of these outstanding children. The committee has recommended a range of measures aimed at defining giftedness and talent with the overall aim of providing a learning environment that will stimulate and challenge the intellect of these extraordinary young and talented people. That may help these young people to become the leaders of tomorrow.

I would also like to thank the committee secretariat for its professionalism and support throughout the inquiry: Kerryn Riseley, the executive officer, and Natalie Tyler and Anita Madden. I would also like to acknowledge the work of Maria Scott, who laid the foundation of the committee's final report.

**Motion agreed to.**

## PAPERS

## Laid on table by Clerk:

Auditor-General's Reports on —

Effectiveness of Justice Strategies in Preventing and Reducing Alcohol-Related Harm, June 2012.

Obsolescence of Frontline ICT: Police and Schools, June 2012.

Interpretation of Legislation Act 1984 — Notice pursuant to section 32(3)(a)(iii) in relation to Waste Management Policy (Used Packaging Materials).

Office of Police Integrity — Reporting wrongdoing in the workplace: problems for police, June 2012.

Ombudsman — Report on investigation into Greyhound Racing Victoria, June 2012.

Statutory Rules under the following Acts of Parliament:

Health Records Act 2011 — No. 44.

Marine (Drug, Alcohol and Pollution Control) Act 1988 — No. 46.

Marine Safety Act 2010 — No. 45.

Pipelines Act 2005 — No. 42.

Road Safety Act 1986 — Nos. 47 and 48.

Sex Work Act 1994 — No. 41.

Victorian Energy Efficiency Target Act 2007 — No. 43.

Subordinate Legislation Act 1994 — Documents under section 15 in respect of Statutory Rule No. 40.

## PRODUCTION OF DOCUMENTS

**The Clerk** — I have received a letter dated 18 June 2012 from the Minister for Public Transport enclosing a copy of the *Network Revenue Protection Plan 2011–12*.

*Letter at page 3202.*

**Mr BARBER** (Northern Metropolitan) — I move:

That the minister's letter and belatedly tabled document be taken into consideration on the next day of meeting.

**The PRESIDENT** — Order! For the sake of the procedural motion I will not have the word 'belatedly' included in that motion. The question is:

That the minister's letter and document be taken into consideration on the next day of meeting.

**Motion agreed to.**

## MEMBERS STATEMENTS

## Orwil Street Community House: achievements

**Mr TARLAMIS** (South Eastern Metropolitan) — I was delighted to visit Orwil Street Community House in Frankston last month with my colleague for Mill Park in the other place, Lily D' Ambrosio. The coordinator, Georgina Portelli, has created a welcoming home environment for many locals who use the community house for meetings, to attend low-cost activities, to undertake courses or to just drop in for a cuppa and a chat with friends. I had the opportunity to meet with the dedicated staff and volunteers as well as some of the other house regulars, who shared with me their concerns about the rising costs of living, especially the cost of electricity, water and gas.

I was advised that a number of locals visit the house just to keep warm during the winter months because the cost of heating their own homes is too great to manage on low wages or benefits. Georgina and her staff treat every guest to the house like a member of the family, and this is obvious once you walk through the door. The staff are an integral part of the local community and work to improve the lives of those less fortunate than themselves who are trying to survive on a shoestring budget.

Up until last year the house had provided occasional child care for parents seeking to undertake education or employment or who just needed a break. This is a real example of the profound impact of the funding cuts to the Take a Break program, which has limited the ability of families to access affordable community-based child care. It is tragic that this house still has the infrastructure for child care but insufficient funding to provide child-care services and pay for qualified staff, and the ripple effects around the community, especially in a disadvantaged community like this one, are obvious. I would like to take this opportunity to thank Georgina and her dedicated staff for all the important work they do and for being there for those most in need during difficult and challenging times. I wish them well and look forward to many more visits in the future.

## Carbon tax: health sector

**Mr ONDARCHIE** (Northern Metropolitan) — In 12 days time Australia will see the introduction of this great big new tax — a carbon tax — to Victoria. I am worried that the result of this carbon tax will affect our health-care system. It will affect the cost of running those hospitals, and it is estimated that it will have effects on emergency and elective surgery waiting times and lists. It is not possible to determine the exact

price or the impact the carbon tax will have on these hospitals, but it is estimated that it will impact upon Melbourne Health, Austin Health and Northern Hospital, in my region, to the tune of approximately 121, 200 and 38 elective procedures respectively, based on the average weighted cost of a surgical procedure.

Victorians will see an impact on jobs and wellbeing as a result of the carbon tax, and Victorians will hold those opposite and their federal counterparts responsible for job losses and economic downturn in this country. They should hang their heads in shame. It is a shameful position for the Labor Party, which espouses support for working families, and the Australian Greens, who talk about promoting opportunities in Australia, to take. This action will affect Australians directly. In 12 days we will see a downturn in the economy as a direct impact of Labor's hands being away from the wheel. Opposition members should stand up today and say, 'We oppose this carbon tax, because we want to support working families and jobs in Victoria'.

### **Portarlington: Biggest Afternoon Tea**

**Ms TIERNEY** (Western Victoria) — During the last sitting week I made mention of an extremely well attended Biggest Afternoon Tea held at Portarlington on 31 May to raise money for cancer research. At the time we believed the amount raised was of the order of \$11 000, but I can now inform the house that the final amount raised was over \$13 000. Again, I thank all involved in the lead-up to the event, including the tea-cosy makers and the volunteers on the day.

### **National Celtic Festival: volunteers**

**Ms TIERNEY** — On another note, I thank Una McAlinden and the National Celtic Festival committee for their hard work in delivering a magnificent event in Portarlington over the recent long weekend. Live music and highly skilled artists were embraced by the town as they worked their Celtic magic for three days and three nights. The events demonstrated that towns like Portarlington punch well and truly above their weight. Local community capacity is so critical that it must be nurtured and appreciated. The moment we take volunteerism for granted all communities, whether small, large or in between, will be the poorer. Well done, Portarlington, and well done, Bellarine.

### **Thu Sa La**

**Ms TIERNEY** — On another note I wish to congratulate 11-year old Thu Sa La, a Karen refugee who arrived in this country nearly four years ago and will be representing Victoria in the under-12 Australian

Rules football championships in South Australia next month. What an extraordinary achievement! A wonderful example of what can happen in this country is that having been in a refugee camp in Thailand you then excel in a sport that is revered in your new country. Dubbed as being better than Jimmy Bartel, Thu Sa La is now focusing on joining the Cats. In the meantime Thu will continue to play junior football for North Shore in Geelong, and I am sure everyone in this chamber will join with me in wishing him well in next month's championships.

### **Paralympic Games: shire of Mitchell athletes**

**Mrs PETROVICH** (Northern Victoria) — I would like to congratulate several constituents from the shire of Mitchell in the southern part of my electorate on their outstanding achievements. Three residents have been selected to represent Australia at the 2012 London Paralympic Games. Joann Formosa from Broadford and her horse Worldwide PB have been named in the para-equestrian team and will compete in dressage. Kilmore local Ahmed Kelly, son of humanitarian Moira Kelly, has been selected for Australia's Paralympic swimming team, and Hidden Valley's Natalie Smith has been named in the shooting team. These three athletes have achieved outstanding results in their chosen sports despite their disabilities. I wish them well in their quest for gold at the London Paralympic Games.

### **Moira Kelly**

**Mrs PETROVICH** — I also congratulate Moira Kelly on being selected to carry the Olympic flame as part of the torch relay for the 2012 London Olympic Games. Moira will carry the flame through Oldham in England on 24 June. This is a fitting honour for a woman who has done so much to help children both in Australia and from around the world through her Children First Foundation.

### **Queen's Birthday honours**

**Mrs PETROVICH** — Congratulations also to Kevin and Rhonda Butler who were named in the Queen's Birthday honours. I would also like to congratulate a fine young man, Cameron Caine, who is a Kinglake police officer. He will also receive an Order of Australia Medal for his tireless work in the community in the wake of the Black Saturday fires. We are privileged to have all of these inspirational people in our community.

### **Yappera Children's Centre**

**Ms MIKAKOS** (Northern Metropolitan) — On 12 June 2012 I visited the Yappera Children's Centre based in Thornbury, which is the only multifunctional Aboriginal children's service in metropolitan Melbourne. The centre was successful in receiving a renovation and refurbishment grant under the former Labor government in 2010, which allowed it to expand its service and continue to provide a quality kindergarten program. It is a fantastic service that also provides long day care, before school care, school holiday programs, optometry, dental, nutrition, speech therapy and early intervention services and parenting and exercise programs. I congratulate the manager, Stacey Brown, and her very committed and passionate staff.

### **Gowrie Victoria: Carlton North children's program**

**Ms MIKAKOS** — On the same day I also visited Gowrie Victoria's children's program in Carlton, which provides professional development and training for the early childhood sector as well as a long day care and kindergarten program. This service is part of a national group of Lady Gowrie centres established over 100 years ago. I was particularly impressed with the outstanding outdoor learning areas for the children. The Lady Gowrie centres are exemplary, and I congratulate the CEO, Sue Hart, on her leadership and her staff on their work.

### **Annie Dennis Children's Centre**

**Ms MIKAKOS** — I was also pleased to visit my old kindergarten, the Annie Dennis Children's Centre in Northcote. This is a centre which has expanded considerably over the years. It now offers both three-year-old and four-year-old kindergarten programs as well as a long day care program.

### **Merri Creek Primary School: out-of-school-hours care**

**Ms MIKAKOS** — I also visited the wonderful Merri Creek Primary School out-of-school-hours care service, which looks after children in the mornings before school and in the afternoons after school. The dedication and commitment of the school staff and their supportive principal to deliver an exemplary service was evident. I thank all those centres for allowing me to visit.

### **SPC Ardmona and Fonterra Australia: upgrades**

**Hon. W. A. LOVELL** (Minister for Housing) — It is no secret that I am proud of my local community and proud of the role the Shepparton region plays as the food bowl of the nation. For this reason, SPC Ardmona's announcement last week of a \$90 million upgrade of its plant at Shepparton was very welcome. I am also proud that the Baillieu government has contributed \$4.4 million to the project, which will see 45 new jobs created. This upgrade will enable the company to boost its efficiency in terms of water use and energy consumption. It will also be able to take advantage of product innovation and environmental improvements. This upgrade will help to secure the future of SPC in Shepparton.

Another welcome announcement last week was the upgrade to Fonterra Australia's facility at Stanhope, with \$7 million to be put into the factory, including the construction of a \$3 million Cheddarmaster cheese-making machine. That machine will help the company make up to 7 tonnes of cheese in just an hour.

I thank and congratulate both SPC Ardmona and Fonterra Australia for their trust in and commitment to the Goulburn Valley. Their recently announced upgrades are great news for the workers and the community, as well as good news for the fruit growers and dairy farmers of our region. As I said before, the Goulburn Valley is the food bowl of our nation. Its survival as a viable growing and processing region is essential. I am glad to see our food production companies doing what they can during tough economic times to shore up the future of their communities. I am also proud of the Baillieu government's investment in my region.

### **World Refugee Day**

**Ms HARTLAND** (Western Metropolitan) — I attended the celebration of World Refugee Day last Sunday. The issue of refugees and how they come to this country is very important to me; I joined the Greens during what I now refer to as the Tampa election. The way people vilify refugees and the way they are mistreated is a real problem in this country. In politics they are often used as a race card to win elections.

I hope we start to do a much better job in this country, which has the capacity to care for refugees. We should look to history and think about the fact that it was former Prime Minister Malcolm Fraser who managed the Vietnamese boat people very well. People arrived and went into hostels, and six to eight weeks later they

were out in the community. Has the Vietnamese community made a huge contribution to this country? Of course it has.

Unless you are an indigenous person in this country, at some stage you or your ancestors have come to this country as migrants or refugees, and we should treat newly arrived refugees with a lot more dignity than we do at the moment.

### National Cybersecurity Awareness Week

**Ms CROZIER** (Southern Metropolitan) — Last week was National Cybersecurity Awareness Week. Cyberbullying, sexting and protecting a child's digital reputation are issues the Victorian government takes extremely seriously, and I am pleased to say Victoria has taken a leading role in this area. A number of initiatives to help counteract problems associated with online safety were announced by the Minister for Education, Martin Dixon, during Cybersecurity Awareness Week. They include the Victorian government and Facebook teaming up to put together a virtual presentation on Facebook safety and security for secondary school students.

The Alannah and Madeline Foundation has worked closely with the Victorian government to produce an online antibullying program whereby schools can become certified eSmart schools. This is part of the Victorian government's \$10.5 million eSmart initiative, and so far in excess of 900 schools across the state have already signed up to become eSmart schools. That includes 81 special schools, because some children who attend special schools are particularly vulnerable in this area.

I am pleased to say that many students and their teachers are very aware of the impact of cybersecurity. Last week, together with the member for Bentleigh in the Assembly, Elizabeth Miller, I joined the Minister for Education in visiting Valkstone Primary School in Bentleigh East, where we were shown the Australian Communications and Media Authority's award-winning film *Respect the Internet*. Congratulations to all the students who participated in the making of the film. The students made the film to raise their peers' awareness of cybersecurity.

Student input, school community support and the Victorian government's commitment and leadership in this area will go a long way towards raising awareness about online safety and security. That combined effort will assist in reducing the online risks of the digital and online medium and will provide safer learning environments.

### Wallan-Kilmore bypass: route

**Ms BROAD** (Northern Victoria) — The Wallan-Kilmore Bypass Group, in association with other groups, is planning to hold a public rally in Kilmore, including a street march and public meeting, on Saturday, 21 July, because they want MPs and councillors to hear from members of the community and from community organisations that are affected by the government's bypass proposals and their impact on environment, sporting and recreation groups. People stand to lose part or all of their property and homes.

I take this opportunity to challenge the Minister for Planning, the Minister for Roads and the member for Seymour in the Assembly, Cindy McLeish, to take up the invitation to attend and hear about the impact of their bypass proposals. Those proposals do not deliver on the promise made prior to the last election by Mr Baillieu, who is now Premier, to provide a bypass to the north of Kilmore. It is extraordinary that the Minister for Planning does not accept that the Wallan-Kilmore bypass proposals are a planning issue, and meanwhile he announces new northern developments with 'sophisticated town centres'. The president of the Wallan-Kilmore Bypass Group is reported in the *Herald Sun* recently as saying there are 'no sophisticated town centres for Wallan or Kilmore'.

### Catholic Ladies College: Sr Una McAllister Centre

**Mrs KRONBERG** (Eastern Metropolitan) — Last Sunday afternoon I attended the blessing and opening of the new Sr Una McAllister Centre at the Catholic Ladies College in Eltham. For me this was a very special occasion, as the centre was named after the dedicated nun who taught me when I attended the former CLC campus on the site just across the road from here, now occupied by the Park Hyatt Melbourne. We East Melburnians knew her as Mother Una, our mother rectress.

The dramatically beautiful centre, nestled amongst the trees and overlooking Eltham, is now a place of learning and culture, music and song, gathering and community, prayer and reflection, symbol and story, spirit and celebration, a holy place with Christ at its heart. The moving ceremony and blessing was graced by the Reverend Terry Kean, Sr Annette Cunliffe, religious sister of charity and congregational leader of the Sisters of Charity, and many other members of the Sisters of Charity.

During this time of song and thanksgiving we also heard from the CLC co-captains, Brigitte Duckworth

and Reyna Vincent; school principal, Margaret McKenna; John Slattery, chair of the CLC board; and David Alcock, business manager. The afternoon was filled with singing and a choreographed unveiling of symbolic elements. So many former students and members of the community attended that the centre was filled to overflowing. Life for students and staff at CLC now includes a living memorial to Sister Una McAllister's life's work and her vocation.

### **Queen's Birthday honours**

**Ms DARVENIZA** (Northern Victoria) — I take this opportunity to congratulate the many constituents of Northern Victoria Region who received Queen's Birthday honours. Five constituents from Northern Victoria were appointed members of the Order of Australia for services to the community in the areas of environment, provision of support in the aftermath of the 2009 Victorian bushfires, service to Parliament, advocacy, and the arts. Nineteen constituents received the Medal of the Order of Australia for services to the community in a wide range of interests including viticulture, local government, provision of support in the aftermath of the 2009 Victorian bushfires, the environment and aviculture. One constituent received the Public Service Medal for his contribution to the lamb industry, and three constituents received the Australian Fire Service Medal. Congratulations to all those in my electorate who received Queen's Birthday honours.

### **Reverend Peter Cook**

**Mr KOCH** (Western Victoria) — The announcement of the Queen's Birthday honours provides an excellent opportunity to celebrate the remarkable contribution of selfless individuals. It is therefore with great pleasure that I congratulate the Reverend Peter Cook, OAM, of Hamilton on being awarded the Medal of the Order of Australia for his contribution to the community. Peter worked in local government for 16 years before following his lifelong passion to help others through the ministry of the Uniting Church in Australia. Locally born, upon returning to Hamilton in 1999 Peter took up the challenge of caring for his local congregation.

The need to help others soon expanded to a wider role in which he works tirelessly for that community, within both the church and many other organisations across the district. An initiative recently established in Hamilton, in conjunction with Southern Grampians shire, is turning roundabouts into vegetable gardens. Once the produce is picked it is then supplied to Peter,

who distributes the fresh food through a program he runs to help local disadvantaged families.

Peter's extensive community involvement also includes chaplaincy for the local police and the Western District Health Service. Peter is a passionate supporter of the Cancer Council Relay for Life and is committed to caring for people with drug and alcohol addiction. In his spare time Peter enjoys entertaining the elderly by singing country music. As a man who genuinely cares for the people in his community, Peter is a most worthy recipient of this prestigious award.

### **Victorian Country Football League: review**

**Mr DRUM** (Northern Victoria) — I recently had a briefing from the CEO of the Victorian Country Football League, Steven Reaper. Since the previous CEO, Glenn Scott, parted ways with the VCFL — and I thank Glenn Scott for his contribution — a review by former Essendon CEO Peter Jackson has taken place. Mr Jackson's report was completed in October last year and included a long list of recommendations on the future structure of the governance of football's peak bodies in Victoria and specifically regional and country football.

The review was commissioned by AFL Victoria, which is about to implement its response to the review recommendations. In short, AFL Victoria will merge the VCFL into its operations and there will be the creation of AFL Victoria Country to oversee the administration of country football in Victoria. The new model is likely to see 13 regional administration centres with eight larger centres known as La Trobe, South East, Geelong, Western Districts, Ballarat, Bendigo, Goulburn-Murray and North East Border. There will be five slightly smaller regional administration centres known as East Gippsland, Wimmera, Central Murray, Sunraysia and Yarra Valley.

With a more strategic approach to the allocation of staff throughout regional Victoria and an additional investment of over \$1.7 million, there are likely to be an additional 10 people employed by AFL Victoria Country working throughout regional Victoria. It is also anticipated that each of the 13 regions will have its own commission and will be empowered to act more autonomously and have decisions made in the region. Each region will still have its own board; however, these changes, including new regional divisions, will be a good thing for Victorian country football.

### Harold Bould (Cardinia) Kokoda Award

**Mr O'DONOHUE** (Eastern Victoria) — The Harold Bould (Cardinia) Kokoda Award honours the memory of Harold Bould, one of five brothers from the township of Cardinia who enlisted for service during World War II. Regrettably Harold was killed at Kokoda village on 29 April 1942. The award sponsors two year 10 students from the shire of Cardinia to walk the Kokoda Track each year. The aim is to nurture and develop community leaders of the future and honour the memory of all our veterans.

Last week I was pleased to host an afternoon tea in my electorate office in conjunction with the 39th Australian Infantry Battalion Association and several Kokoda veterans to wish the 2011 winners, Harry Brown and Indi Byrne, every success for their trek later this month. We also launched the 2012 award and competition. We wish both Harry and Indi every success for their trek.

### Buses: East Gippsland

**Mr O'DONOHUE** — On Friday, 8 June, I was pleased to be in Orbost with my colleague the member for Gippsland East in the Assembly, Tim Bull, to officially launch new bus services connecting Marlo and Orbost to Bairnsdale and beyond, and 24 additional services per week to Lake Tyers Beach. The mayor of East Gippsland Shire Council, Cr Dick Ellis, together with other community leaders, joined us at the event, which was a reflection of the joint community effort to develop these services. They are most welcomed by people in these communities, who for the first time will be able to go to Melbourne and return in one day on public transport. These services build on the additional investment the government has already made in improving bus services in and around the Latrobe Valley earlier this year.

### COALITION: GOVERNANCE

**Hon. M. P. PAKULA** (Western Metropolitan) — I move:

That this house notes the ongoing atmosphere of mistrust and recrimination between the coalition partners as a result of the 'Overland-Jones-Weston affair' and the detrimental effect it is having on the good governance of Victoria, and in particular the —

- (1) forced resignation of the Liberal member for Benambra as Parliamentary Secretary for Police and Emergency Services and a Liberal adviser rather than The Nationals Deputy Premier;

- (2) taping of a private conversation by the Liberal member for Benambra without the knowledge of The Nationals Deputy Premier; and
- (3) leaking of the contents of that tape in an apparent attempt to undermine the Liberal Premier, The Nationals Deputy Premier or both;

and calls on the Premier to seek advice on what opportunities are available to the Deputy Premier to recommit his evidence under oath to reconcile the irregularities with the evidence given under oath by the member for Benambra to the Office of Police Integrity.

Yesterday when I gave notice of this motion it was greeted with incredulous laughter and indeed guffaws from the members of the government in the chamber at the time. I have to say I think they protest too much. The basic premise of the motion is that the dysfunction that exists in the relationship between the Liberal Party and The Nationals, which has been evidenced not just in the Overland-Weston-Tilley-Jones-Ryan affair but in other aspects of the government's performance, is affecting that performance. As a result of that, it is affecting the governance of the state and the focus of the government on the problems of Victorians. It is denied by the government, but in reality it is undeniable that this government's ongoing internal focus is distracting it from the job it is really meant to be doing on behalf of Victorians.

The mantra that government members took to the election about building the future and fixing the problems has been effectively overtaken by the government's focus being entirely internally driven. We need to go back no further than budget week. As I have contemplated this motion I have tried to form in my mind a view about whether or not this is really about The Nationals-on-Liberal-Party violence or Liberal-Party-on-The-Nationals violence, but when you look at the whole sad series of events it is impossible to escape the conclusion that it is both. It is violence begetting violence. It is the actions of one party being met with recriminations from the other.

If we look at budget week, we see the atrocity committed on a Nationals minister by a Liberal-dominated government. The Nationals minister, who represents a regional electorate — a former schoolteacher and someone well regarded in his sector — then received the hospital handpass from the Treasurer, Kim Wells. Savage and indefensible cuts were made to a part of the education sector that can least afford it, and those cuts have dashed the hopes of thousands of kids and impacted completely disproportionately on regional Victoria. It is undeniable that The Nationals are incredibly bitter about the fact that one of their own has been required to be the

messenger of doom to the TAFE sector. It is little wonder that Mr Hall thought about snatching it in response to the savage cuts that he had to impose.

That economic and education atrocity was then met with a political atrocity of its own. The Nationals are seeking to do what they always do. Now that they have the big cars, the big offices, the five cabinet spots and the big salaries, rather than taking responsibility for a bad and brutal call — at the end of the day a government call — The Nationals minister now seeks to throw the Liberal Party in front of the budgetary bus with The Nationals mantra ‘We didn’t want to do it; the nasty Liberals made us do it’ we always hear from them when things get a bit difficult. The second Baillieu budget goes completely up in smoke as a consequence of the dysfunction at the heart of this government.

That series of events around the budget forms just part of a pattern of undermining and lack of trust that goes back to the plot to get the former Chief Commissioner of Police, Simon Overland, purely and simply. It goes back to the absolute division at the heart of the government about the simple question of what the Minister for Police and Emergency Services, Peter Ryan, knew and when he knew it. The Leader of The Nationals, the Deputy Premier, has waited a very long time in this Parliament to become the Leader of The Nationals in government. He has waited a long time to be a minister, and he has waited a long time to be the Deputy Premier of Victoria. It is a matter of scripture, at least for The Nationals, and the altar at which The Nationals worship is that the Deputy Premier must remain the Deputy Premier no matter what.

Sacrificed at that altar have been the careers of the member for Benambra, Bill Tilley, and former adviser Tristan Weston, not to mention Simon Overland and Sir Ken Jones, the former deputy commissioner. The only things that stand between this Deputy Premier and political oblivion are his strident, insistent, incredible denials and his fantastic tale of ignorance. That is what it is; it is a fantastic tale, because I would suspect there are very few people in this place who genuinely believe that the Deputy Premier’s entire office could have known what was going on — Mr Tilley and Mr Kapel knew what was going on; everybody surrounding the Minister for Police and Emergency Services knew what was going on — but the minister remained blissfully and completely unaware of it until the matter reached its ultimate tragedy.

The only thing that stands between the Deputy Premier and political oblivion is everybody suspending disbelief and accepting that everybody knew what was going on

except the Deputy Premier. That is the only thing that stands between the Deputy Premier and the end of his ministerial career, because the fact that the denials are so insistent and consistent is a sign that he knows and acknowledges implicitly that if it is shown that he knew what was going on, he is finished. If it is ever proved that he knew what was going on, he is finished. Clearly Mr Ryan accepts that. Clearly he knows it, because if he knew what was going on, then he was obliged to act, and he did not act. He did not stop Mr Weston and he did not stop Mr Tilley. He did not intervene when Mr Kapel met with Sir Ken Jones. He did not do any of those things, so it is essential for the Deputy Premier’s future that he maintain at all costs that he knew nothing at any stage of this process.

What we then need to examine is who can punch a hole in Mr Ryan’s denials of knowledge. Mr Weston can, and in the *Crossing the Line* report Mr Weston does. He says he prepared briefing notes for the Deputy Premier. Clearly if the Deputy Premier had seen those briefing notes, they can have done nothing but set off alarm bells. What is Mr Ryan’s response to the fact that there were briefing notes prepared? He says he never saw them, in the same way that a former Treasurer, Alan Stockdale, never saw the secret casino tender documents that were delivered to his office. He never saw them. They were there, they were prepared, his office saw them, but they never made their way to the minister.

Unfortunately nobody has seen hide nor hair of Mr Weston since the *Crossing the Line* report was handed down. Who else can punch a hole in Mr Ryan’s denials? Mr Tilley can, and Mr Tilley did.

**Ms Pulford** interjected.

**Hon. M. P. PAKULA** — Yes, Ms Pulford, he did it on oath. Mr Tilley said very simply that Mr Ryan must have known what was going on. Why? Because he told him. That is what Mr Tilley is reported in the *Crossing the Line* report as having said under oath. He said he told Mr Ryan about a meeting between himself, Mr Weston and Sir Ken Jones. If the member for Benambra says that he told Mr Ryan and Mr Ryan says he has never told him, how can that contradiction be resolved? It is simple. Mr Tilley is offered up as a sacrifice to save the Deputy Premier. That is how it is resolved. They offer up Bill Tilley as a sacrifice to save the Deputy Premier.

The natural conclusion, and the only conclusion that one can logically draw from the offering up of Bill Tilley as a sacrifice to save Mr Ryan, is that the Premier accepts Mr Ryan’s version of events and rejects

Mr Tilley's version of events, because that is the only natural conclusion one can draw — Mr Ryan says one thing, Mr Tilley says another and Mr Tilley goes, QED the Premier must be saying that he accepts what Mr Ryan says and rejects what Mr Tilley says. But not this Premier. No, that is too logical for this Premier. This Premier then engages in obfuscation of the worst kind. He adopts the entirely implausible, entirely illogical position that they are both telling the truth and all that has happened is that they each have a different recollection of a conversation.

When he says he told Mr Ryan, Mr Tilley is telling the truth, and he is a terrific bloke. He is a great bloke, a man of integrity. He is telling the truth. Mr Ryan says Mr Tilley never told him and the Premier says that Mr Ryan is telling the truth as well, it is just that they have a different recollection of events. It reminds me of the movie *Sliding Doors*, in which there are alternative realities. One door slides open to reveal one reality in which Bill Tilley is telling the truth, then the door slides shut to reveal an alternate reality in which Mr Ryan is telling the truth, because that is the only way the Premier can hold the whole show together. He cannot say that he believes Mr Tilley because then his deputy is finished. He cannot say that he believes Mr Ryan because then the Liberal Party will revolt against him. He has to come up with this ridiculous, fantastic theory that they are both telling the truth, and it simply defies logic.

To insult our intelligence further we are told that not only are they both telling the truth but they are a couple of swells. They are best buddies. They get along like a house on fire, they trust each other implicitly, it is just a little misunderstanding; move along, there is nothing to see here. This is the story being woven by the Premier and his office. They trust each other so much that when the Deputy Premier places a call to the member for Benambra, what does Mr Tilley do? He does what we all do when a trusted confidante calls: he presses the red button labelled 'Record'. I know that when Mr Leane rings me that is what I do: I tape him as a matter of course.

**Mr Elsbury** interjected.

**Hon. M. P. PAKULA** — I say to Mr Elsbury that there is trust in action.

That is a functional government for you. But it gets worse. Not only does Mr Tilley hit the red button, not only does he record the Deputy Premier because he thinks he is being verballled — his words, not mine — but the fact of the recording and parts of the recording are then leaked. They are not even leaked

surreptitiously; they are leaked brazenly. People are proud of the fact that they have been leaked.

Why have they been leaked? That is the question members should be asking themselves — those who are not involved in the leaks that is. The question members should be asking is: why have those contents been leaked? Is it because the member for Benambra just wants to do damage to the Deputy Premier? Frankly, I doubt that is the reason. Does it go wider? Is it Mr Tilley and his allies, whoever they might be, engaging in payback on The Nationals as a whole for what they view as an unconscionable lack of loyalty or whatever it might be? Or is it the case — and I think Nationals members should contemplate this as they go about their day — that The Nationals and Mr Ryan are just collateral damage?

It is no secret. As late as a couple of days ago we were treated to newspaper headlines such as 'Ted "must get moving"' and 'More Lib MPs stir leadership pot'. That is just one of many clippings, and I will put it down lest I be accused of bringing a prop into the chamber. I have a copy of the *Crossing the Line* report as well, by the way.

This shows that a group of Liberal MPs have never forgiven Mr Ryan for the role he played in propping up Mr Baillieu's leadership in the last Parliament with the coalition agreement. They have never accepted the fact that Mr Baillieu was the one who led the party to government and was the one who retained the leadership or that presides over a party where there is a preponderance of views that are different from his own. They continue to agitate for a change at the top of the Liberal Party. What could be better than getting at the Premier by kneecapping his deputy? It is a classic political double play: take down Mr Ryan and take down the Premier at the same time.

In this dysfunctional, recrimination-filled and bitter government, the tit for tat, finger pointing and distraction that is impacting on the services being delivered to the people of Victoria just goes on and on. Through it all one absolute fact remains uncontested, and that is that Mr Tilley gave evidence to the Office of Police Integrity under oath and the Deputy Premier did not. If Mr Ryan's denials and the fantastic tale he has woven is true, and he believes it to be true, he should not just have no problem with giving evidence under oath, he should demand that he give evidence under oath. He should want to put this matter to bed. He needs to give evidence under oath not just for the sake of the government but for the sake of his own reputation.

Whatever one says about Mr Tilley, whatever criticism one may have of him or indeed of Mr Weston, both Mr Tilley and Mr Weston gave their evidence under oath. The only time giving evidence under oath becomes a problem is if you propose not to tell the truth. The Premier should not just feel a need to provide an opportunity for Mr Ryan to give evidence under oath, he has to insist on it for the sake of Victoria and for the sake of the government he leads. Frankly, this saga has to end at some point for all Victorians. The Premier cannot truly believe that it is in the interests of the government, the people of Victoria or his cabinet for this saga to go on and on.

If Mr Ryan is not prepared to give sworn evidence, if he does not insist that he clear his name and his reputation by giving sworn evidence, then we are all entitled to draw the only obvious conclusion that flows from that. At that point the Premier ought also to conclude that what has been and what remains the most likely explanation — namely, that Mr Tilley did tell Mr Ryan what he was up to — is the truth, and at that point it will be curtains for Mr Ryan. Mr Ryan knows that. The only way he can resolve it is to give evidence under oath, because otherwise this will just go on and on. It is apparent to everyone that the ridiculous edifice that this government has tried to build — that they are both telling the truth — is crumbling under the weight of its own inconsistency and it will fall to the ground very shortly.

It cannot go on, and it certainly will not have been helped by the Deputy Premier standing up in the other place yesterday when confronted by this mass inconsistency and saying, 'Such is life'. I know what I would think if I were Mr Tilley and I heard The Nationals Deputy Premier respond with such flippancy, with such arrogance, with such apparent lack of care for the contribution and the impact this has had on one of his coalition colleagues. Such is life!

This edifice is crumbling, and it is going to fall to the ground. The scrimmage that is going on between the coalition partners is sucking the life out of the government. It is destroying the prospects of thousands of young Victorians, as seen in the TAFE debacle. Mr Ryan has to give sworn evidence. It is the only way this matter can be resolved. The Premier has to insist on it, and if Mr Ryan says no, then Mr Ryan must go.

**Mr O'DONOHUE** (Eastern Victoria) — I am pleased to respond as the first speaker for the government and let the house know that the government will be opposing Mr Pakula's motion. My word! I never picked Mr Pakula as a conspiracy theorist. The conspiracy theory that he articulated in his

20-minute contribution on the motion has perhaps as much weight as the conspiracy theory that says Mr Pakula ran public transport into the ground before the last election so the Labor Party could lose the election and accelerate his prospects of becoming the Leader of the Opposition in this place.

The conspiracy theory that he has proposed has about as much credibility as the one I have just proposed. Mr Pakula has tried to link completely unrelated events and wrap them up into some broad, overarching conspiracy of the Liberal Party to 'get' the Minister for Police and Emergency Services, Mr Ryan. What a load of nonsense! What an absolute load of nonsense it is to say that somehow the decisions made in the budget had their genesis 12 months ago in the matters that are the subject of this debate.

To deal with the issue, the Office of Police Integrity (OPI) has tabled its report *Crossing the Line*, dated October 2011. On page 22 of that report under the heading 'Methodology' it states:

A range of overt and covert investigative tools were used to undertake this investigation. A total of 20 witnesses provided information to assist the investigation.

It goes on. It is a very detailed and comprehensive report by the OPI. In question time in the other place the opposition has put, as I understand it, up to 30 questions to the Deputy Premier on this issue, and Mr Pakula comes in here as the lead speaker for the government and contributes nothing new and nothing additional. He adds nothing to what has been said before by the opposition, except this grand conspiracy that somehow the Liberal Party is using this as a vehicle to prosecute other issues. What an absolute load of nonsense. Mr Pakula in his contribution, as I said earlier, went on to try to link other extraneous issues around the budget to the issue that is the subject of this motion and to say that is causing the government to be dysfunctional.

Why do we not look at the facts? The fact is that the government is getting on with the job of governing Victoria. If we look at the portfolio responsibilities of the Deputy Premier, if we look to the issue of police and emergency services, by the end of June this year, as I understand it, over 800 additional front-line police will be on the beat. We are well on the way to delivering on our election commitment of 1700 additional police during this term of government. That is absolutely fantastic, and the community is very pleased that these additional front-line police are on the beat. As a member I have personally had significant feedback from members of the community who are very pleased to see this increased police presence.

I go to another issue in the police portfolio, that of protective services officers (PSO). We know what the opposition's view of protective services officers is; it opposes them, except at our local train stations. Opposition members oppose PSOs. They are outrageous! They say, 'We don't want them, but why haven't you delivered them to my local train station? It's not fair. Why aren't they at Hallam station? Why aren't they at Sydenham station? Why aren't they at Craigieburn station? Why aren't they here? Why aren't they there? But we oppose them'.

But, being absolutely consistent, as the opposition is in all these things, it is absolutely flip-flopping all over the place. Mr Merlino, the member for Monbulk in the Assembly, has flip-flopped so many times on this issue that it is an absolute joke. Many members of the opposition have flip-flopped in calling for PSOs to be placed at their railway station. 'Oh, it's not fair. When are we going to have the PSOs at my railway station? But we oppose them'. What an absolute joke. The government is getting on with the job —

*Honourable members interjecting.*

**Mr O'DONOHUE** — I hear some heckling, Acting President. The government is very pleased at the progress that has been made on fulfilling its commitment to deliver protective services officers on the metropolitan rail network. I note a statement last week from the Deputy Premier and Minister for Police and Emergency Services, Peter Ryan, which says:

The Victorian coalition government welcomes the announcement today by Victoria Police that protective services officers (PSOs) will start patrolling Melbourne Central train station from tonight.

The latest deployment comes after a further 10 PSOs graduated from the Victoria Police academy on Friday, 8 June.

The coalition government is proud of our commitment to make travelling the public transport system safer through the recruitment of 940 PSOs by November 2014.

Today's announcement ensures PSOs now patrol Melbourne Central, Southern Cross, Flinders Street, Footscray and Dandenong stations from 6.00 p.m. until the last train every night of the year.

Victoria Police will continue deploying PSOs to other stations, including Parliament, North Melbourne and Richmond, as recruits graduate through the police academy.

The government is getting on with delivering its election commitments in this area.

If we move more broadly onto the Regional Growth Fund, which is another area that comes under the responsibility of the Deputy Premier as Minister for

Regional and Rural Development, we see that it is delivering for Victoria. As a representative of Eastern Victoria Region I am proud of the contribution that fund is making to my electorate and to a range of communities throughout country Victoria.

*Honourable members interjecting.*

**Mr O'DONOHUE** — I hear the interjections of the opposition, and I go back to the fundamental point made by Mr Pakula in his opening contribution to the debate, that somehow this issue has caused the government to be dysfunctional. Notwithstanding the heckling from Mr Pakula, Mr Lenders and all the other members of the opposition, what I am saying in rebuttal is that the fundamental premise put by Mr Pakula in his opening statement on this motion is absolutely false. As I have just articulated, the government is delivering on its promise to train and deploy more front-line police, the government is getting on with its commitment to train and deploy protective services officers on the rail network and the government is getting on with investing in rural and regional Victoria through the Regional Growth Fund, which is creating employment, investment and generating jobs in country Victoria.

From my own perspective and to rebut the nonsense proffered by Mr Pakula, I note that two Fridays ago I had the pleasure of spending the day with my colleague and friend the member for Gippsland East in the other place, Tim Bull. It is fantastic that the constituents of Gippsland East have such a fine representative in Mr Bull. I was pleased to announce, with Mr Bull, the launch of additional public transport services for the communities of Marlo, Orbost, Lake Tyers and other parts of Gippsland East. The additional services will connect those communities to Bairnsdale and Melbourne and provide access to the services that those from more isolated communities need.

These are things that the previous government and Mr Pakula, when he was Minister for Public Transport, had the opportunity to do but which they failed to do. The city-centric Brumby government failed to invest in country Victoria.

As I said in my 90-second statement this morning, earlier this year I was pleased to join with my colleague, the member for Morwell in the other place, Mr Northe, in announcing additional new public transport bus services for the Latrobe Valley. Those inter-town services are a fantastic investment in public transport services throughout the Latrobe Valley.

**Mr Lenders** — What about Tim Bull's promise on the Macalister irrigation district that Peter Ryan could deliver?

**Mr O'DONOHUE** — Mr Lenders makes an interjection about water. I cannot resist taking up the interjection from Mr Lenders, the man who sat around the cabinet table and said, 'Desalination, here we go! It will never rain again; here is the silver bullet; thanks very much'.

The failed former Treasurer of Victoria, who let millions of dollars slip through his fingers through the auction process for electronic gaming machines, may not like to hear the truth about desalination. He may not like to hear the truth about his failure to properly manage the auction process for electronic gaming machines, which, according to the Auditor-General, deprived the Victorian taxpayer of several billion dollars. The Auditor-General said Mr Lenders and former Premier Brumby failed to act appropriately and responsibly in ensuring that the auction process had integrity and delivered value for money for taxpayers. The government accepts these unfortunate realities, and it is getting on with the job of governing Victoria.

Mr Pakula spoke about the budget. Let us talk about the budget, because the budget was broadly accepted by key stakeholders. Business warmly responded to the cut to WorkCover premiums. The community very much appreciates the reaffirmation of the state's AAA credit rating by the ratings agencies. We note that most other jurisdictions have had their credit ratings downgraded. We note that the federal Labor government is borrowing billions of dollars. The endorsement of Victoria's AAA credit rating and the forecast of a budget surplus demonstrates the fiscal responsibility of the coalition government. I am glad that Mr Pakula mentioned the budget, because the coalition government has delivered a fiscally responsible budget. It is making prudent and good investments throughout Victoria.

Again, if we talk about the portfolio responsibilities of Minister Ryan, we see that there are more police on the beat, protective services officers are being trained and deployed, and the Regional Growth Fund is delivering for rural and regional Victoria. We are seeing improved public transport services throughout my electorate, manufacturing employment increasing and additional investment, as described by Minister Lovell in her 90-second statement today. A lot of positive things are happening as a result of the government's partnerships with business, industry and the community.

In his 20-minute contribution this morning Mr Pakula did nothing but rehash questions that have been put in the other place to the Deputy Premier. Minister Ryan responded to all those questions and there has been an Office of Police Integrity investigation into the matter that is the subject of this debate, and the government completely and utterly rejects the conspiracy theory nonsense that Mr Pakula has put forward today. It is a nonsense. It is about an opposition that is eternally divided and clutching at straws.

**Ms Tierney** — I don't think so.

**Mr O'DONOHUE** — Ms Tierney says, 'I don't think so'. Why did Mr Somyurek write to the Leader of the Opposition, Daniel Andrews, the member for Mulgrave in the Assembly — a letter Mr Somyurek presumably leaked — calling for the so-called rising stars to get more airtime over the failed former Brumby government ministers? The opposition is trying to take the pressure off its own internal divisions. We all understand Mr Pakula's aspirations to lead the Labor Party and the divisions between its left and right factions. The opposition is trying to divert attention from its own internal issues by creating some sort of grand conspiracy, which the government rejects as absolute nonsense. For those reasons the government will be opposing this motion.

**Ms PENNICUIK** (Southern Metropolitan) — I cannot say I am pleased to speak on this motion. It is regrettable that we have this motion before us, but it is a result of the activities emanating from the police minister's office that were described in the October 2011 report entitled *Crossing the Line*. Mr Pakula's motion starts out by saying:

That this house notes the ongoing atmosphere of mistrust and recrimination between the coalition partners as a result of the 'Overland-Jones-Weston affair', and the detrimental effect it is having on the good governance of Victoria ...

There are other parts of the motion which I will go to later. Mr Pakula started out by saying that the main issue is the rift in the coalition between the Deputy Premier and the Premier or between The Nationals and the Liberal Party. He went on to say that the Deputy Premier's position must be protected at all costs and that other people lost their jobs, including Mr Weston, Mr Tilley, who is the member for Benambra in the Assembly, Sir Ken Jones and Mr Overland.

I have not seen anything so far in any media report, Ombudsman's report, Office of Police Integrity (OPI) report or anything anywhere else that would warrant the resignation of the former Chief Commissioner of Police, Mr Overland. However, the activities of the

other aforementioned people — Mr Weston, Mr Tilley and Sir Ken Jones — as outlined in the Office of Police Integrity report do call into question their roles. The loss of their roles follows from their actions as outlined in that report. While the Greens will support the motion, I do not necessarily feel that the main issue here is the dysfunction in the government and the rift between the coalition parties, although obviously that is occurring. If it looks like a duck, it quacks like a duck and everyone is watching it unfold before us in media reports, then it is a duck. It is obviously having an effect on the coalition, but it is not the main issue.

The main issue is the one that is outlined on page 47 of the Office of Police Integrity report. It is the clandestine meeting between Mr Tilley, Mr Weston and Sir Ken Jones, a former deputy commissioner of police. In the last paragraph of that page the report by the director, police integrity, says:

In giving evidence Mr Tilley emphasised that he approached Sir Ken of his own volition and not on behalf of the government. He said he was hoping to speak to Minister Ryan the following Monday with the news that Sir Ken would reconsider his resignation. He said he did not inform Minister Ryan in advance of the visit, but subsequently told him what had occurred.

The crux of the matter is that is what Mr Tilley maintained under oath. At page 22 of the report there is the paragraph that Mr O'Donohue quoted at the beginning of his contribution, which says:

A range of overt and covert investigative tools were used to undertake this investigation. A total of 20 witnesses provided information to assist the investigation. Four of these witnesses were examined on oath or affirmation under division 3, part 4 of the Police Integrity Act 2008.

One of the witnesses who provided testimony on oath was Mr Tilley. The police minister was one of the witnesses who did not provide evidence on oath. Under oath Mr Tilley said that he informed the police minister after the event of the meeting he had with Mr Weston and Sir Ken Jones. The director, police integrity, described the conduct of Sir Ken Jones in agreeing to that meeting and undertaking other actions that are outlined in the report, which I will not detail now, as completely inappropriate. When we spoke to this report back in October last year I think I said his behaviour was at best unwise.

As we know, and as is outlined in this report, he also met with the Minister responsible for the establishment of an anti-corruption commission, Mr McIntosh. It was a secret meeting in regard to his possibly becoming the commissioner for the Independent Broad-based Anti-corruption Commission, which again I thought was questionable on the part of both parties, given that

subsequently we have gone through the whole process of setting up the Independent Broad-based Anti-corruption Commission with hardly any public input at all and a secret report, the Charles report, which I have been trying to get hold of through the Parliament. That should have been an open and public process, but it has not been.

The issue we have before us now is a contradiction in evidence, with Mr Tilley saying under oath that he did inform the Minister for Police and Emergency Services and the police minister maintaining that he knew nothing about it. Why we are here today is, of course, that further to the tabling of the *Crossing the Line* report there have been articles in the media with regard to Mr Tilley secretly recording a conversation six days, I think, after the tabling of that report. Mr Tilley maintains that the Deputy Premier tried to get him to change his story, and he describes that as being verballed. He then decided that he would secretly record the conversation.

This has been described by the police minister as, 'Much ado about nothing' and yesterday as 'Such is life' in answer to questions in the lower house. There are lots of clichés being bandied about. Obviously *Much Ado about Nothing* is a Shakespearean play and 'Such is life' are the words attributed to Ned Kelly before he was hanged in Melbourne in 1888.

**Mr O'Brien** interjected.

**Ms PENNICUIK** — Attributed to. However, it has gone into folklore as that. The Deputy Premier says that all of this is much ado about nothing. It has been reported in the media — and there have been many media reports about this which I have gone through — and I refer in particular to a radio 3AW program on 13 June when the minister is reported to have said:

My recollection of the conversation is that the two of us had a different recollection about an element of our discussion ...

We reached the point where we agreed we just have a different recall of that particular aspect of what had been talked about.

The two people, Mr Tilley and Mr Ryan, do not have a different recollection about an element of the discussion or a particular aspect of what they had been talking about; they have a different recollection about whether the police minister knew about the clandestine meeting between those three parties — Sir Ken Jones, Mr Tilley and Mr Weston — which was completely hidden from the then chief commissioner, Mr Overland. That is not much ado about nothing; it is a serious issue that we have before us. Did the police minister know about that meeting? Was he informed about the meeting?

What also concerns me is that both Mr Ryan and the Premier seem to have no problem at all with Mr Tilley resorting to the secret recording of a conversation with the police minister and Deputy Premier. From what I have heard and read, part way through the conversation Mr Tilley got so concerned by what was being said to him by Mr Ryan that he turned on a tape recorder. But the police minister and the Premier have no problem with that. The police minister says, 'It all amounts to much ado about nothing'; 'I don't have a problem with it'. The Premier, Mr Baillieu, says that recording a colleague is not 'something I would do. My approach is to assume that you are on the record when you talk to people'. The Premier says, 'I assume that you are on the record when you talk to people'. He is assuming that every conversation you have with someone is public and on the record and that there is no problem with Mr Tilley for his own reasons secretly recording the police minister.

The fact is that the Premier, the police minister and other members of the government, including in here Mr O'Donohue, are making out that it is a conspiracy theory. We are just talking about facts; things that have happened. I cannot believe the attitude of the Premier and the Deputy Premier — that is, that it is no problem for one of their own members of Parliament to be secretly recording the police minister. I think the secret recording of anyone by anyone else is a concern, and the casual attitude that the Premier and the Deputy Premier have to it is also a concern to me. They should be concerned about it. If you are going to record a conversation with someone, you should ask their permission. I do not feel that individuals should go around secretly recording conversations they have with each other.

We then get to the question: why did Mr Tilley do that? He says that he felt he needed notes of the conversation so that if the truth was needed later, he would have it on a recording. This does not fill anyone with any confidence that the pronouncements by the police minister have been accurate and entirely truthful. When we discussed this report in October 2011, I said that the evidence presented in it suggested that it was incredible; it was not believable to suggest that the police minister did not know, first, about that particular meeting and, second, about what was going on in his office. I also said at that time that if the police minister knew what was going on in his office — if he knew that his ministerial adviser, Tristan Weston, was actively undermining the police commissioner and that his parliamentary secretary was involved in that — it was reprehensible. He either knew about it, which means he should be considering his position as police minister for allowing his office to undermine the police

commissioner, or else he did not know about it, which is very difficult to believe.

Certainly from reading pages 26 and 27 of the *Crossing the Line* report you would have to say that the operation of the police minister's office with regard to the activities of Mr Weston, Mr Hindmarsh and Mr Ryan was dysfunctional to say the least. Mr Weston said he rarely spoke to the police minister. He said:

I would generally see him at least once a week, but often it'd be passing in the corridor.

He said his communication with the minister was almost invariably through the chief of staff, Mr Hindmarsh, and that Mr Ryan and Mr Hindmarsh spoke several times a day. The person who was appointed by the police minister to liaise between the police and the minister's office hardly ever spoke to the minister and only spoke to Mr Hindmarsh.

It is also reported on page 26 that this person never spoke to the police commissioner either. We had a dysfunctional office, as well as everything else, in terms of the liaising between police and the office of the Deputy Premier, who is also the Minister for Police and Emergency Services.

Prior to this report I said that the way police were seconded to ministerial adviser positions was wrong and should cease. I am glad to see that that happened following the release of this report. As the OPI said, and as I said prior to this report, it was an obvious conflict of interest.

The other thing covered in this report that the Minister for Police and Emergency Services did know about, and must have known about, is that Mr Weston said he made no secret of the fact that he did not have any confidence in Mr Overland as the Chief Commissioner of Police. He personally was hostile to the police commissioner. Mr Tilley was also known to be hostile to the police commissioner. Yet the police minister, rather than appointing people who he could be confident would be unbiased and professional in their behaviour in liaising with police command, appointed as his ministerial adviser someone with a known hostility to the police commissioner and then did not supervise him at all. He did not have regular contact with him; he left that to Mr Hindmarsh.

The police minister then appointed as his parliamentary secretary someone else who harboured hostility towards the chief commissioner. Two people who were hostile and known to be hostile towards the Chief Commissioner of Police were appointed by the minister to liaise with police. All of that was swirling around.

How was that allowed? It was not professional, unbiased or even handed. It was a recipe for the disaster that we saw.

It is of concern that there is ongoing disagreement between Mr Tilley and Mr Ryan about who knew what about the meeting between Sir Ken Jones, Mr Tilley and Mr Weston. It was a meeting kept secret from the chief commissioner. I acknowledge that the OPI report says that Mr Tilley did not tell the police minister prior to the meeting, but he maintains he did tell him after it and that the police minister did know about it. The police minister says he did not know about it. This is the core issue. It is a very serious issue, because it goes to whether the minister has not only misled the Office of Police Integrity but whether he continues to mislead the Parliament and the people of Victoria.

That meeting was about undermining the chief commissioner. With regard to the police minister, the former chief commissioner and the activities of the police minister's office and staff, I fail to see how anything could be more serious. It is not a distraction, as Mr O'Donohue called it, and it is not a conspiracy. It is a question about the truth of the matter and about who is telling the truth. If the minister is found to be not telling the truth — and I understand we are still awaiting an Ombudsman's report on this issue, so there is more to come — that will be a serious matter for consideration by the people of Victoria and the Parliament of Victoria.

I was concerned about Minister Ryan's statements in October. I am even more concerned about the ones I have read in the press over the last week or so regarding this particular issue. I am trying to determine why Mr Tilley made the recording. He said he did so because the minister was asking him to change his story. That the minister was asking a member of Parliament to change the testimony he gave under oath to the Office of Police Integrity is a serious accusation and a serious matter. Mr Tilley took it so seriously that he pulled out a recorder and made a secret recording. He does not resile from that. He says, 'I did this because I was concerned that at a later date the truth of it would need to come out'. The truth of it will come out at some stage. I cannot believe that the Premier, the Minister for Police and Emergency Services and other members of the government have such a casual attitude towards this and are trying to hit it out to cover when it goes to the heart of integrity in government.

I find it interesting that Mr Tilley says he needs to look after his integrity and that he is being accused of lying by the police minister given he said what happened under oath. It has certainly been implied, if not stated

outright, that he is lying. Mr Tilley says he is not lying, and he has made a secret recording to protect himself from that accusation. He is trying to protect his integrity, to prove that he did not lie on this occasion and to prove that he gave the correct evidence under oath. That is why he made the secret recording. However, it must be said that on the day this report was tabled Mr Tilley resigned or lost his job. Why did that happen? It was because of the activities he was involved in — secret meetings with Sir Ken Jones and Tristan Weston and other activities that are outlined in the *Crossing the Line* report — which, when they became public, made his position untenable. That is hardly being full of integrity.

It is not an action of integrity to get involved in a secret meeting to undermine the police commissioner, which is what he did, as outlined in the report as clear as day, and he does not deny it. That is why he resigned or lost his job — I presume it was both. He was pushed, but he was jumping anyway.

In terms of Mr Weston the Office of Police Integrity suggests in its report that, had Mr Weston not resigned from Victoria Police, then the OPI would have sent the ethical standards department a brief for disciplinary action against him for misconduct, so he did not have a choice either. Sir Ken Jones resigned, then withdrew his resignation and was in clandestine meetings with Mr McIntosh, Mr Tilley and Mr Weston. As I said, that was described by the OPI as inappropriate and described by me as unwise at best. He had no choice either.

I have also said in previous discussions on this issue that I did not believe there was any reason. I was surprised when the former Chief Commissioner of Police, Simon Overland, resigned on the publication of the Ombudsman's report into the release of statistics. The Ombudsman did not find that Mr Overland had acted dishonestly or in any other way maliciously. On page 29 of the *Crossing the Line* report, the OPI refers to that fact:

In a report tabled in Parliament in June 2011 the Victorian Ombudsman raised concerns about Chief Commissioner Overland's decision to release statistics but did not suggest that his actions were dishonest or designed to interfere unjustly and unlawfully with the democratic process.

As I said at the time, I did not think that was worth the resignation of the chief commissioner. I said at the time that the thing that needed to happen was what happens in New South Wales, which is that police statistics are released by the independent collector of the statistics at a particular time every month, and that just pulls the police completely out of that picture. That is what

should happen here. As far as I know that has not happened, but that is what should happen in Victoria. That would have been the remedy for that situation. There is no other evidence before the people of Victoria that warranted the resignation of the police commissioner, but as we learn more, we have to come to the conclusion that the police commissioner resigned because of the campaign waged against him, and that campaign was basically run out of the police minister's office.

The police minister himself remarked on the campaign, saying that he had seen nothing like the campaign waged against the police commissioner in his 18 years in Parliament, yet the campaign was waged out of his office by his staff and his parliamentary secretary.

**Mr Tee** — There are none so blind as those who will not see.

**Ms PENNICUIK** — That leads me to another platitude. We have had 'Such is life' and 'Much ado about nothing', and we could add, 'The emperor has no clothes'. Somehow or other the emperor and the deputy emperor are striding through Victoria in their finery, but everyone is laughing at them because they do not have any clothes on. They are not laughing as in 'Ha-ha', but they are concerned about this issue, because we are talking about the truthfulness of what the Deputy Premier and police minister has said to the Office of Police Integrity, the Parliament and the people of Victoria.

Mr Pakula's motion talks about the resignation of the member for Benambra, which I have covered. I do not think he had any choice but to resign, but when I said that at the time we did not know about the secret recording. We have only found out about that now. That was an unknown unknown, just to throw in another platitude, and I wonder how many more unknown unknowns there are in this whole sorry saga.

**Mr Lenders** — I never thought I would hear you quoting Donald Rumsfeld. I've heard everything now!

**Ms PENNICUIK** — I think they have gone into folklore now, the known unknowns and the unknown unknowns. They have disassociated themselves from their origins.

Paragraph (2) of Mr Pakula's motion goes to the taping of a private conversation between the member for Benambra and the Deputy Premier, and I have covered that. It is a serious concern that has been dismissed in an offhand way by the government. Do they all go around secretly recording each other? I do not know. Is that why it is not taken seriously? I would have thought

it was a very serious issue, firstly, that the member felt he had to do it; secondly, that he actually did do it; and, thirdly, that someone has leaked it and it is now public knowledge. I am not sure who leaked it, but the fact that we know about it is a good thing. We should know about it, because it adds to the unfolding of what has gone on in the dysfunctional police minister's office at the time.

**Mr Lenders** — It should all go to IBAC.

**Ms PENNICUIK** — I have spoken at great length about IBAC, and I think I am doing really well today. Members might be pleased to know that my voice is starting to crack up a bit, but this is a very important issue, and I have followed closely these issues about police integrity and IBAC and taken them very seriously.

Only yesterday a forum was held at Melbourne University about the flaws in relation to the IBAC. If it is set up the way that is planned, it will cause a lot of problems. The issues that were raised yesterday were about the definitions, which I have talked about — there are no definitions. The other issue I have raised is the circularity of the limits placed on IBAC. It cannot investigate anything unless it is serious corrupt conduct, which is not defined, but how is the IBAC ever going to know if something is serious corrupt conduct if it is not able to investigate it in some way to find out whether it is? The legislation says, 'If the facts' et cetera, but how will the IBAC know what the facts are if it does not do an investigation? It cannot do an investigation because it is prohibited from doing so unless it is a case of serious corrupt conduct. That is among a whole lot of issues I have raised before about the IBAC.

Another issue I have raised about the IBAC is that it is premature at best to be disbanding the Office of Police Integrity. In New South Wales the Police Integrity Commission and the Independent Commission Against Corruption are operated according to the recommendation of the Wood royal commission into police corruption. That is why New South Wales has the two bodies. They work in parallel and together on some things.

It is a big concern that we do not even have an IBAC set up but the legislation abolishes the Office of Police Integrity. It is even more a concern because there is hostility from the government towards the Office of Police Integrity, and in fact Mr Tilley described it as a grotesque, half-breed Frankenstein monster. He would say that, because he was found by the Office of Police Integrity to have been involved in inappropriate and clandestine conduct. He was not going to be happy with

that finding. He said that when the OPI was disbanded he would sing a rousing chorus of *Ding Dong The Witch Is Dead*. I find that very concerning. It is part of an ongoing tirade against the Office of Police Integrity that has come from the government, and it has clouded the government's judgement in terms of disbanding the OPI.

I remind members that if they look at the *Crossing the Line* report or the latest report of the Office of Police Integrity, *Reported Wrongdoing in the Workplace — Problems for Police*, they will see they are excellent reports that have come out of the Office of Police Integrity. I note there have been some issues with staff et cetera at the Office of Police Integrity, but to all intents and purposes it has done a very reasonable job. There is also the *Conditions for Persons in Custody* report and the *Review of Fatal Shootings by Victoria Police*. This was a landmark report by the Office of Police Integrity which called for more independence in the investigation of police shootings, something I called for in the previous Parliament. This is something I will be calling for in the future with my notice of motion 348 which is already on the notice paper, so I will not anticipate that debate now.

Other reports by the OPI include: *Review of the Victoria Police Witness Protection Program*, *Investigation into Victoria Police's Management of the Law Enforcement Assistance Program (LEAP)*, *Victorian Armed Offenders Squad — A Case Study*, a report into *Offers of Gifts and Benefits to Victoria Police Employees* and a *Review of the Use of Force By and Against Victorian Police* — another landmark report by the Office of Police Integrity. If I recall correctly, that report suggested that after 20 years of reports, investigations and reviews, the police still do not have proper training with regard to the use of force.

Other reports include *Update on Conditions in Victoria Police Cells*; *Managing Conflict of Interest in Victoria Police*; *Improving Victoria Police Discipline and Complaint Handling Systems — A Progress Report* and the *Crossing the Line* report. A further report is entitled *Past Patterns — Future Directions: Victoria Police and the Problem of Corruption and Serious Misconduct*, which we also discussed by way of motion in this Parliament, and the report on the Ceja task force. All of these very valuable contributions to the public debate were made by the Office of Police Integrity, and the *Crossing the Line* report, which is the basis of this motion, is still current.

The Greens will support the motion. We believe the Premier should look at what opportunities are available for the Deputy Premier to for once and for all give

evidence on oath with regard to his knowledge of the events that are the subject of this motion. That is the crux of the issue, and it is a serious issue and not one that should be dismissed offhand as has been done by the government, and I agree that it is having an effect on the government.

It made me think of Camelot. The government is not Camelot. It is not a congenial spot anymore for happily-ever-aftering, as is the case in Camelot, but it seems as though the government is trying to make it appear as if it is Camelot. We know there is a legal limit to the snow in Camelot; the winter is forbidden till December — I suppose we would call that June or July here. The lyrics to *Camelot* read:

The rain may never fall till after sundown.  
By eight, the morning fog must disappear.  
In short, there's simply not  
A more congenial spot  
For happily-ever-aftering than here  
in Camelot.

That may sound a bit frivolous, but it is what the government is trying to pretend, and at the core of this is a serious issue which the government cannot pretend away. That is why we will support the motion.

**Mr O'BRIEN** (Western Victoria) — It is with great pleasure that I rise to speak in opposition to this motion, which ironically places front and centre in its opening sentence a reference to the good governance of Victoria. It is one of the key points of difference between this coalition government and the former Labor government in Victoria or the current federal Labor-Greens alliance. In responding to this motion I will follow my colleague Mr O'Donohue, who comprehensively dealt with the salient issues in his usual efficient and effective manner. I also have the pleasure of working with Mr O'Donohue on two committees that he chairs, where he is also very efficient and effective.

As was well said by Mr O'Donohue, the essential point put up in the somewhat extraordinary contribution by Mr Pakula is that there is a grand conspiracy in place and that as a result this conspiracy has led the government to become dysfunctional with the budget somehow ending up in smoke. That conspiracy theory is extraordinary.

In my brief contribution I will put on record again, for the benefit of the opposition and for those listening, the reasons this government was elected in relation to the important question of good governance, which is at the heart of every government economically, in matters of integrity and ultimately in relation to every decision of government. It is extraordinary that such a tenuous link

can be made, but it is something that comes out of the Labor rule book. It is something Labor members are very familiar with given their background of factional infighting, backstabbing and division. We have seen this documented right across the country, particularly in relation to the federal government, which is also complicated by a Labor-Greens alliance.

I will briefly respond to some of the points made by Ms Pennicuik. I welcome Ms Pennicuik back to the house; it was of some concern when I heard she was unwell. I am glad to see that she is back and performing to her usual standards. I will pick up on her Camelot reference because it reminded me of one of the greatest conspiracy theories that will never be properly resolved, being the John F. Kennedy assassination. It was said that JFK turned the White House into Camelot. I do not know where that takes the Greens in their contribution; I do not wish to take it any further.

This budget has not gone up in smoke. Certainly Labor's legacy, if it has not gone up in smoke, is going down the drain, and we need look no further than the recent news about what is being felt by Melbourne Water customers — that is, the Labor pain that is coming and is unavoidable, regrettably, as a result of the desalination deal that will deliver in net present value terms approximately \$23 billion of Labor pain over 28 years to Melbourne Water customers. This government, the Premier and the Minister for Water have worked decisively to alleviate that pain within the confines of the contractual agreement the former Labor government set for Melbourne Water customers in relation to the way the desalination deal was to be put together.

Labor certainly did not go to the election and say, 'We will conduct a feasibility study on a desalination plant'. In fact it did what is a classic Labor trick, which was to ridicule the attempts of the Liberal Party, at that time not in coalition, to put the question of a desalination plant on the agenda for the 2006 election, which the Liberal Party said it would do as a feasibility study. Labor called that a hoax, and to defend its lie in relation to its changing position when it came into government in 2007 — —

**Mr Leane** — You don't want to speak on the motion, do you? We understand why!

**Mr O'BRIEN** — No, I am speaking on the motion, Mr Leane. The motion concerns good governance, and you do not want to hear about good governance. Good governance is something that is not in Labor's DNA. It cannot manage money, and it does not want to hear about it. It prefers to spin and talk about things that are

not happening, like conspiracies such as those postulated in this motion and in the contribution by Mr Pakula or in other spin that is sometimes put out by Mr Tee in relation to planning decisions that Labor itself had taken to a much greater extent.

Labor members are the kings and queens of spin. They manage spin very well, because regrettably it sometimes has some effect when the public mistakenly takes some trust in what Labor is saying. The greatest spin of all — there was no greater spin — is what has occurred in recent Labor history, being the promise that was made in very close proximity to an election that, 'There will be no carbon tax under any government I lead'. That was a fraud on the people either at the time it was taken to the election or at a later time when it became a broken promise because, as we have found out, there is in fact a carbon tax under the government which the maker of that promise, the Prime Minister, is leading, despite attempts by other members of her party to try to derail that course. If we are talking about division, infighting and kneecapping, metaphorically or otherwise, I refer to the Labor rule book.

We can refer to some of these books, because Labor members often publish their diaries when they are booted out. I refer to the *Latham Diaries*. One can have a look at the frequent spats between former Prime Minister Bob Hawke and his loyal deputy, Treasurer Keating. What did that do to the people of Australia? That dispute left us with interest rates of 17 per cent that put this country into extreme debt. I will not even talk about previous state Labor governments' economic management, being the former Cain and Kirner governments. Then we have the Labor legacy and divisions that are spelt out in diaries, in infighting and in factional brawling. We have seen it in the present Labor opposition with Mr Somyurek's leaked letter to the *Age*. That is a very frank letter talking about the need to replace the Labor deadwood of the failed former ministers with the so-called up-and-comers. Labor members are the kings and queens of spin.

In relation to economic governance, this government will endeavour to fix the Labor problems, like the ones we have seen in the last two weeks. The Labor government will not go out there and fess up and tell the people of Victoria, 'Yes, it is our desalination plant. We made a mistake. We are very sorry. We will endeavour to do better next time'. Rather they put up misleading press releases that seek to blame the desalination plant on this government. This government will deal with it. We will endeavour to fix Labor's problems, but Labor must also be accountable for them. That is what integrity in opposition is all about:

standing up for your legacy in government, which this Labor opposition does not do.

The legacy of debt and mismanagement inherent in the Labor brand can easily be ascertained in the debates we had yesterday, including the contribution by you, Acting President. In relation to the scourge upon the good people of Brimbank as a result of such activity, you canvassed so well in your speech the very serious and important indictment of the Labor brand. I refer members to Acting President Finn's speech, as well as the speech by Mr Elsbury and, I think, Mrs Peulich as well. It is something endemic in the Labor brand, and one only needs to look at the Labor heartland where, regrettably for the people of Brimbank and the people in the west, Labor members have managed to get themselves into all these positions of power through factional control.

Look at the shameful way Labor administers public funds when that happens. That is the problem with the divisive, factional Labor method of seeking power for power's sake and leaving the consequences that must occur once one obtains power as matters to be spun off in opposition whilst Labor members lick their wounds and hope for another turn.

In terms of economic governance, I would also like to place on record, because Mr Pakula said this matter relates to the budget, the very important consequences of the tough but decisive action that has been taken by this coalition government in relation to this very difficult budget delivered in difficult economic circumstances, which have not been made any easier by the federal government's activities in relation to the carbon tax and certainly not been made any easier as a result of the Labor legacy.

If one looks at the issues Mr Pakula touched on in relation to public service job losses, you can look across the Labor states that, regrettably for those states and for this one, were governed by Labor governments over that period of time. One can look at what they have to do. This government has announced a reduction in the public service of approximately 4200 people by the end of 2013 as a result of the GST write-downs, the tax revenue and the failed Labor waste, as has been stated.

Other jurisdictions have also had to take measures. Here are some of them to put this in context. In New South Wales, which has also inherited a failed Labor legacy, there are reports of an additional 10 000 people losing their jobs on top of the 5000 job losses already announced, which is more than three times the number of job losses in Victoria. In Queensland there are reports of a Labor debt of approximately \$90 billion, if

I am correct. That is a huge Labor debt that will reportedly result in between 10 000 and 20 000 people being put out of work. Those job losses have not yet been confirmed because Queensland has yet to announce its next budget. If you cannot manage the economy and cannot manage your budgets, you cannot manage the country.

The same is true of other Labor states. Tasmania — and I put on record that my wife went to school in Papua New Guinea with the Premier of Tasmania, who is about the third leader of that state under Labor — has a much smaller base, but media reports there suggest that Tasmania is due for a reduction of about 10 per cent, or 2300 jobs, of its public sector. South Australia has announced reductions of 5100 jobs — 4100 announced last year and another 1000 this year. That is very important, because South Australia regrettably has lost its AAA rating. It is a Labor state that has lost its AAA rating, which will mean real pain for the citizens of South Australia because of interest rate pressure. It is another Labor legacy that hopefully a coalition government will come in and start the very difficult, long and painstaking job of correcting.

In the Northern Territory it has been announced that \$300 million will be cut from the public sector, although that has not been equated to the number of jobs that will be lost at this point.

*Honourable members interjecting.*

**The ACTING PRESIDENT (Mr Finn)** — Order! Can we have order in the house to hear Mr O'Brien's contribution in silence from this point on.

**Mr O'BRIEN** — I was about to refer to the federal budget, prior to the carbon tax further affecting the economy, that announced 4200 jobs are to go. If members look at what the priorities of the Victorian government are, they will see that this government has made its priorities very clear, and it is delivering on its important priorities.

The other vital aspects of government are integrity and law and order. It is interesting that in his contribution Mr Pakula tried to refer to some perceived violence between the Liberal Party and The Nationals. I can tell members that there is no violence between our parties. Mr Drum and I occasionally have the odd hip and shoulder on the way to the chamber, but there is no violence. There is violence in Victoria, though, and this is a serious matter, out on the streets. There was violence before this government came to power. It was the no. 1 election issue which this government committed to addressing, and it was identified as the

no. 1 priority by the Deputy Premier in his portfolio — —

*Honourable members interjecting.*

**Mr O'BRIEN** — To unveil for you, Mr Leane, you Mr Lenders, you Mr Pakula, you Mr Tee — —

**Mr Leane** interjected.

**The ACTING PRESIDENT (Mr Finn)** — Order! I have asked Mr Leane on three occasions to restrain himself. I will not ask again.

**Mr O'BRIEN** — I advise all members' families and electors that there will be 1700 additional police. Nothing was done during Labor's 11 years in government in relation to this very important issue of law and order, but the previous Premier straightaway attempted to match this coalition commitment. This is an important aspect of the budget response. It costs money to fund additional police, and there are additional benefits too.

Recently in an operational decision the police announced that the one-person police stations in country Victoria will be maintained, which is a fantastic thing. I send my best regards to Senior Constable Rick Jacobs who does a great job at the Penshurst police station. There is nothing harder than a one-cop town — or a one-pub town. There is an old phrase I like that goes, 'The old cop is no good until the new cop comes to town'. The new cop often has to establish that he is the law and order in the town. Senior Constable Rick Jacobs has done a great job in gaining the respect of his community, and he will continue to do so.

The police force is very happy with the 1700 additional police committed to by this government, which is the best the government could do under the budgetary constraints it has identified as a result of the Labor legacy, to reduce violence in our communities.

I have not even begun to discuss the 940 protective services officers — —

**Hon. M. P. Pakula** — How is that going?

**Mr O'BRIEN** — In relation to how that is going, I can tell Mr Pakula that by June 850 of these police officers will be rolled out.

*Honourable members interjecting.*

**The ACTING PRESIDENT (Mr Finn)** — Order! There are too many interjections just at the minute. I am having difficulty hearing Mr O'Brien, and I am sure Hansard is also having difficulty hearing Mr O'Brien. I

ask members, particularly on my left, to restrain themselves.

**Mr O'BRIEN** — Mr Pakula asked how the rollout of the 1700 police officers was going. We understand that by approximately June this year there will be about 850 of those additional police on the beat protecting our communities. These are the priorities this government has set for itself. This is good government, protecting our communities from violence, including street and alcohol-related violence, and most importantly from domestic violence.

We have adopted a whole-of-government approach to this issue, including crime prevention. It is not merely the rollout of police, it is also the law and order reforms which have been made and on which the Minister for Employment and Industrial Relations has spoken at length at the committee table. On behalf of the Attorney-General he spoke about the suite of reforms to sentencing to restore truth in sentencing, to protect our communities and to ensure that Victorians can feel safe in their houses and streets, so that they can get on with the important things in life. If one does not have safety as a person and safety of the community as a priority, then one is not providing good government. That is why this government has made that its top priority.

In relation to the integrity measures, this government has delivered the Independent Broad-based Anti-corruption Commission legislation together with that in relation to the Victorian Inspectorate, which is something the previous government completely failed to do, notwithstanding the issues at Brimbank and all the other issues that have arisen. We are completing the establishment of IBAC, and we will see how opposition members enjoy that institution as it does its work. We are about providing substance over spin and restoring integrity — both economic integrity and integrity in relation to governance policies.

**Business interrupted pursuant to standing orders.**

**QUESTIONS WITHOUT NOTICE**

**Building Commission: consumer protection**

**Mr TEE** (Eastern Metropolitan) — My question is to the Minister for Planning. I refer to the case of Boris and Lana Zaitsen, who engaged a building practitioner to construct their home. The house has never been finalised and may have to be demolished. They have lost \$1.2 million, and they are paying \$30 000 interest every month. Three years later, in May this year, the Building Practitioners Board found the builder guilty of

nine charges of breaching the Building Act and building regulations and of unprofessional conduct. The builder received a reprimand and the maximum penalty of \$12 000. Despite agreement with the minister's office and the Premier's office to fix this, the Zaitsens have not got their house, they have lost a lot of money and have absolutely no way forward. The Zaitsens want to meet with the minister. Why will he not meet with them?

**Hon. M. J. GUY** (Minister for Planning) — The Zaitsens asked to meet with me before the Building Practitioners Board hearing was concluded. I said I would not meet with them until that had been concluded. Now that it has been concluded, Mr Tee might know that another one of his colleagues and I are working around a time to meet the Zaitsens, and I expect to do that some time soon.

*Supplementary question*

**Mr TEE** (Eastern Metropolitan) — The minister confirms that he will meet with them shortly, and I welcome that. I suppose the case of the Zaitsens demonstrates that the system has failed for them — and I know it has failed for many others. My question is: why has the minister not fixed this system?

**The PRESIDENT** — Order! That question is significantly outside the scope of the original question. I do not accept that that is supplementary. It goes to a question about the changes to the system, which is very different to the specific question about a meeting with this constituent. I will give Mr Tee an opportunity to rephrase and to try to bring his supplementary question within the parameters of the original question.

**Mr TEE** (Eastern Metropolitan) — Thank you for the opportunity, President. The Zaitsens' case has demonstrated issues concerning the dispute resolution process and the penalties involved. Would the minister agree that it suggests there might be opportunities for a review of the system?

**Mr O'Donohue** — On a point of order, President, I seek your advice as to whether the member's question is asking for an opinion from the minister?

**The PRESIDENT** — Order! That is a fair enough point of order, and raising that issue is pertinent. In this case the area is within the jurisdiction of the minister. There is an example of a case before the minister that the member suggests might raise some questions about process. The member has pruned down his question to a more relevant supplementary question than the original one. Whilst the minister might be called upon in some respects to give an opinion, by and large it is

also within his ambit to give a yes or no answer, which is not necessarily an opinion but which establishes — and he can obviously go on a little bit further if he wishes to — whether he believes this particular example of a constituent's problem raises some questions that need to be answered. It is a valid point of order, but on this occasion the question just falls on the correct side of the line.

**Hon. M. J. GUY** (Minister for Planning) — I thank Mr Tee for his supplementary and for the question. I would go further than what Mr Tee says and say that the system I have inherited is breaking down. It is one that after 10 years needs a lot of reform. One of the key things this government has done was to appoint a new building commissioner at the start of this year. I will soon be bringing in a reform package in relation to the building commissioner.

I would add that Mr Tee and the Labor Party personally attacked and opposed the building commissioner. In fact in question time Mr Tee attacked the building commissioner, the very man who will present options to repair the system. Mr Tee now walks into question time and agrees, and I agree with him, that the system is broken and needs to be fixed after 10 years of neglect. Michael Kefford and I have every intention of doing that this year as opposed to what was done during the 10 years of neglect that we have inherited.

**Higher education: trades training**

**Mr O'BRIEN** (Western Victoria) — My question is to the Minister for Higher Education and Skills, the Honourable Peter Hall, and I ask: could the minister advise the house on any initiatives supported by the Baillieu-Ryan coalition government which support young people thinking about learning a trade?

**Hon. P. R. HALL** (Minister for Higher Education and Skills) — I thank Mr O'Brien for his question. Trade training is a very important concept, and I am more than happy to support in any way young people in Victoria who have thoughts of taking up trade training. Through the refocused vocational training subsidies that have been set, members will note that the highest priority was given to setting subsidy levels to encourage young people into trade areas.

Other issues need to be addressed as part of this. I am sure many members will be aware that the current completion rate for apprenticeships in Victoria sits around about 67 per cent and has not changed much over the years. What that means is one in every three people who start an apprenticeship do not complete it. Therefore a great deal of time and cost — both personal

and public — are lost along the way. What I think we should be doing, and I know the federal government shares my views about this, is exploring ways in which we can better prepare people to enter trade areas. So it is that one of the initiatives which this government is undertaking is to extend the concept of trade experience and to embed that in a full-year training program.

A pilot program will start next month — in July. It is being auspiced by Victoria University in conjunction with both Chisholm and Kangan, which will participate in this pilot project from January next year. Students will enrol in a program at one of those TAFE institutes for a trade experience pilot project year. During the first semester of that year they will undertake experience in four different trade areas over that full semester. In the second semester they will select one of those four areas and specialise in that area. The project will be accompanied by the appropriate supports in areas like literacy, numeracy and personal development, so that at the end of the year the person will graduate with a Victorian certificate of applied learning as well as apprenticeship pathway credits. It differs from the normal trade experience as we know it. Whereas they are normally perhaps a three or four-week program, this is a full 12-month program. We believe it will give students a better idea of an appropriate choice of trades for them in the years to come.

I am pleased that we have made available \$300 000 to fund this particular pilot project. I expect it will grow into an important alternative for students who are considering trade careers in the future. Victoria University starts this particular pilot project next month. Thirty students are in the initial intake from expressions of interest from 58 students initially. Some 39 of those were from school enrolments, and the other 19 were students who were disengaged from any level of formal education, which emphasises the point that there is an opportunity there. There is a need to provide alternative trade pathways, and I am pleased that this initiative will go in part at least to fill that gap.

### **Planning: Darebin City Council**

**Mr BARBER** (Northern Metropolitan) — My question is to the Minister for Planning, Mr Guy. This morning on the Jon Faine program on ABC radio it was claimed by the presenter, Mr Faine, that the Ombudsman is currently investigating Darebin City Council in relation to its planning decisions. Mr Faine named a councillor and two MPs he said were associated with those matters. Is the minister aware of any investigations into Darebin council, or is he undertaking any investigation to get to the bottom of these claims?

**The PRESIDENT** — Order! On what basis has Mr Barber directed this question to this minister?

**Mr BARBER** — In relation to his responsibilities and powers under the Planning and Environment Act 1987.

**The PRESIDENT** — Order! There is a Minister for Local Government, who I would have thought has a more direct interest in this matter. I would have thought it was more appropriate to ask this question of the Premier, the Leader of the Government or someone else. As I understand it, Mr Guy represents the Minister for Local Government.

Mr Faine is not always correct, nor is Mr Barber, in the sense that yesterday they talked about savings of \$100 000 on six suppers. That would account for a significant number of very lavish suppers, which has no basis in reality at this place. But on this occasion, do I understand the matter has relevance to planning issues?

**Mr BARBER** — The delivery of my question may have been somewhat drowned out by the hubbub. I asked the minister if he is aware of any investigation or if he is going to initiate any investigation relating to the Darebin council's use of its powers under the Planning and Environment Act.

**Hon. M. J. GUY** (Minister for Planning) — I feel I can answer the second part of that question by saying I do not have the ability to investigate a council's planning decisions as such. But I urge anyone who has concerns to refer them to the appropriate bodies, which are the Local Government Investigations and Compliance Inspectorate or the Ombudsman, for investigation. I think that is the appropriate level for my contribution to that question.

### *Supplementary question*

**Mr BARBER** (Northern Metropolitan) — It has been claimed that the Ombudsman is investigating these matters. The powers of Darebin council to administer the planning scheme are at the minister's gift, and he can withdraw part or all of them at any time. If the minister is content to wait out the result of any investigation, does that mean he currently has confidence in Darebin council in its administration of the Planning and Environment Act?

**The PRESIDENT** — Order! I will allow the minister to answer the question, but I am concerned about the extent and the scope of this question in terms of the minister's capacity or competence to answer that question.

**Hon. M. J. Guy** — Competence?

*Honourable members interjecting.*

**The PRESIDENT** — Order! I have absolutely no reservations about the competence of this minister. The context in which I used the word ‘competence’ is the question of whether or not this falls within the minister’s jurisdiction and responsibility. Again, as Mr O’Donohue pointed out in an earlier point of order, the substance of the question arrived at in the end calls for an opinion, given that the minister, as I understand it, has not been the person who has sought an investigation, if indeed there is an investigation on foot. As Chair, I have no idea of that, and the minister has indicated in his substantive answer that if there were concerns about this or any other matter, then they should be subject to due process. That is obviously paraphrasing what the minister said.

In that context I have some serious reservations about the fact that this question seems to be going in all sorts of directions. To some extent it asks the minister for an opinion on a matter which he perhaps may not have formed because he is not necessarily aware of the allegations that were apparently aired on a radio program earlier today. I do not know whether or not he is, but this question goes to areas that give me some difficulty. Given that I have high regard for the competence of this minister, notwithstanding that I am not sure that it is within his area of responsibility, I will allow the minister to be the judge of that and to decide how he will answer the question.

**Hon. M. J. GUY** (Minister for Planning) — I will simply say that I cannot make a decision or a determination about a council’s competence based on the opinion of others. There obviously needs to be a degree of fact that backs up any allegation — —

**Mrs Peulich** — A finding.

**Hon. M. J. GUY** — And as Mrs Peulich said, a finding. If people have concerns that I should have a different approach or that there should be a whole-of-government approach that is different, then the appropriate body to manage or investigate that is the Ombudsman or the local government inspectorate. In relation to the administration of Darebin City Council’s planning powers, every council has been given those powers to manage appropriately and responsibly. Should they not do so, then those two bodies I have mentioned are a means by which they can be investigated.

## **Housing: work and learning centres**

**Mr P. DAVIS** (Eastern Victoria) — I direct a question without notice to the Minister for Housing and Minister for Children and Early Childhood Development, and I ask: can the minister update the house on the location of the next two work and learning centres?

**Hon. W. A. LOVELL** (Minister for Housing) — I thank the member for his question and his ongoing interest in the economic participation of public housing tenants. The Baillieu government is continuing to implement its election commitment to establish five work and learning centres, which target public housing tenants in key locations in Victoria. The work and learning centres highlight the Baillieu government’s fundamental goal of connecting public housing tenants to work, education and training opportunities. We want to enable them to build better lives for themselves.

The first two centres are located in Carlton and Geelong, and I have spoken quite a bit in the house about those two centres and their success. But I am pleased to announce today that the next two work and learning centres will be located in Moe, in Mr Philip Davis’s electorate, and in Ballarat, in the electorate of Mr Ramsay, Mr Koch and Mr O’Brien. I note that Moe is also in Mr Hall’s and Mr O’Donohue’s electorate. These members have all been strong advocates for their electorates getting these centres.

The Ballarat centre will be based at the Phoenix P-12 Community College. Its programs will be delivered by Ballarat East community house in partnership with the Brotherhood of St Laurence and Highlands Local Learning and Employment Network. This is an exciting initiative for Ballarat and will focus on the direct employment and training of disadvantaged public housing tenants.

The Moe centre programs will be delivered by Gippsland Employment Skills Training. The centre will also operate an outreach service in Morwell. Gippsland Employment Skills Training is an adult education provider that is based in Moe and has strong relationships with people who live in public housing and with local Job Services Australia providers. Gippsland Employment Skills Training will also link with a number of local enterprises that they manage.

The fifth site for our work and learning centres will be finalised shortly. The work and learning centres have been extremely popular. I am advised by the implementation committee that applications to host one of the five centres came from all areas of the state. The

work and learning concept has been embraced by those who support economic participation to assist breaking the cycles of disadvantage and helping people to make better lives for themselves. I look forward to updating members on the success of these sites in the future.

**Bendigo hospital: future**

**Mr JENNINGS** (South Eastern Metropolitan) — My question is for the Minister for Health. On a number of occasions the minister has informed the chamber about the redevelopment of the Bendigo hospital. The budget papers indicate that it is a \$630 million project. The government has indicated, and it took this to the last election, that it is its intention to build it on one site within Bendigo. Can the minister take the opportunity today to categorically reconfirm that it is the intention of the government to complete a \$630 million project and that the recent reports that there is a \$70 million saving from that project are false?

**Hon. D. M. DAVIS** (Minister for Health) — I thank the member for that question, and I take it on with relish. Let me be clear: there is no \$70 million reduction, period — \$630 million is the total estimated investment for this project. It is \$102 million greater than Labor’s commitment in the period before the last election — \$528 million to \$630 million. I went to school and most of us learnt then that 630 million was a much bigger number than 528 million. We are still waiting to hear an apology from Labor for its small hospital, for its inadequate hospital, for its downsized hospital. Jacinta Allan, the member for Bendigo East in the Assembly, and Maree Edwards, the member for Bendigo West in the Assembly, are yet to apologise for their continued advocacy for a smaller hospital.

Even Mr Jennings agrees that \$630 million is a bigger hospital than \$528 million. Let me be clear here. The request for proposal is now with the tenderers. The number of tenderers has been reduced from four to two following the expression of interest process, and there is a process where probity is quite important through this phase. The relevant team will be managing this project and will stick strictly to the probity requirements, and there will be probity checks through that process.

I make the point that the request for proposal will come forward. I am confident that the tenderers will put forward very competitive proposals that will meet all of the scope and requirements that were put forward by the coalition before the election, including matters such as the cancer centre being a single-site cancer centre, not spread across two sites as Labor proposed. In fact, this is quite amusing. Labor at one point had on its website an air bridge. Do members remember the air

bridge? Labor’s model 1 had it across two sites. Model 2 had an air bridge. It was desperately trying to connect the two sites, so it drew an air bridge across. In model 3 the air bridge had gone, but it was still across two sites. I do not know what they were going to do. Were the patients going to duck across the road and weave amongst the traffic, or were they going to all be moved by ambulance? I am not sure.

Let me get serious. We reject Labor’s air bridge; we are not going to put in an air bridge. I am very doubtful that there will be an air bridge of the type proposed by Mr Jennings’s government. What I can say is that this is a good time to have a tender proposal out. The government is aware that there will be competitive bids. The two tenderers are determined to get a good result. We will be pushing and driving for the maximum value.

Mr Drum understands the importance for the town of Bendigo and all of northern Victoria. He understands that the tenderers are going to have to sharpen their pencils and offer not just the scope that the government put in the tender document but more. The government is going to try to drive for more. We will take the most competitive bid that will provide for the people of northern Victoria and Bendigo for the next 10, 20, 30, 40, 50 years. People in northern Victoria will have a bigger hospital under the coalition than they would have had under Mr Jennings. Mr Jennings ticked off in cabinet on a \$528 million project, and he is still yet to apologise for the small offering to all of Victoria.

*Supplementary question*

**Mr JENNINGS** (South Eastern Metropolitan) — I am pleased that the minister has confirmed it is the intention of the government to fund a \$630 million project and that he has recommitted to that today. When the minister’s pencils get sharpened I suggest that they may not get sharpened in the way he intends, judging from his answer today. In relation to reiterating the intentions of the government, is the intention of the government to absolutely rule out the potential for two sites to be redeveloped as part of this redevelopment, and will it maintain its commitment to the project being completed on one site, as the minister has promised and reiterated today?

**Hon. D. M. DAVIS** (Minister for Health) — I am pleased today to give the commitment to the chamber and the people of northern Victoria and Bendigo that, as per the coalition’s election commitments, there will be an integrated cancer centre on one site. It will not be spread over two sites like Labor proposed, and it will not have an air bridge like Mr Jennings proposed.

We will be building it, and we will be getting the very best result. And I think there will be more scope. That is just my prediction — I do not have any inside information as to what will occur — but I would hope to see more scope as the tenderers compete hard. It might be that there are additional educational facilities. There might be a whole range of additional educational facilities. It will be an integrated cancer centre on one site, and we are determined to get the very best result.

### Health: complaints system

**Ms CROZIER** (Southern Metropolitan) — My question is also to the Minister for Health and Minister for Ageing, Mr David Davis, and I ask: will the minister inform the house of steps the government is taking to strengthen Victoria's health complaints system?

**Hon. D. M. DAVIS** (Minister for Health) — I am very pleased to announce to the house today that the government will be seeking to review and then modernise the Health Services (Conciliation and Review) Act 1987. We will today launch a discussion paper for community consultation. That paper will lay out a number of alternatives, discussion points and issues, and it will enable the community to have wide input into these matters.

The Health Services (Conciliation and Review) Act 1987 is an old act. It is an act with which Victoria led the way in the 1980s, and it has had bipartisan support over a long period. I want to begin by paying tribute to the health services commissioner, Beth Wilson, who across a number of governments has provided a very responsible and excellent service to the people of Victoria as health services commissioner. She will be intimately involved in this modernisation of the act, and I will seek input not just from the health bodies that you would imagine — our hospitals, our community health centres and so forth — but also, importantly, from all the registered health practitioners across the system. It is clear that the registration arrangements have changed to a national system. We have additional practitioners that have been registered, and now is a timely point to review the act.

I have asked Michael Gorton to chair a review panel consisting of Mary Draper from the Health Issues Centre; Sherene Devanesen, the CEO of Peninsula Health; Leon Shapiro, a medical practitioner; and Lisa Cuddihy, the executive director of nursing and midwifery at Barwon Health. This panel will be asked to conduct public consultations, and we are most concerned to hear from consumers. How can the system be made more responsive to consumers? How can the

system be made more effective for consumers? How can the system be made cheaper and faster?

**Mr Lenders** — Cheaper!

**Hon. D. M. DAVIS** — Indeed, Mr Lenders; it is important that the system not be cumbersome, that it be cost effective and a very good system that provides good outcomes for the community. It is also important for insurers that there is a system that enables early settlement of complaints. Often the involvement of the health services commissioner will facilitate outcomes for complainants that will satisfy their concerns and also provide a guide for insurers.

The point here is that this needs to be modernised. It is a slightly cumbersome, older act, and other Australian jurisdictions have since brought forward changes and improvements. We can learn from the other jurisdictions. We can update our act. We can take the best and our very solid background — which is typified by Beth Wilson's commitment to this area — and get an outcome that is better for consumers, better for practitioners and better for the system all around.

### Information and communications technology: procurement process

**Mr SOMYUREK** (South Eastern Metropolitan) — My question is to the Assistant Treasurer, Gordon Rich-Phillips. The minister's announcement last week of an overhaul of the e-services panel is his third attempt at reforming this panel in the space of one year. After the first attempt at reform the minister was glowing about the reformed e-services panel until a tsunami of discontent by the industry forced a humiliating backflip. After the minister's second attempt at reform he triumphantly declared:

Mr Somyurek seems to be the only one complaining about the e-services panel refresh ... The panel provides a great opportunity for Victorian and Australian suppliers to contract for government, and it provides a depth and breadth of capability to government ...

Given his glowing praise of the panel after his first and second attempts at reform, I ask: what assurances will the minister give to the Victorian ICT industry that he has not botched his third attempt at reforming this very important panel?

**Hon. G. K. RICH-PHILLIPS** (Assistant Treasurer) — I thank Mr Somyurek for his editorial. The reality is that the e-services panel was a mechanism inherited by this government when it came to office at the beginning of 2011. It was a process that had been rolled out on successive occasions under the previous government, either through the finance minister or the

minister for ICT in their various guises earlier in the life of that government.

When we concluded the process that had been started under the previous government at the end of 2010, we produced an e-services panel which did not meet the needs of government and did not meet the needs of industry. As a consequence of that outcome, I moved last year to exercise, as a first step, the refresh mechanism under that tender process to allow an expansion of the e-services panel to provide more opportunities for Victorian and Australian ICT companies and a better opportunity for a competitive supply of ICT services to the government through that refresh mechanism. Importantly, that was the first step to getting this mechanism back on track.

I advise Mr Somyurek that the refresh was the first step. The second step was the working party which was chaired by Rhonda O'Donnell, and I congratulate Ms O'Donnell on the work she did on that working party in looking at the e-services panel and making recommendations back to government as to how the e-services panel can be improved. As a consequence of Ms O'Donnell's recommendations and the recommendations of the working party, last week I was very pleased to announce that the government will shift from the failed e-services panel mechanism established by the Bracks and Brumby governments to an e-services register. This will provide far greater opportunities for ICT companies in Victoria and Australia to tender for ICT work and provide a far more competitive environment for the Victorian government to secure ICT services.

*Supplementary question*

**Mr SOMYUREK** (South Eastern Metropolitan) — Many of the ICT firms that have been inconvenienced by the minister's botched attempts at reform of the e-services panel have been small businesses, which have had to wear the significant costs of re-tendering every time he embarked on another abortive attempt at reform. Will the minister now look at compensating Victorian ICT firms for the cost of having to resubmit tenders, as it is now clear that the government embarked on a flawed reform process from the very beginning?

**Hon. G. K. RICH-PHILLIPS** (Assistant Treasurer) — I thank Mr Somyurek for his supplementary question, but he completely misunderstands the process involved in joining the e-services panel. The reality is that with the refresh last year of the e-services panel, companies which had been successful in the first round continued on the panel into

the second round without any re-tendering costs. As announced in the statement I issued last week, with the transition from an e-services panel to an e-services register, those companies that are already currently on the e-services panel will transfer across, so there will not be any tendering costs incurred by those existing e-services panel members.

**Planning: new suburbs**

**Mr ELSBURY** (Western Metropolitan) — My question is to the Minister for Planning, the Honourable Matthew Guy. Can the minister inform the house what action the Baillieu government has taken to facilitate greater housing choice and diversity and to assist with housing affordability?

**Hon. M. J. GUY** (Minister for Planning) — Yesterday I had great pleasure in informing the house of the approval of the growth corridor plans, which will set the framework for Melbourne's outer urban growth areas for the next 20 or 30 years. As a resident of Melbourne's fast-growing Wyndham growth corridor, Mr Elsbury today asks a very important question around affordability and locations for new housing in Melbourne's growth areas.

I have much pleasure in informing the house that last week as a government we brought forward six new suburbs for Melbourne. Those six new suburbs in Lockerie, Lockerie North, Merrifield West, Diggers Rest, Rockbank and Manor Lakes will be areas for up to 100 000 people to call home in the future. They set the scene for how Melbourne can grow sustainably and grow in our growth areas — places where people want to live. Not everyone can afford to live in a \$2 million house in Fitzroy. Not everyone wants to live in the inner suburbs of Melbourne. Some people, many people, want to choose our growth areas as fantastic places to raise kids, work, go to school, live and enjoy their lifestyle. This government is giving Victorians the opportunity to do that.

Those six new suburbs I announced all fit within the urban growth boundary that was expanded and passed by this Parliament in August 2010. The urban growth boundary, I should say, was facilitated by the previous government, which makes it all the more interesting that the current opposition opposes the approval of six new suburbs on land that it voted to bring into the urban growth boundary. The inconsistency beggars belief.

The 37 000 new lots of land that we brought forward in these six new suburbs equate to nearly three times the amount of land being considered in places like Sydney or Brisbane. What they do is bring forward nearly

\$7.5 billion worth of investment into our growth areas. That is \$7.5 billion worth of jobs, new places for people to live, community infrastructure, private sector investment — —

**Mr Ondarchie** — Economic development.

**Hon. M. J. GUY** — And economic development, as Mr Ondarchie says, including for the northern growth corridor in his and my electorate, will be exceedingly important for this city to prosper into the future.

More than anything else, and Mr Elsbury asked about this in his question, it is to make sure that we have a competitive advantage in terms of affordable housing. Do not take my word for it. Do not believe just my word. It was said:

It makes sure that we have that competitive advantage in terms of affordable housing.

Who said that? Who would say that about expanding the boundary to bring in new suburbs? Yes, the shadow Minister for Planning, Mr Tee, the man who opposes those suburbs, was in fact in favour of expanding the boundary to bring them in. Such inconsistency is comedy.

But on this side of the house we are deadly serious about ensuring that urban growth expansion is done sustainably and in a way that can bring forward new homes for future Victorians. We are absolutely rock solid about making Melbourne not just a great place to invest but a better place to live into the future.

### **Children: early intervention services**

**Ms MIKAKOS** (Northern Metropolitan) — My question today is for the Minister for Children and Early Childhood Development. There are an estimated 1500 children waiting to receive early intervention services across Victoria. The minister's department has advised some early intervention services that they need to take on more clients to reach their full capacity, with the result that these services will provide fewer hours per child and family, essentially spreading existing services more thinly. Why is the minister's government not providing additional resources to early intervention services to ensure that children diagnosed with developmental delays or disabilities have appropriate support?

**Hon. W. A. LOVELL** (Minister for Children and Early Childhood Development) — I am pleased to advise that the Baillieu government has provided significant additional resources to early childhood intervention services. In fact in the last budget we

provided 246 additional places for kindergarten inclusion support services, which was a \$10 million investment, and also \$8.2 million for ECIS (early childhood intervention services) to expand those services as well. More children than ever before are receiving ECIS because of the Baillieu government's investment in this area. As I said at the Public Accounts and Estimates Committee hearings, we are still looking at how we can provide further assistance in this area. As was my answer in PAEC, watch this space.

### *Supplementary question*

**Ms MIKAKOS** (Northern Metropolitan) — The minister's department's northern region currently has 243 children waiting for support through early childhood intervention services. How many children in the northern region will start school next year without having received any ECIS support due to the government's lack of investment?

**Hon. W. A. LOVELL** (Minister for Children and Early Childhood Development) — This is the legacy of Labor. As I have just said, more children than ever before are receiving early childhood intervention services because of this government's investment. We are going through an ECIS reform project. We are working with Early Childhood Intervention Australia, and watch this space.

### **Technology sector: government initiatives**

**Mr FINN** (Western Metropolitan) — My question without notice is directed to the Minister for Technology, Mr Rich-Phillips, and I ask: can the minister provide an update on how the government is supporting Victorian companies to gain access to foreign markets?

**Hon. G. K. RICH-PHILLIPS** (Minister for Technology) — I thank Mr Finn for his question and for his interest in this very important issue. The Victorian government is committed to assisting Victorian companies with international engagement and export development. It is committed to helping Victorian companies to develop new international markets. That is one of the four key pillars of the Baillieu government's economic statement. Indeed, it is reflected in this year's budget with additional funding through the Victorian international engagement strategy under the auspices of my colleague the Minister for Innovation, Services and Small Business.

We have already heard this year about a number of ways in which the Victorian government is assisting Victorian businesses with international engagement. Of

course we had the very successful India super trade mission back in February, which created an opportunity for a large number of delegates and companies — of the order of 200-plus — to visit India for the first time to have exposure to the Indian market. The sheer critical mass of that trade mission provided opportunities to those companies to open doors which would not otherwise be available. The government has flagged a further super trade mission to China later this year, and of course we have support for a number of smaller missions through the course of the year as well through the Technology Trade and International Partnering (TRIP) program.

I am very pleased to advise the house that this week the Victorian government is supporting a mission of Victorian biotechnology companies to BIO 2012 in Boston. I am very pleased that His Excellency the Governor has accepted the Premier's invitation to lead this mission to BIO 2012 on behalf of the Victorian government. This is an ideal opportunity for Victorian biotechnology companies to be exposed to the global biotechnology market. One of the key challenges for biotechnology companies in Victoria, and life sciences more generally in Victoria, is gaining access to capital and gaining access to capital and venture capitalists, and BIO 2012, which is the international biotechnology convention, is the key event for these companies to participate in if they are to have exposure to venture capital opportunities.

The Victorian government is delighted to be supporting the participation of more than 60 Victorian biotechnology companies led by the Governor of Victoria. This event is supported across Australia. The commonwealth is also participating in this event, and the Victorian government is pleased to have a high-level delegation, led by the Governor of Victoria, participating in the event.

We are also pleased to be supporting a mission by 12 small Victorian technology companies to Europe from the small technologies cluster here in Melbourne. Small technology is an emerging opportunity for the Victorian technology sector, and we have 12 companies that are being supported through the TRIP program to participate in this delegation to Europe for access to markets in Europe. The European market is recognised as one of the key markets for the small technology sector, and the Victorian government is again pleased to be supporting Victorian companies as they show their products and seize opportunities around the world.

## QUESTIONS ON NOTICE

### Answers

**Ms HARTLAND** (Western Metropolitan) — I have a number of overdue questions: 4262 from 31 August 2011; 8188 from November 2011; 8197 from December 2011; 8242 from 29 February; 8243 and 8245 from February this year; 8246 from 1 March; 8253 from 15 March; 8256 and 8257 from 27 March; 8354 from 19 April; and 8355, 8356 and 8357 from April. I am wondering what progress has been made on these questions. At least one will be a year out of date by the time we come back in seven weeks time.

**Hon. D. M. DAVIS** (Minister for Health) — I thank Ms Hartland and I will follow those through for her. I take it the questions are to a number of ministers.

**Ms HARTLAND** (Western Metropolitan) — Yes, they are, and each of the ministers has been faxed, as is required.

**Hon. D. M. DAVIS** (Minister for Health) — It might be worth noting standing order 8.12(8), which states:

A member intending to ask for an explanation as to why an answer has not been provided in response to a question should acquaint the minister or his or her office of that intention the day before failure to supply an answer is to be raised in the Council.

But I will follow each of them through.

**Ms HARTLAND** (Western Metropolitan) — It is my understanding that that is the procedure my office follows, and there have been several faxes sent for each set of questions. I know that in relation to the one from August last year we have attempted on a number of occasions to get that answer. It is not from lack of effort on our side.

**Hon. D. M. DAVIS** (Minister for Health) — I will follow those through for Ms Hartland, but I draw her attention to the standing order anyway.

**The PRESIDENT** — Order! I take this opportunity to advise that it is likely that a motion will proceed after the luncheon adjournment which involves the Auslan interpreter program. As there has been considerable interest in that debate from people who are hearing impaired, Mr Paul Heuston, an Auslan interpreter, has been engaged to interpret today's take-note motion of the petition presented by Ms Hartland concerning the future of the full-time diploma of Auslan course at Kangan Institute of TAFE. That interpreter will provide interpretation to people in the visitors galleries.

**COALITION: GOVERNANCE****Debate resumed.**

**Mr O'BRIEN** (Western Victoria) — In recommending I would say that as someone who is partially hearing impaired that is an important institution, and I wish to place on record my support for it and for the work of the Minister for Higher Education and Skills, Minister Hall, in endeavouring to work through the difficult circumstances that have been left to us as a result of the poor governance of the previous government and the poor governance of the federal government. This government, and this Deputy Premier, are committed in coalition with the Premier to delivering good governance to Victoria.

Earlier I mentioned briefly some of the important results of the commitment to resource the police force adequately with 1700 additional police. I touched on an individual police member, Senior Constable Rick Jacobs. It would be remiss of me not to mention the difficulties that his community has faced in recent years as a result of tragedies on the road, tragedies by fire and a number of personal tragedies. The role of police in dealing with tragedies and the way they comfort their communities is an exceptional one that they have to undertake. They perform it across the state time and again in difficult circumstances, and they ought to be given full support. The Deputy Premier, as Minister for Police and Emergency Services, has delivered that full support.

I turn to the role of the emergency services, which is an important aspect of the Deputy Premier's functions and which is being delivered as part of the good governance of Victoria. If we look at the response to the 2009 Victorian Bushfires Royal Commission and the all-hazards, all-agencies approach that the coalition government has put in place, we see that the minister responsible, Deputy Premier Peter Ryan, continues to deliver. We see the rollout of the bushfires royal commission recommendations by way of the provision of \$11.3 million to 30 staff and \$25 million for 34 councils along with the investment of \$5.5 million to accelerate the development of the municipal fire management plans and \$6.1 million to improve the efficacy and extend the reach of the township protection plans.

The reason we have all-hazards emergencies — and I wish to carefully place this in context — was felt through the floors of this chamber last night when those of us here at the time felt what seemed like a minor bump but turned out to have been an earthquake. Earthquakes are not humorous for those who have to

live through them. My brother had to live through the first of the recent New Zealand earthquakes, and he said it was the most terrifying thing he had ever been through. It threw him to the floor. As a member of Parliament I am not able to visit those areas which have been affected, and other members are also stuck in this house, but I send the best wishes of the house to the emergency services.

**Ms Broad** — On a point of order, President, the member is now canvassing an earthquake. Before that he was canvassing the budget. I have again carefully read the motion before the house in case I had not previously noticed a reference to the budget or the earthquake. I ask that the member be brought back to addressing the motion that is before the house.

**Mr O'BRIEN** — On the point of order, President, Ms Broad did not properly refer to the terms of the motion or to the terms of the debate, as put by the lead speaker, Mr Pakula. The terms of the motion, as I have been speaking to it, refer to an issue between the coalition partners, which is said to be a broad issue resulting from the Overland-Jones affair and the detrimental effect that is having on the good governance of Victoria. Mr Pakula then extended that into a conspiracy, as it has been referred to — —

**The PRESIDENT** — Order! I ask the member not to debate the point of order.

**Mr O'BRIEN** — It was a broad allegation stating that the issue has resulted in the Victorian budget going up in smoke. The motion is directed at the conduct of the Deputy Premier, Peter Ryan, and his portfolio responsibilities. I am merely making passing but important reference to items that need to be placed on record in response to this motion — —

**The PRESIDENT** — Order! I ask Mr O'Brien not to debate the point of order. It is a point of order, not a debate. I accept that in his opening speech Mr Pakula set a fairly wide framework for this motion and that other members have also raised various issues, particularly regarding the budget and presumably about the government's delivery of services and projects, which the motion claims has been impeded by certain things. Like Ms Broad, I find it hard to fathom how last night's earthquake reaches this motion. I ask Mr O'Brien to move on from the earthquake.

**Mr O'BRIEN** — I will move on, and in moving on I wish to say that that was — —

**The PRESIDENT** — Order! Just move on, do not argue with me.

**Mr O'BRIEN** — I was attempting to — —

**The PRESIDENT** — Order! I am on my feet and Mr O'Brien is arguing with me. I ask him to move on with his speech and not to argue with me about the direction I have given.

**Mr O'BRIEN** — In moving on I wish to say that this government has delivered good governance. That is what the motion is about. As part of delivering good governance, it is important to make sure that your commitments to your electorate are well stated. I refer members to the commitments made pertaining to the Regional Growth Fund. There will be further debate on that, and to save time I will not elaborate on the subject. Those commitments are well articulated and will be delivered on, and that is what good governance is about. It is not about focusing on trivial issues that are set to distract.

In relation to other parts of the motion about the Office of Police Integrity (OPI) report, the matters are set out in the report and have been spoken about extensively by the Deputy Premier in his answers to numerous questions that have been asked. No accusation of impropriety has been made against the Deputy Premier, or Mr Tilley for that matter.

On page 22, as was outlined by Ms Pennicuik, the report lists methodologies used to assist in the investigation, including a range of overt and covert tools. A total of 20 witnesses provided information. Despite all those covert and overt methods, there is no reference to any person making any finding against the Deputy Premier in relation to the substantive issues of the report. The passage on page 47, which was referred to by Ms Pennicuik, in which Mr Tilley says he did not inform Mr Ryan in advance of the visit to Sir Ken Jones but subsequently told him what occurred, is the only part of that report to illustrate a disparity between the respective recollections of the Deputy Premier and Mr Tilley. However, that disparity has been dealt with in the joint statement that was issued by the Deputy Premier and Mr Tilley on 8 November 2011.

As has been confirmed in the extensive media interviews conducted by Mr Tilley and the Deputy Premier in recent days, both of them stand by that statement. There was and is no conspiracy to undermine the budget by division, as asserted by Mr Pakula. Rather, this government is committed to getting on with tackling the issues it was elected to deal with — the issues that matter to the people of Victoria.

The issue I was endeavouring to touch upon and which the opposition does not wish to hear about is that of the

important work our police and emergency services personnel carry out in the interests of all Victorians, sometimes in adverse circumstances arising from all hazards.

It will be an important legacy of this government that it has committed to implementing the bushfire recommendations and that it is committed to providing appropriate measures to deal with street violence, domestic violence, natural hazards, all hazards, terrorism response, and emergencies, because at the heart of this motion and at the heart of this government is the peace, order and good governance of this state. That is what lies behind every constitutional power. On those issues, I conclude and urge members to oppose the motion and support the work of the government and our emergency services.

**Debate adjourned on motion of Mr LENDERS (Southern Metropolitan).**

**Debate adjourned until later this day.**

**Sitting suspended 1.01 p.m. until 2.02 p.m.**

**The PRESIDENT** — Order! Before Ms Hartland starts, I reaffirm that I have arranged for an Auslan interpreter to provide an interpretation of the debate on this motion to members of the hearing-impaired community who have joined us in the Parliament today, and we extend a welcome to them. In order for the proceedings to be successfully interpreted, members need to be heard in silence. On this occasion I ask members to desist from interjecting, and if members have conversations they wish to pursue, they should take those matters outside the chamber so that the interpreter is able to clearly hear the speakers in the debate and to provide an interpretation to the people who have joined us in the public gallery.

## HIGHER EDUCATION: AUSLAN PROGRAMS

**Ms HARTLAND** (Western Metropolitan) — I move:

That this house takes note of the petition tabled on 6 June 2012 bearing 791 signatures from certain citizens of Victoria requesting the Legislative Council take action to save the full-time diploma of Auslan course at Kangan Institute, thereby ensuring the continuation of comprehensive high-level Auslan training.

This diploma course is the only one of its kind in Victoria providing comprehensive, high-level Auslan training. With the closure of this course, students will no longer have the opportunity to attain the high-level

language fluency necessary to progress to postgraduate interpreting courses or effectively work within other integral areas of the Deaf community. The result will place increased strain on an already understaffed Auslan interpreting pool and be a devastating setback to the rights of deaf people and other disability groups which rely on Auslan as a means of communication. The petitioners therefore requested that the Legislative Council of Victoria take action to save the full-time diploma of Auslan course at Kangan Institute of TAFE, thereby ensuring the continuation of comprehensive, high-level Auslan training.

Today is the winter solstice: the darkest day of the year, with the longest night. It has been a heavy winter for the Deaf community, with the loss of the diploma of Auslan and with it the potential loss of some of their human rights. But I also hope this winter solstice marks the beginning of a season where the days will become brighter. To me, having an Auslan interpreter on the floor of the Parliament is like a beam of winter sunshine.

Auslan — Australian Sign Language — is the voice of the Deaf community. It is uniquely Australian because it evolved here as a natural language, influenced by other languages but uniquely belonging to us. Now for the first time it is being spoken officially in this Parliament, and I am very grateful for the enthusiasm and warmth the party leaders and the President showed towards this idea. Even before we started this debate, we all equally agreed that we wanted to include the Deaf community in this place and that a professional, accredited Auslan interpreter was the way to do it. That is a good foundation for this debate. I also note that the Minister for Higher Education and Skills has recently made a public statement on Auslan education that showed an understanding of the issues and which has been warmly received by the community.

I will not use this debate to bring up past issues or divide this Parliament. I will ask the government for specific measures to keep Auslan education alive in the short term and longer term. I ask that the minister speaks to these questions in his response. My statements, questions and requests will not be my own; I asked the Auslan-speaking community and the professional sector to tell me what they wanted me to say, so I am speaking with their voice.

Firstly, I will outline the issues using the joint position statement of Deaf Victoria, Vicdeaf and the Australian Sign Language Interpreters Association as my guide. The minister has a copy of the joint position statement, and I would welcome the minister's answer to any of the questions posed in it.

The Auslan diploma at the Kangan Institute is central to deaf Victorians' access within the wider community and central to the provision of human rights to the community. There is already a critical shortage of skilled interpreters. Interpreters are trained at RMIT through diploma and advanced diploma of interpreting courses, but you have to be bilingual and multicultural to gain entry. The Kangan Institute Auslan diploma provides the only professional education pathway to those courses.

If we are honest in our commitment to the Charter of Human Rights and Responsibilities, we must provide access to education, health, justice and work opportunities to people who are deaf. We can only do that if we train enough interpreters. We are fast approaching a situation where service providers are vulnerable to legal action because they cannot meet their legal requirement to provide equal access because there are not enough interpreters.

Auslan is not only for people who are deaf. It is also something you can study if your children are deaf, if you lose your hearing, if your friends are deaf, if you want to train for a meaningful job or if you just think Auslan is beautiful. In the last few weeks I have learnt how beautiful it is.

The students at Kangan mostly have hearing, so Auslan is not their first language. In order to become fluent they need a full-time, immersion-style class. It is not enough to have a few contact hours and practice at home. This is not Auslan for tourists to a foreign land of deaf people where you need enough to get by and then you go home; Auslan is an Australian language for people who live here and speak it every day — at home, in business meetings, in university lectures, at weddings, at funerals, in doctors appointments, at cricket matches, at barbecues and at the beach.

Last night I received an email from Darren Miller, which said:

I am an indigenous man that is doing my diploma in Auslan. I started at the start of this year in group 40. I travel from Numurkah to Melbourne leaving my wife and three young children every Sunday to stay in Melbourne the week to do the course and return back home on the weekend to see my family. I hope that the government see sense and continues this course. My brother is profoundly deaf and I have seen the problems he has with getting interpreters.

He wished us luck today, but he will not be here, as he has gone home to be with his family.

The peak industry bodies, including Deaf Victoria, Vicdeaf and the two Auslan interpreting bodies, are willing to be flexible in finding a solution, but they are

united in their belief that there must be a full-time diploma of Auslan. My first question to the minister is: is he committed to retaining a full-time, two-year, face-to-face diploma of Auslan as part of the future of Auslan education? Will he ensure that Auslan courses are funded at an appropriate level to allow a registered training organisation or a TAFE to run viable and sustainable high-level Auslan training? I am interested in hearing about all the latest multimodal methods of delivering education programs using online gadgets and whatever else, and everyone keeps talking about being flexible, but I would like to establish the full-time, two-year, face-to-face diploma as the common factor.

Once that is established, my next question is obvious: can the minister put in place measures that will ensure the continuation of the Auslan diploma course at Kangan Institute until the new measures are in place? Students are part-way through their courses, while two teachers have already been made redundant. There is literally nowhere else on the eastern seaboard of Australia for the students to continue their studies. It is the most terribly sad situation. I quoted Darren Miller earlier. He said he is in group 40. This means he is not due to complete his course until December 2013. He will be left stranded.

Another student, Brenda McKinty, has been in touch with my office. When the course closes this incredibly bright and capable mother of two will be left stranded with no diploma and not enough fluency to apply for an interpreter course. Fast-tracking her course is not an option; it is hard enough for single parents to study full time, let alone do extra hours. She says:

There is something you need to understand about the unique nature of this course. Each teacher has a particular speciality — to remove one and ask another teacher to take their subjects is like making the geography teacher redundant, then asking the maths teacher to teach geography as well.

She went on to describe the unique special skills of teachers in the Kangan course. As I said, two have already been made redundant, one of whom is Anne Bremner. Those teachers give an insight into linguistics, interpreting deaf culture and community issues. Brenda's email typifies the thirst for learning among Auslan students. They value the unique knowledge and perspective their teachers can provide, especially teachers from the Deaf community, like Ms Bremner.

Can the minister tell the house that he will take action that is within his power to keep the diploma of Auslan going in the short term? The peak bodies have made two suggestions as to how the minister might help them in the short term. They are recommendations 4 and 5 of

the joint position statement: firstly, to reclassify the diploma of Auslan and its embedded courses into a foundation level, thereby removing the eligibility criteria which have led to low enrolments, and secondly, to create greater flexibility in the eligibility criteria so people with existing qualifications can study the full-time diploma. This would also help provide Victoria with more interpreters who, with the help of their higher qualifications, can interpret in high-level settings such as higher education, legal proceedings and the Parliament of Victoria.

My final request to the minister in relation to this issue is that he outline what research and long-term measures his government is committed to making, or at least what avenues his government is presently exploring, with a view to creating a long-term, stable atmosphere for Auslan education.

I will finish by thanking the Deaf community for their participation in such a positive, creative and well-organised campaign. I particularly thank my friend, whom I will not name, who delights my office by turning up on his bicycle when we least expect it to tell us about the latest in the campaign for cinema access or very loud rock concerts and who first alerted me to the threat to the Auslan diploma. It is for him and other members of the Deaf community, their friends, their families and the staff at Kangan TAFE that I brought on this debate today.

**Ms MIKAKOS** (Northern Metropolitan) — I welcome the opportunity to speak on the issue of Auslan courses in Victoria on behalf of the Labor opposition. I point out that we did not need to have this debate to enable the minister to fix this problem; he has had the ability since this issue was first identified to step in and provide the necessary funding to ensure that the Kangan Institute is able to continue the Auslan course. I want to put on the record that a number of my colleagues have been very strong advocates on this issue, in particular the shadow minister for higher education, Steve Herbert, the member for Eltham in the Assembly, and also Mr Leane, a member of this house, who has also been very closely associated with this issue, as have many other Labor members of Parliament.

Auslan is the Australian sign language and is the primary language for deaf people in our community. It is even the preferred language of many deaf people who do not have deaf parents but have learnt Auslan later in their lives. We certainly heard from Ms Hartland in her contribution the very practical and necessary way in which people use Auslan in going

about their daily business and how important and invaluable it is to them.

A diploma in Auslan is generally the precursor to starting work as an interpreter, and the value and importance of this is no more evident than today when we have an Auslan interpreter with us in the gallery. I believe this might be the first occasion that this has occurred in the Legislative Council, but I am not certain of that. It has occurred in the past in the Legislative Assembly. When I checked *Hansard* I found it was the member for Pascoe Vale in the Assembly, Christine Campbell, who in 2000, as Minister for Community Services in the early years of the Bracks government, organised for Auslan interpreters to attend question time during the International Week of Deaf Persons. I believe that it has occurred on several occasions during question time and other proceedings of the Legislative Assembly. It would be nice to have it occur on a more regular basis during that week in both houses of Parliament in future.

Whilst having an interpreter here is important and perhaps historic, it is unfortunate that it is occurring in such dreadful circumstances when the Auslan course is being defunded, rather than being done in a more celebratory, positive way on another occasion. Having an interpreter here serves to remind us all of the importance of the Auslan language and of making sure that all members of our community can observe and participate in the political process and the broader community.

In addressing the background to the way this issue has arisen, I remind members that last year the Baillieu government announced \$50 million in cuts to the Victorian certificate of applied learning programs and a further \$40 million in cuts to the TAFE sector. In response to this, Gippsland TAFE announced that it would be unable to continue to offer Auslan courses post 2011. The member for Eltham in the other place, Steve Herbert, who is the shadow minister for higher education, raised this issue on 13 March. The response from the government had been that there was a solution for those students, which was to rely on the Kangan Institute for an alternative course. In essence, the government's response in March was to say that deaf students in Gippsland — that is, in Moe, Morwell, Sale or Traralgon — would need to get on a train and get to Richmond in order to undertake an Auslan course.

Bad as that was, things have since got even worse. Following the Baillieu government's decision in this year's budget to remove a further \$290 million in funding from Victoria's TAFE sector, Kangan Institute recently announced that its Auslan course has become

unviable and will therefore no longer continue beyond this year. Kangan Institute is the only Victorian TAFE to offer the Auslan diploma since Gippsland TAFE withdrew its course last year. This issue was raised by Mr Herbert in the Legislative Assembly on 22 May.

The Minister for Higher Education and Skills has sought to deflect responsibility for this issue and has been blaming everyone but himself. I put on record some comments made by Kangan Institute on 22 May in a statement headed 'Official statement — Auslan course closures at Kangan Institute'. It is Kangan's explanation as to why the decision was made. In part it says:

Kangan Institute has today confirmed that Auslan courses have become unviable due to a combination of state government cuts to 'full service provider' funds which helped provide expensive student support services as a community service obligation, and subsidy price equalisation with private providers.

Graduates tend to move on to meaningful, but not highly paid, positions assisting the deaf community. Full fee-for-service options are demonstrably too expensive for students who are seeking these qualifications.

I will not quote the whole document because it is quite lengthy, but Kangan Institute has put on record that this step is being taken as a result of what is in the state budget. It apologises to the Deaf community for the distress it has caused by what it goes on to say are 'unplanned outcomes resulting from measures in the state budget'. Kangan Institute is certainly pointing the finger at the government on this issue.

Minister Hall in his media release of 23 May stated that Kangan Institute had long wanted to withdraw the Auslan course. In fact this has proved not to be the case. The minister also stated in his release that the government:

... commenced discussions with Vicdeaf about the future delivery of Auslan in Victoria in October 2011.

It is now many months since the Baillieu government began its discussions. We are none the wiser about it, but we have had the whole issue thrown into question because the minister claimed that NSWDeaf, a New South Wales registered training organisation, was in negotiation with the government about providing a course in Victoria. The Deaf Society of New South Wales subsequently released a statement negating this fact, stating that it has no intention of facilitating a diploma of Auslan in Victoria now or in the future. It appears that on numerous occasions the minister has been trying to walk away from accepting responsibility for the loss of Auslan courses as a direct result of his government's savage budget cuts to the TAFE sector.

The latest information that I am aware of is that the minister released a statement last week, on 14 June, saying that the government was working with Kangan Institute on the delivery of its Auslan program. I certainly hope those discussions come to fruition.

I raised this issue with the minister in an adjournment debate during the last sitting week and asked him to give a guarantee that he would continue this course at Kangan. I look forward to receiving the minister's response soon. I hope he agrees to do so today, but to date he has failed to give a guarantee that he will commit the necessary funding needed to keep this important diploma course going in Victoria. During that adjournment debate in the last sitting week I read a quote from the chair of the Auslan Interpreting Industry Forum Victoria, Susan Emerson, who is quoted in the May edition of Deaf Australia's *Outlook*. I want to read that quote into the record again. It says:

... without access to interpreters, the experiences of deaf people are entirely commensurate with the wheelchair user who faces a flight of stairs and no ramp.

I think that says a lot about the importance of this course and the Auslan language to the Deaf community of Victoria. I know we are not meant to refer to people in the public gallery, but I had an opportunity to meet some people earlier, and I learnt that the sign I am making with my hand is the sign for hope. I hope the minister will move to fix the issue of funding Auslan as soon as possible. I thank Ms Hartland for bringing this debate to the house today. We on this side of the chamber will continue to work and advocate on behalf of those members of our community who rely on Auslan, and I hope the minister will give us a favourable response today.

**Hon. P. R. HALL** (Minister for Higher Education and Skills) — I welcome the opportunity to contribute to further debate on this issue. On a number of occasions I have had the opportunity to respond to members when this issue has been raised with me. From the very first of those responses I do not think anyone would doubt the commitment that I have continually demonstrated to resolving this issue and therefore meeting the needs of the Deaf community in Victoria.

I can recall my very first response to a question, which I think was raised by Ms Hartland. I said we would stand by the Deaf community and ensure that we find a solution for the delivery of Auslan programs in Victoria. I remain committed to that, and I have emphasised that on every occasion that I have had a chance to respond in this chamber and publicly as well. Both members who have spoken before me in this

debate have mentioned the commitment and statement that now sits on Deaf Victoria's website, so I do not think anyone can challenge the commitment the government has to finding a solution to this issue.

I am also not interested in playing politics with this issue. I thought it was a bit rich for the previous speaker to start talking about government members blaming anyone but themselves for this particular problem. I am not going to go through the history, except to say that concerns about the viability of the delivery of these programs were around long before this government took office. I could put on the record documentation in which concerns have been expressed by various people and providers over a period of time well before the current government came to office. I could go back to that, but I do not think that is worthwhile, because what the people of Victoria and in particular the Deaf community want to see is a solution, and that is what I am interested in finding.

When I last spoke on this issue in this chamber I said the government has a commitment to working with the Deaf community and providers to find that solution, and that is what the government has been doing. Only last week I had the opportunity on two occasions of meeting with various members of the Deaf community and providers for the Deaf community. I was involved in personal meetings with these people. At one meeting, held in my electorate, I chatted to a representative from Deaf Access in the Gippsland region. We had a conversation in which I was able to get a handle on regional needs. It is of interest that each Wednesday that person uses Skype to access an Auslan instructional program. He is using technology to improve his Auslan skills. Do not get me wrong; I am not talking about that as the solution, but using technology may well be part of it.

On another occasion I met with representatives of Deaf Victoria in my ministerial office. We had a very productive and constructive conversation about both the needs of the Deaf community and the way in which those needs might be addressed. We had a very constructive dialogue that resulted in my request to the people from Deaf Victoria that they document exactly what they feel is needed. That goes to the joint position statement, which was referred to by Ms Hartland in her contribution to the debate, in which a series of five recommendations are made. I think the basis of the questions that have been put to me during the course of this debate are embedded in those recommendations put forward by the Deaf community, and I will respond to those in just a minute.

I want to mention the fact that my department has also been working with providers. There have been some lengthy conversations with Kangan Institute and Northern Metropolitan Institute of TAFE. Because of the fact that there is a centre of excellence for the deaf and hearing impaired located within NMIT, departmental staff have been having those conversations about ongoing provision and the appropriateness of such provision. It is not as if we have been sitting and doing nothing on this issue. I continue to work with the Deaf community to ensure that we find a solution to this issue.

As I said, the position statement put forward jointly by Deaf Victoria, Vicdeaf and the Australian Sign Language Interpreters Association makes five recommendations. The first is for the sector to urge the government to commission research to explore new and flexible models of delivery of Auslan certificates II to IV and the diploma on a statewide basis using multimodal approaches. I am more than happy to give a commitment for that work to be undertaken, because there is no doubt an elaboration of that recommendation says face-to-face delivery is important. I fully accept that, but at the same time there is an opportunity to extend delivery of some of those programs, particularly to the regions, and that is where I see technology being able to assist in meeting regional needs.

As I said earlier, a Deaf Access representative in one region uses Skype, which I would describe as a low-level video technology method, to keep in touch with studies that he is undertaking, but I think there is better technology that has the potential to do that in a more sophisticated manner or using better imagery. Now that we are seeing successively fewer providers who have the scope to deliver Auslan programs exercising that ability to deliver — GippsTAFE, which ceased delivery of some of those programs in October last year, has been referred to — it is important that we look towards providing some regional delivery.

By using technology there is a chance that people in regional centres throughout the state may be able to hook into and participate in some of those training programs delivered elsewhere. Mind you, I do not exclude the possibility of a central point of delivery potentially being a regional area itself. For some it does not matter where you are delivering from if you are using technology to hook into a particular program that is being delivered.

I have no problem in committing to those first recommendations and, having undertaken that research, looking at ways in which we could explore methods of delivery so that more people are able to participate in

those programs. That first recommendation in the joint position statement also suggests two bodies that are well positioned to undertake the research. One is the Centre of Excellence for Students who are Deaf and Hard of Hearing, which is an agency auspiced by NMIT. It also mentions the National Institute for Deaf Studies and Sign Language Research, which is located at La Trobe University. I can assure members that those organisations will be included in our discussions to explore what contribution they can make to finding solutions.

The second recommendation is about investment in curriculum and resources development to support multimodal delivery of Auslan training programs. Yes, it is acknowledged that there may be a cost in developing programs which can be delivered by multimodal means. Yes, there might be infrastructure costs. Again, we are prepared to look at that. I think there will be an ongoing need for technology to enable the delivery of more training programs through digital means, and that is something that I am both cognisant of and committed to putting in place.

The third recommendation is for an investigation into the role that the newly established Victorian Deaf Education Institution could play in supporting the delivery of these programs. It is interesting to recall the history of the premises in St Kilda Road from which VDEI will operate. A not dissimilar organisation, Deaf Children Australia, worked from those premises and delivered the diploma of Auslan course from that address. Again the suggestion is that VDEI be included in the discussions about finding a longer term solution to the problem, and again I have no problem with including that organisation in such discussions.

The fourth recommendation is about identifying sustainable approaches and providing funding and suggests that one way of doing that may be through a reclassification of the Auslan program as a foundation literacy program. I think there is merit in that. We are actively looking at that now.

The fifth recommendation is that perhaps we should be looking at the eligibility criteria. That is an option. I am certainly prepared to give a commitment to examine each of the recommendations as a possible means of ensuring that we end up with a sustainable program that continues to deliver for the needs of deaf and hearing impaired people in Victoria.

The five recommendations appear to form the basis of the questions posed to me by Ms Hartland during the course of the debate, the first one being, 'Is the minister committed to retaining a full-time, two-year,

face-to-face diploma of Auslan as part of the future of Auslan education?'. I have already said in my comments during the course of this debate that I am committed to finding a solution to the problem, and I see and acknowledge the fact that the face-to-face diploma is a necessary component of that solution. Yes, I am committed to doing everything I can to ensure the ongoing availability of that diploma program now and into the future. While we will explore whether the funding levels are appropriate or whether a means of making current ascribed funding levels affordable or funding sustainable might be by increasing delivery through multimodal means, which we have spoken about during the course of this debate, one way or another I am committed to ensuring that we continue with that diploma.

The second question was, 'Can the minister put in place measures that will ensure the continuation of the current Auslan diploma course at Kangan Institute until the new measures are in place?'. Again, I am committed to finding a solution in a timely manner, and funding for this program continues right through to the end of this year, some six months hence. I acknowledge that 'in a timely manner' means well before that period of time has elapsed. I am determined to find a solution within that period, in a timely manner, but that program will continue until such time as we find a solution. I do not discount that the solution may be a continuation of that program. It may be the delivery of that program by somebody else; I do not know. But I am committed to finding a solution to that problem.

The third question was, 'Can the minister outline what research and long-term measures his government is committed to making?'. I think I have done that during the course of my answer when I said that in accepting the recommendations of the joint statement by the three bodies we are committed to using the suggestions put forward in that statement and the suggested organisations as appropriate research bodies to ensure that we undertake the necessary preparation so that the needs of the Deaf community in Victoria continue to be met now and into the future. We will continue to work with the various organisations to ensure that the research is undertaken.

As I said, on each occasion I have had a chance to publicly comment on this issue I have re-expressed my commitment to working with the Deaf community. I am happy for that work to be undertaken in a bipartisan way; I am not interested in playing politics on this issue, because every one of us in this chamber knows and respects the Deaf community and people with a hearing impairment and recognises that they need services from government. We are committed to

finding a solution. We will find it, and if we can do it collaboratively and in a bipartisan fashion, then I think it will reflect well on this Parliament.

**Ms HARTLAND** (Western Metropolitan) — I thank Mr Hall and Ms Mikakos for their comments. Before I get into my reply, I wish to again thank everybody in the Parliament for helping to facilitate this debate. I especially want to thank Mr Leane, who enabled us to have a fixed time for this debate today. The effort he put into that is greatly appreciated.

I appreciate that Mr Hall is committed to this course and that he intends to resolve this matter in a timely manner, but we have to remember that two teachers from Kangan Institute of TAFE have already been made redundant. Is 'in a timely manner' going to be this year? Are the students who are already enrolled and halfway through their courses guaranteed that they will be able to finish their courses? As has been noted, we already have a vast shortage of interpreters, and we need to fix this problem.

I think one of the things that came out very strongly for me during this debate, and I acknowledge that the minister is someone who has a deep commitment to education in general, is that it feels as if the problems with this issue — Kangan, not enough research and not enough good advice — may have come from the minister's department, because all along there have been stumbling blocks about how to make it work. It seems as if the work that is needed to fix it did not happen at the start, so now we are trying to fix it as we go along.

This is an issue that can be dealt with in a bipartisan way because I think everybody in this chamber just wants it to be fixed. But I also say to the government that this is an issue that is not going away, and it is clear from the campaign being run by the Deaf community that it does not intend to give this up. For them this is an issue about basic human rights and their ability to be in the world and be able to communicate with everybody else.

**The DEPUTY PRESIDENT** — Order! Before I put the motion, I am sure all members of the house would like to join with me in thanking Mr Paul Heuston for his interpretation services today. He stood on his feet interpreting while four members spoke in this debate, or three members and the right of reply. A thankyou to him.

**Motion agreed to.**

## COALITION: GOVERNANCE

### Debate resumed from earlier this day; motion of Hon. M. P. PAKULA (Western Metropolitan):

That this house notes the ongoing atmosphere of mistrust and recrimination between the coalition partners as a result of the 'Overland-Jones-Weston affair' and the detrimental effect it is having on the good governance of Victoria, and in particular the —

- (1) forced resignation of the Liberal member for Benambra as Parliamentary Secretary for Police and Emergency Services and a Liberal adviser rather than The Nationals Deputy Premier;
- (2) taping of a private conversation by the Liberal member for Benambra without the knowledge of The Nationals Deputy Premier; and
- (3) leaking of the contents of that tape in an apparent attempt to undermine the Liberal Premier, The Nationals Deputy Premier or both;

and calls on the Premier to seek advice on what opportunities are available to the Deputy Premier to recommit his evidence under oath to reconcile the irregularities with the evidence given under oath by the member for Benambra to the Office of Police Integrity.

**Mr LENDERS** (Southern Metropolitan) — I rise to speak to the motion which was debated this morning with a great deal more vigour and probably a bit less respect than the motion we have just discussed in the chamber. I remind the house of Mr Pakula's motion, which is quite specific:

That the house notes the ongoing atmosphere of mistrust and recrimination between the coalition partners as a result of the 'Overland-Jones-Weston affair' and the detrimental effect it is having on the good governance of Victoria ...

In particular it refers to the:

- (1) forced resignation of the Liberal member for Benambra as Parliamentary Secretary for Police and Emergency Services and a Liberal adviser rather than The Nationals Deputy Premier ...

The motion also refers to the taping of a private conversation and to the leaking of the contents of that tape. It then specifically asks Premier Baillieu to help clear the name of Deputy Premier Ryan by seeking advice on what areas can rapidly be brought forward where he can give evidence under oath, so it is not just Mr Tilley, the member for Benambra in the Assembly, who has given the Office of Police Integrity (OPI) evidence under oath but Mr Ryan also can do it.

That was the nature of Mr Pakula's motion. During his contribution to the debate Mr Pakula referred to the dysfunctional nature of the government and the effect that had on the budget. There was a long debate then

about how Mr Ryan and Mr Baillieu could clear the dark cloud hanging over the Deputy Premier by finding a forum where the Deputy Premier could on oath say what had happened rather than having this strange dichotomy we have at the moment. Mr Tilley has been sacked or has stood down after what he would describe as, and what is colloquially now being called 'being Ryaned' or 'verballed'. We have a situation where the person who gave evidence under oath is stood down and the one who chooses not to give evidence under oath and weaves, dodges, manoeuvres — using every weasel word and every possible form of spin, to quote Mr O'Brien — is the one who remains Deputy Premier and day after day simply gets up in the Parliament and says, 'I'm an honest man; I have been honest for 20 years as an MP; I was honest for 20 years as a lawyer; trust me'. He has not given evidence under oath of his side of the story.

There is very much a double standard going on here. It is not surprising that the lexicon now includes 'being Ryaned' as a commonly used term, and 'doing a Tilley' is now known quite clearly as meaning the need to tape the conversation of a work colleague lest they verbal or 'Ryan' you in the future. Mr Pakula's motion basically suggests the Premier find a way forward to clear the name of his deputy. It suggests that he needs to find a vehicle where Mr Ryan can under oath state his version of the events.

It is interesting to note that even during the debate on this motion to take note, the government has again resorted to its heavy-handed response of rule 21-19 where Mr O'Donohue says that the government will oppose even taking note of this motion. This is hardly a motion that sets up an inquiry or refers a matter to the Ombudsman or calls for someone's dismissal. This is a motion that notes the dysfunctional nature of the government, notes the extraordinary workplace relations where two colleagues feel the need to record conversations in secret as a way of protecting each other's reputation — and then the tape is leaked.

Mr Pakula, very helpfully and thoughtfully, has suggested that a measure be put forward to allow the Deputy Premier to clear his name, to give his evidence under oath so at least it is on the same level as the now demoted and vilified Mr Tilley. Yet what we see is Mr O'Donohue brazenly coming out and saying, 'The government is going to vote against this'. That shows the power of the 21-19 rule, that if you do not like it, you shut it down. That is totally consistent with what the Deputy Premier has been doing in question time in the Legislative Assembly.

I will not repeat what Mr Pakula and Ms Pennicuik said in their contributions to the debate, but they mentioned the amount of platitudinal statements that have been used by Mr Ryan to just dismiss this as if it was something that did not matter. It is no light matter that a Chief Commissioner of Police has been hounded from office. It is no light matter that a parliamentary secretary and an adviser to the police minister have been out and about talking with deputy commissioners of police about the Chief Commissioner of Police, let alone the appropriateness of that. Yet in his contribution to the debate Mr O'Brien, one of the people defending the government, jokingly talked about operational versus non-operational matters and how it would be inappropriate to step into that. That was a particularly feeble defence of what was going on.

What we see then is a debate that fundamentally comes down to the question: why is the Deputy Premier afraid to go on oath? Why is he afraid to be cross-examined? Whenever there is an attempt to question him on that matter, he resorts to the cowards castle rule 45-43 in the Legislative Assembly so that it can be shut down. The integrity of the Deputy Premier cannot possibly be questioned, because he says he has been an honest MP for 20 years and an honest lawyer for 20 years before that, so how dare anybody question his word.

I put to you, Acting President, that the minister's parliamentary secretary questioned his word. He was so uncertain of what the minister was going to say that he felt the need to secretly turn on a tape recorder lest he be verbally or 'Ryaned' as it is known in this day and age in this Parliament. Then there was the minister's senior adviser. What did the senior adviser and the parliamentary secretary have in common other than that they answered directly to the Deputy Premier and the police minister? They were members of the Liberal Party, the other part of the coalition. They had to fall on their swords, take the bullet — whichever term you wish to use — to protect this oh so precious, oh so special Deputy Premier, whose word no-one can question.

**Mr Drum** — He is special.

**Mr LENDERS** — No-one can question his word, Mr Drum. Mr Ryan says, 'I'm an honest man, if I say so. Look at me; if I have been so for the last 20 or 40 years, then it must be true', because Mr Ryan is a member of The Nationals. I might say it was that attitude that got Bill Gunn, Deputy Premier of the Queensland National Party, to launch the Fitzgerald inquiry that sniffed into every foul-smelling burrow in which the National Party in Queensland had been carrying on. It overturned rocks, stuck its nose into it all

and in the end that royal commission got rid of a corrupt government of 19 years standing under then Premier Bjelke-Petersen, the longest standing government in Australia.

I am not saying that is the case with this government, but I am responding to Mr Drum's interjection that The Nationals members are special. They certainly are, and they certainly were special. We do not hear much about the Bjelke-Petersen Foundation any more, where you paid \$10 000 to the National Party fundraisers to get a knighthood.

**Mr O'Brien** — What about the desal? How much did that cost?

**Mr LENDERS** — I will go back to some specifics of The Nationals in Victoria today and this particular motion. I will take up Mr O'Brien's interjection about deception.

**Mr O'Brien** interjected.

**The ACTING PRESIDENT (Mr Tarlamis)** — Order! I ask Mr O'Brien to stop interjecting. Mr Lenders has the call.

**Mr LENDERS** — Despite the vilification of The Nationals and the Liberal Party, it is interesting that if it does not open until 31 December, the desalination plant is now coming in at \$600 million under budget. That is a fact. Only one thing is noteworthy about that — that is, what does the government do when a project comes in under budget? By sleight of hand and stealth it tries to pinch the money for the budget bottom line and not give it back to the consumers, when at every possible moment it has said with hand on heart that it will do what it can. Speaking of dysfunctional government and ministers from The Nationals, it is interesting that the first thing that Mr O'Brien's deputy leader did when in government was say, 'If only I could get the burden of this iniquitous desalination contract off consumers, I would do so'.

In that position, what do you do? You get an accounting firm to go through the contract, and it reports back saying there is nothing you can do about it. Okay, that is fair enough. The government says it is going to take the burden off consumers and there is nothing it can do about it. Yet under this very same contract it has vilified, the Minister for Water, Mr Walsh, says that, where today it cost \$1.81 million a day, or 45 cents per consumer in Melbourne, suddenly something can be done about it. For the 195 days of the current financial year — where the money does not have to be paid — the water companies can take it off people's bills. Then for the probable 195 days of the next financial year —

and we are talking here about what AquaSure is saying — between November and February the desalination plant will be commissioned when the payments start. There will be another 195 days of 40 to 50 cents per consumer or, as Mr Walsh would say, \$1.81 million a day.

The accounting firm tells this Nationals minister, ‘This is what you can do to take the cost of living off consumers’. What does this can-do minister from The Nationals, who knew about that in April 2011, do? He does nothing. In fact he goes back into the burrow, hides and puts his hand back into the pocket of every Melbourne water user. This goes back to the Liberal-Nationals dichotomy. The Nationals like slugging Melbourne water users. He takes out the money and hopes nobody will notice. I would suggest to Mr O’Brien that if anyone needs to apologise, they need to apologise to Melbourne water users, because this Nationals minister had his hand well and truly in their pockets and was pulling out the money when he got sprung three weeks ago over the environmental levy.

Back to the motion in relation to the dysfunctional nature of this government coalition between The Nationals and the Liberal Party. Last week I was in Benambra in the city of Wodonga where a concern was put to me about the dysfunctional nature of this government — that is, that the minister responsible for the Regional Development Fund is from The Nationals, and the Liberal member for Benambra in the other place, who is responsible for the town of Wodonga, has such a poisonous relationship with his minister from The Nationals. Who on earth is going to be the advocate for a regional development grant in Wodonga when the minister and the local member have such a toxic relationship that the member feels the need to turn on his tape recorder if he is speaking to the minister lest the minister ‘Ryan him’, or verbal him, in the future.

I am pleased to say that I was told there is no evidence yet of this happening, but what I was seeking is that Mr Tilley has not actually applied for any grants, so Mr Ryan has not had the need to say no to him in that regard. But what I would suggest to Mr Tilley is that if Mr Ryan says to him, ‘I am offering a grant to Wodonga’, he should turn on the tape recorder and ‘do a Tilley’. I would not rely on any delivery of funds in this place, because this minister with this regional fund has promised all things out of this fund. Yet there is less money in the fund than was in there per year when the member for Bendigo East in the Assembly, Jacinta Allan, had the fund in place.

There is less money, and it is money that under Labor was devoted only to regional development. Mr Hall, Mr O’Brien, Mr Ramsay and Mr Koch, who are members for rural areas, all know that under this government and under legislation they voted for that money can now be used for the outer suburbs and for programs that were previously paid for under core government funding. So much for a super billion-dollar fund. There is actually less in it than there was per year under Labor, and it can be used for projects that were funded by the general government under Labor. That money is being used for projects that were funded by the general government under Labor. That means this much-vaunted fund that Mr Ryan stomps around the state saying is so fantastic is actually worth less than what was in place under the previous government.

There are a few things I would like to go through in rebuttal of things said by the two government members who have spoken to date. Mr O’Donohue outlined what the Deputy Premier, Mr Ryan, had done. He outlined the fantastic things that Mr Ryan was doing with the Regional Growth Fund — good on him — and I wish him well in dealing with that. Of course what Mr O’Donohue did not mention are some of the choices Mr Ryan is making, and these go back to the dysfunctional nature of this government.

If the Leader of The Nationals is trying to look after his community, I find it quite extraordinary that in this dysfunctional government he can sit back in his own portfolio to get out of a political problem of his own making and that of his representative in this house, Mr Dalla-Riva, when the government is suddenly exposed under the bright light of scrutiny because it has this grand PSO (protective services officer) policy — and good on it, delivering its policy — and these PSOs do not have toilets to go to. As was put by my colleague Mr Leane, there is a dunny deficit.

When Mr Ryan has a choice does he back his colleague Mr Hall in cabinet and get some more money for TAFEs, or does he protect his own little patch, getting his PSOs rolled out? He builds his \$260 000 toilets on railway platforms in Melbourne instead of backing his colleague Mr Walsh and keeping some DPI (Department of Primary Industries) offices open and instead of backing his colleague Mr Hall and keeping some TAFE places open. He does not stand up to his Liberal colleagues, and he does not stand up for his Nationals colleagues. To Mr Ryan building his \$260 000 toilets in Melbourne is more important than DPI offices and TAFE places. That is indicative of a dysfunctional government even before we start talking about access to Minister Ryan.

We can also look at the dysfunctional nature of the government. Mr O'Donohue did not mention any of that. We can talk about the bushfire response. I recall vividly the former opposition saying that every single royal commission recommendation would be adopted in full before the commission even released its report. What do we see now from this dysfunctional government? We see the dysfunction between the Liberal and Nationals parties and between individual ministers. Firstly, the Liberal Minister for Energy and Resources, Michael O'Brien, has views on the undergrounding of powerlines, and The Nationals Deputy Premier, the Minister for Bushfire Response, has different views, but regardless of whose view comes forward, it will not be what the then opposition said before the election — that every single recommendation would be carried out in full. There are now multiple qualifications and layers of weasel words to explain why that cannot be done.

We can look further at bushfire response and the nature of the dysfunction of the government and between ministers. I recall quite clearly that the previous government put out a green paper on the fire services levy and brought legislation into the Parliament to allow the State Revenue Office to drill into insurers so that we could get details, data and facts for some evidence-based decision making on the issue. The previous government accepted the recommendation of the royal commission, based on this evidence, to scrap the fire services levy.

Mr Ryan, the Deputy Premier, then the Leader of The Nationals and de facto deputy opposition leader, came out and said, 'We will abolish the fire services levy by 1 July 2012'. Let me assure the house that today may be the shortest day of the year, but 1 July 2012 is less than two weeks away and not a skerrick of legislation has entered this Parliament to address this issue that was so important to The Nationals. For the seven years that they were previously in government The Nationals members thundered on that they would do it. Of course who were the emergency services ministers during the Kennett-McNamara government? One of them was Mr McNamara, and one was Mr McGrath, both National Party ministers. The Nationals then thundered on about it for 11 years during the Bracks and Brumby governments.

Now when the emergency services minister is again a member of The Nationals, Mr Ryan, what are we seeing? Abolishing the fire services levy is being postponed. There are round tables, oblong tables and probably rectangular tables. Consultation is going on, and research is being done. But despite the Deputy Premier's solemn promise of it all being done, it has not

happened. Of course in a dysfunctional nature the Liberal Treasurer is handballing this as fast as he possibly can to The Nationals Deputy Premier. All this dysfunctional government is good at doing is blaming somebody else. If government members cannot blame the federal government, the weather, a passing Martian spacecraft or someone else, they start to blame each other, and that is what we have seen in the Tilley-Ryan saga.

Mr O'Donohue also stoically talked about the great work that members of The Nationals and the ministers in the government are doing. He actually mentioned Mr Bull, the member for East Gippsland in the Assembly, and the great work that Mr Bull is doing. I will say yet again that The Nationals dysfunctional — —

**Mr Scheffer** — Mr who?

**Mr LENDERS** — Mr who? Mr Bull.

When in opposition the Deputy Premier in full flourish condemned the Labor Party for not fully funding the Macalister irrigation district. He complained that some feasibility study work was done in the Macalister irrigation district on a system to assist dairy farmers in particular and other farmers in Gippsland. Now the local member of Parliament for part of the Macalister district is Mr Ryan and the local member for most of it is Mr Bull. The local member has a \$1 billion fund with which he can fix the problems, but has a cent been spent in the Macalister irrigation district?

Mr Bull, the lion of Gippsland, back then was trumpeting the things that would be different if Mr Bull was the member, rather than Mr Ingram. Mr Ryan was thundering about neglect and how dare the Labor Party spend money on infrastructure projects in Shepparton, heaven forbid, and the Mallee when it ought to have been spent in the Macalister irrigation district. Where are these lions of Gippsland — these voices of Gippsland roaring for action? They are mute, tame little pussycats. They are rolling over on their backs, saying to the Liberal Treasurer, Mr Wells, 'Scratch my tummy'. They will drive around in big white cars, but are they going to stand up for Gippsland and stand up for farmers? No. Mr O'Donohue valiantly tried to defend the indefensible, but he was unsuccessful.

Moving on to Mr O'Brien's contribution — —

**Hon. P. R. Hall** — A good one, too.

**Mr LENDERS** — Mr Hall may stoically use the Bjelke-Petersen defence or the Russ Hinze defence and defend a fellow member of The Nationals by saying, 'A

good one, too'. I tip my hat to Mr Hall, and may Mr Fitzgerald follow him to wherever he is going. If that is the defence of The Nationals, I assure Mr Hall it needs a bit more.

We can go back to Mr O'Brien. He loves the word 'spin'.

**Mr Viney** interjected.

**Mr LENDERS** — He spoke spin; that is correct, Mr Viney.

This motion talks about noting the dysfunctional nature of the government and helpfully suggests to the Premier — and my colleague Mr Pakula is a very helpful chap — that he investigate a forum where Mr Ryan under oath can clear his name and remove these innuendos that he is saying one thing and doing another, that he is doing a Nat. But Mr O'Brien keeps saying 'spin'. I will just say to Mr O'Brien in rebuttal, and I will close on this — —

**Mr O'Brien** interjected.

**Mr LENDERS** — Mr O'Brien says, 'Spin'. Let us just analyse this dysfunctional government, which made promises when it was in opposition. I was the education minister during an enterprise bargaining agreement (EBA) negotiation and I categorically remember — and the *Hansard* record will show it — when Mr Hall got up in this place and said, 'We will make our teachers the highest paid in Australia'. It was not just that; he moved a general business motion in support of that aspiration and all his colleagues voted in favour of that. That was unequivocal. At an Australian Education Union council or forum the now Premier, Mr Baillieu, said with his hand on his heart, 'We will make Victoria's teachers the highest paid in Australia'. That is what he said.

Now we have this interesting scenario where there are EBA negotiations and the government has offered 2.5 per cent, and if you have a performance-based measure — which is not the same as federal Labor's because the Victorian government could not adopt that one — which is new and you go through a committee of three people, then the government says it might make Victoria's teachers the highest paid in Australia. Mr O'Brien is talking about spin. I would have thought a commitment to make our teachers the highest paid in Australia would mean that you would look at what teachers are being paid in Western Australia — they are the highest paid in Australia — and you would pay our teachers \$1 more, \$10 more, \$100 more or 1 cent more or whatever or equal, but you would not suddenly use these weasel words. That is spin.

I mentioned the bushfire response, so I will not repeat it. I mentioned the desalination plant and the Minister for Water, Mr Walsh, saying he would do whatever he could to reduce the cost of people's water bills. There is \$1.81 million a day not being paid, and the government hopes no-one will notice. You have a project that is running under budget and what this government does is to pocket the money until it is exposed, and the story is not over yet.

**Hon. D. M. Davis** interjected.

**Mr LENDERS** — It is not over yet, and the legacy — —

**Mr O'Brien** interjected.

**Mr LENDERS** — I will say this to Mr O'Brien; if the earthquake yesterday in Gippsland had in any way damaged one of the dams, he would be in this place today saying, 'Wasn't it prudent to have some insurance?'. That is what he would be saying today. When we are talking about the next year or two when the water goes down again, he will be saying — —

**Mr O'Brien** interjected.

**The ACTING PRESIDENT (Ms Pennicuik)** — Order! The member is not in his place. It is disorderly to interject, particularly if the member is not in their place.

**Mr O'Brien** — On a point of order, Acting President, Mr Lenders is now referring to the earthquake, which I, in a passing reference, sought to refer to in relation to the role of emergency service volunteers out there now. In relation to that I was ruled out of order, and therefore, Acting President, to be consistent you should rule Mr Lenders out of order now in relation to his reference to the same earthquake.

**Hon. D. M. Davis** — On the point of order, Acting President, Mr Lenders clearly did not intend to refer to the earthquake, because his motion predates it.

**The ACTING PRESIDENT (Ms Pennicuik)** — Order! I understand the previous ruling. I was already going to suggest that Mr Lenders should stick more closely to the motion before the house.

**Mr LENDERS** — Thank you, Acting President. In conclusion, what we have before us is a motion that talks about the dysfunctional nature of the government that has arisen out of the Ryan-Tilley affair. It is a motion that refers to the fact that every time The Nationals make a mistake, a Liberal is required to fall on their sword to deal with that mistake. It refers to the

totally dysfunctional nature of the government where its ability to find someone to blame has become so endemic to its culture that the Parliamentary Secretary for Police and Emergency Services was forced to stand aside in order to protect the Deputy Premier and Leader of The Nationals. He was then so fearful of being verbally, stitched up — or being Ryaned, as the terminology is now — that he felt the need to tape a conversation in secret to protect himself and then further felt the need, because of the white-anting that has been going on about him, to release the nature of that conversation to protect his reputation.

This toxicity in the government has got to the point where it is becoming dysfunctional. As Mr Pakula outlined, we have a budget process where the portfolios of Nationals ministers have taken the lion's share of the hits, and we can go through it output by output and by Nationals ministers versus Liberal ministers. I just have to mention agriculture and TAFE as two examples of that. They have taken the lion's share of hits in the budget, and the mistrust is such that when the budget and expenditure review committee of cabinet meeting finishes and all that is left is the Premier and the Treasurer — two Liberals — the real axe falls on the portfolios of The Nationals.

**Mrs Peulich** — Rubbish.

**Mr LENDERS** — People may say, 'Rubbish', but I would say that any line-by-line analysis of the budget will show that either Mr Ryan, as a Nationals member on the budget and expenditure review committee, is totally ineffective or that when he walks out the door and it is just the Premier and the Treasurer who are left his portfolios have been gutted above and beyond those of any Liberal minister.

I urge the house to note the motion and in doing so the toxic dysfunctional nature of a government which is ripping itself apart.

**Hon. D. M. Davis** interjected.

**Mr LENDERS** — Mr Davis cannot lock it all up in a man safe. It is out there, and the Office of Police Integrity has made comment. If the Independent Broad-based Anti-corruption Commission ever gets any teeth, it may also have something to say when one person in power who is not under oath makes a statement while hiding behind a majority in the Assembly and a more junior person who speaks under oath falls on his sword and needs to tape a conversation in order to protect himself. Perhaps I should ask the minister responsible for the Victorian WorkCover Authority, the Assistant Treasurer, a question about

this, because in any other workplace it would be called bullying.

**Mr VINEY** (Eastern Victoria) — A former Premier of New South Wales, Jack Lang, once famously said that in the horserace of life — —

**Hon. D. M. Davis** interjected.

**Mr VINEY** — Mr Davis, I have not even started.

**The ACTING PRESIDENT (Ms Pennicuik)** — Order! Mr Davis should let the speaker progress at least a little bit further into his contribution before interjecting.

**Mr VINEY** — He said that in the horserace of life always put your money on self-interest, because at least you know it is trying. This is the starkest example of this. The self-interest of the Minister for Police and Emergency Services, Mr Ryan, has overridden every other element of the government. It has overridden the fact that the government is actually run by the Liberals but — —

**Hon. D. M. Davis** interjected.

**Mr VINEY** — Mr Davis, I am appropriately acknowledging the source of a quote. You might not choose to do so; you might choose to take the words of other people and use them yourself.

**The ACTING PRESIDENT (Ms Pennicuik)** — Order! Mr Viney should address his remarks through the Chair. Mr Davis should desist from the constant interjection. It is unparliamentary, especially from the Leader of the Government.

**Mr VINEY** — What I would say, Acting President, is that this is a great example of self-interest overriding the interests of the government, because here we have the protection of the Deputy Premier and Leader of The Nationals at the expense of not one but two Liberals — Mr Tilley, the member for Benambra in the Legislative Assembly, who was his parliamentary secretary, and Mr Weston, who was his senior adviser. Both of them had to fall on their swords because Mr Ryan had to protect his own interests.

Why would I say that? Let us look at a few facts. We know Mr Weston and Mr Tilley had at least one meeting with Sir Ken Jones, former deputy commissioner of police. While we do not know all the details about what took place at that meeting, we know the Parliamentary Secretary for Police and Emergency Services and the senior adviser to the Minister for Police and Emergency Services had a meeting at the

home of Sir Ken Jones. We know this occurred in an environment where members of the government and various people in the police structures of this state were expressing dissatisfaction with the Chief Commissioner of Police, Mr Overland, for various reasons. We know in the context of all that controversy that the two most senior people advising and supporting the police minister in this state had a meeting with the deputy commissioner of police.

Having been a parliamentary secretary for seven years and a manager of government business in this place for four years, I can say that it is inconceivable and defies all possible belief that such a meeting could have taken place without the minister being aware of it. No ministerial office would entertain such a thing. We know that shortly after that meeting Mr Ryan had a meeting with Mr Tilley over a cup of coffee. It went for 20 minutes or half an hour.

**Mr Leane** interjected.

**Mr VINEY** — They cannot remember whether it was coffee or tea. Mr Ryan cannot remember much about any of his meetings. In fact Mr Tilley's experience of Mr Ryan not being able to remember meetings means that he has to record them. To quote Mr Leane, he has to press play and record on the tape machine to make sure there is an aide-mémoire. I know the Premier called it an aide-mémoire, but most of us would call it a recording of events. It is more than just an aid.

We know these principal advisers to the minister were meeting with the deputy commissioner of police, the second-most important bureaucrat in the police minister's portfolio. For those people to meet with the deputy commissioner of police and not advise the Deputy Premier of those meetings, or for the Deputy Premier to be unaware of those meetings, is incomprehensible. It would not happen. If it did happen, it would demonstrate extraordinary dysfunction in the minister's office.

The minister has put out a proposition that he wanders around an office with half a dozen staff and never has a conversation that he can recall with any of them. That is what he would have us believe. What we also know is that in question time in the other place Mr Ryan denied taking part in a conversation in which, it was put to him, he said, 'Job well done' to Mr Weston after being briefed about some of these meetings. Mr Ryan indicated that that conversation never took place. He does not have the same recollection as Mr Tilley, his parliamentary secretary, who was prepared to state his recollections of those matters under oath. The minister

was not prepared to state his own recollections under oath.

What we have now is a series of propositions that the Minister for Police and Emergency Services, who oversees one of the most important portfolios in the state, has no recollection of conversations with his senior adviser or his parliamentary secretary, or that he has a different recollection of those conversations. His parliamentary secretary was prepared to attest to his recollection of those conversations on oath, but the police minister was not prepared to do the same.

It is no wonder we are here before the house today debating a motion that notes that there is extraordinary dysfunction within the government, that there is a war of recrimination between the coalition partners in this government and that the Liberal Premier, Mr Baillieu, has been prepared to sacrifice two of his own party's people to protect the reputation of his Deputy Premier. In one of the more callous exhibitions I have seen in this whole matter, yesterday the Deputy Premier said in response to questioning about whether or not Mr Tilley should be reinstated, given the fact he has a recording that attests to his version of events, 'Such is life'.

The protection of the Deputy Premier, who is Leader of The Nationals, has such significance to this government that not only are people being sacrificed, in a political sense, but such sacrifices are callously disregarded because, after all, they are juniors in this government — or advisers, as in the case of one young person. As such they are not worthy of protection or defence. Just think about what has happened in this debate today. Only two members of the government have been prepared to get up and defend this matter. We all know from our reading of the reporting of these things that there is significant disquiet in the government about the manner in which Mr Tilley and Mr Weston have been treated. Despite that, only two members have been prepared to make a contribution to this debate and no-one has been prepared to get up and defend Mr Tilley.

No-one has been prepared to get up here and say that Mr Tilley has been hard done by in this matter or that Mr Tilley has acted honourably, because if you come to the conclusion that Mr Tilley had to resign or be stood down as a parliamentary secretary, then you must believe that Mr Ryan's version of events is to be believed and not Mr Tilley's. Mr Tilley's reputation is being trashed in this debate, and not one single member of the government has been prepared to enter the debate and say that Mr Tilley has been hard done by or that Mr Tilley is an honourable man. We know privately that that is not the view of members of the government — —

**Hon. W. A. Lovell** — How do you know that?

**Mr VINEY** — And that is why only two members of the government have been prepared to get up. We also know that members of the government do not believe these things, Ms Lovell, not just because of our private conversations but because of the conversations reported in the media. People in the government are talking to the media about how hard done by Mr Tilley is, but they are not talking in the chamber. That says a lot about how dysfunctional this government has become because — —

**Hon. W. A. Lovell** interjected.

**Mr VINEY** — Ms Lovell, we are actually debating — —

**The ACTING PRESIDENT (Ms Pennicuik)** — Order! I ask Ms Lovell to desist from making interjections. I cannot hear what the speaker is saying. Mr Viney to continue.

**Mr VINEY** — What is interesting here is that no-one has got up and defended the government. The only thing that has happened in the debate is that people like Mr O'Brien and Mr O'Donohue have criticised and attacked the former Labor government, and that is all fine — I have got up and done what Mr O'Brien had to do many times in the past, and I understand how he is doing it — but whenever I got up and defended the government when we were in government I was able to do so with confidence and faith in the people with whom I was serving in government. By contrast, he had to get up and attack policies and extraneous things about water and other issues that have absolutely nothing to do with the motion before the chamber. He could only defend Mr Ryan, and in so doing he was saying that Mr Tilley's version of events therefore cannot be relied upon.

Nobody has been prepared to say that Mr Tilley's version of events was correct or that Mr Weston deserves to be considered in this matter. Mr Weston was hung out to dry as well. The reason these things happened was simply to protect the Deputy Premier, who is also the Leader of The Nationals and Minister for Police and Emergency Services, Mr Ryan.

The motion has two key parts. One is to simply note, as Mr Lenders said, the extraordinary circumstances we now face with this government where there is an atmosphere of mistrust and recrimination. Secondly, the motion calls on the Premier to seek advice on what opportunities are available to the Deputy Premier to recommit his evidence under oath to reconcile the

irregularities with the evidence given under oath by the member for Benambra to the Office of Police Integrity.

I would have thought that was a pretty simple and straightforward proposition for the Deputy Premier to clear the air here and give his evidence under oath and to ensure that his evidence can be relied upon, because what has been put by the government is that two people simply have a different recollection of events. That is not the way Mr Tilley sees it. He does not see it as him simply having a different version of events to Mr Ryan. That is why Mr Tilley pressed play and record on his tape machine — because he knows that Mr Ryan's evidence, position and statements on these matters cannot be relied upon and are not anything like his version of the events that occurred.

The reason I have an inkling that Mr Tilley is correct on this matter is that it is incomprehensible, as I said before, that Mr Tilley and Mr Weston would have gone and had a meeting with a deputy commissioner of police, Sir Ken Jones, without the knowledge, understanding or agreement of the minister for police. It is incomprehensible that the parliamentary secretary and the senior adviser to the minister for police would have had such a meeting. It is beyond credibility that such a thing would occur, and therefore I think more weight ought to be put on Mr Tilley's and Mr Weston's versions of events, particularly given that the Deputy Premier did not give his evidence under oath and is still not prepared to do so, which is telling.

Therefore I am suggesting to members of the government here today that the simplest and easiest way to clear this matter up would be for Mr Ryan to be prepared to give his evidence under oath, as this motion is calling for, and that will clarify many issues associated with this matter. The alternative for members of the government is to actually stand up and defend their colleagues — to defend Mr Tilley and Mr Weston — because they are under attack from The Nationals.

In conclusion, just recently the *Herald Sun* editorial suggested that the Minister for Higher Education and Skills, Mr Hall, had demonstrated political cowardice — in the words of the editorial — for not standing up on the TAFE funding cuts issue. I think the same applies here to Mr Ryan. He has demonstrated that he is going to put his personal political interests ahead of those of anyone else in this place — ahead of his colleagues, ahead of his parliamentary secretary and ahead of his former adviser. He is prepared to put his political interests ahead of them in what I think is an act of political cowardice, because if Mr Ryan believed that Mr Overland should be replaced by Sir Ken Jones —

which appears to be what was taking place in this whole saga — he should have been prepared to stand up for it, and when it all fell over he should have been prepared to say, ‘I was behind it. It was part of my idea and I supported my parliamentary secretary and my senior adviser in the actions they took’.

But he did not. He walked away from what he had obviously been sending them out to do, which was to orchestrate a change at the top of the police service, to replace Simon Overland with Sir Ken Jones, to replace a man who came to the position of Chief Commissioner of Police with an extraordinary reputation in tackling organised crime in this state, a man who served the state well in his role as Chief Commissioner of Police.

Ministers have the right to have people around them in whom they have confidence, but Mr Ryan does not have the right to orchestrate such a change in a behind-the-scenes and underhanded way, as appears to have taken place in this matter, and then to walk away from that commitment and from what he wanted to see occur and let Mr Tilley and Mr Weston take the fall.

What is more, not only did he let Mr Weston take the fall but he trashed Mr Weston’s reputation in the process by saying he was acting like Lee Harvey Oswald as the sole gunman, that he was alone and on his own initiative. He said these were acts of cowardice and of betrayal by people who were serving Mr Ryan in their roles as parliamentary secretary and senior adviser. As I said at the outset, it is one of the most extraordinary demonstrations of the Jack Lang saying that in the horserace of life put your money on self-interest because at least you know it is trying. There is not a greater example of a minister of the Crown putting self-interest — the self-interest to allow people such as Mr Tilley and Mr Weston to take the fall on his behalf — in front of any other principles than in this matter. I urge the house to support this motion.

**Mr LEANE** (Eastern Metropolitan) — The interactions between the public statements made by Mr Tilley, the member for Benambra in the Assembly, and those made by the Deputy Premier, Mr Ryan, are interesting. I served with Mr Tilley on a parliamentary committee for a period of time during the last term of Parliament. Although I obviously did not agree with Mr Tilley on everything, and we are probably miles apart in our way of thinking on a lot of things, I found him to be a very up-front person who had a lot of pride and integrity.

When you hear about the interactions, even of late, between the Deputy Premier and Mr Tilley, Mr Ryan says, ‘Bill Tilley is a ripper bloke. He is a great bloke.

He is full of integrity; he is fantastic’. Why then does he not give him his job back? If he is such a great bloke, why does he not reinstate him as the Parliamentary Secretary for Police and Emergency Services? If he is such a great bloke and so full of integrity, why did Mr Tilley step down or get sacked or whatever happened at the time? I do not understand it.

When the new coalition government came in it was pretty clear there was a line of thought amongst coalition members that — and whatever way they were thinking I am not attacking, defending or agreeing with their thinking — then deputy commissioner of police Sir Ken Jones was good and the then Chief Commissioner of Police, Simon Overland, was not so good. You would hear that in contributions in this house and in commentary to the media and anonymous commentary in some statements made to local newspapers.

Mr Weston and Mr Tilley were holding a line all coalition MPs believed in, and it was probably held all the way to the Premier and the Deputy Premier at the top. Mr Weston and Mr Tilley acted in line with that. When it was exposed through the Office of Police Integrity (OPI) report that there was a degree of undermining of the Chief Commissioner of Police at the time then all of a sudden Mr Tilley and Mr Weston were found to have done the wrong thing by their colleagues and Mr Tilley had to stand down as parliamentary secretary.

For the life of me I have never understood that. I have never understood why Mr Tilley had to stand down as a parliamentary secretary. I have never heard one MP, especially not a Liberal member of the coalition government, get up in this chamber and say, ‘I agree that at the time Bill Tilley should have been stood down from his parliamentary secretary role’. It would be great if one of them did that and said, ‘Yes, the call made by the Premier and the Deputy Premier at the time was right. Mr Tilley was not acting in line with what we believed’.

**Mr Drum** interjected.

**Mr LEANE** — Maybe Mr Drum will get up and say, ‘Mr Tilley should have been stood down’. Mr Drum is nodding his head. Maybe Ms Lovell will get up and say, ‘Yes, Mr Tilley should have been stood down’. Mr Tilley jumped on a grenade for the Deputy Premier. Since then Mr Tilley has been doing what is probably the noble thing by the team. Yet Mr Ryan continued to deride Mr Tilley in conversations with the media, saying, ‘Bill Tilley did the wrong thing’, when

he did not do the wrong thing according to the expectations of the government.

Now whenever Mr Ryan is asked about Mr Tilley, he says, 'Mr Tilley is a fantastic bloke. He is full of integrity and a ripper bloke'. If he is a ripper bloke, give him his job back, or maybe being Mr Ryan's parliamentary secretary would be a setback for Mr Tilley after the recent episode where Mr Tilley admitted he felt that he had to tape a phone conversation with Mr Ryan to protect himself in the future.

The government could move the parliamentary secretaries around. Mr O'Donohue could be made Parliamentary Secretary for Police and Emergency Services and Mr Tilley could become a parliamentary secretary for something else — I am trying to help here! Maybe Mr O'Donohue would not want to be Parliamentary Secretary for Police and Emergency Services after the situation with the previous parliamentary secretary. Maybe Mrs Peulich might say, 'I'll do that parliamentary secretary job'. I do not know. It did not seem to be a parliamentary secretary role that was a — —

**Ms Pulford** — Not a great career move!

**Mr LEANE** — It is not a great career move it seems. To this day I still do not understand what wrong Mr Tilley did by his government. I understand he did the wrong thing as far as trying to undermine the then police commissioner went, but he was not alone in that. Mr Weston was not alone in that; it was a general theme from the whole gang. The recent event where Mr Tilley taped the Deputy Premier is an example of how he feels he has been treated through this whole episode. For the Premier to wave it off and say on Jon Faine's show, 'Bill was just using it as an aide-mémoire' is absolutely amazing. I nearly ran off the road when I heard that. An aide-mémoire! The Premier needs to go outside the English language to find weasel words to defend his deputy. It is just amazing.

We have a situation now where there will be endless questions about how a minister can say he did not know what his adviser or his parliamentary secretary were doing. It beggars belief that that is a defence. There is a defence that there are two truths: Bill Tilley believes he is telling the truth, and Peter Ryan believes he is telling the truth. There are two truths. When there are conflicting accounts there can only be one truth. One of those people gave evidence to the OPI under oath; the other person will not say if they did or not, and the suspicion is that Mr Ryan did not. I have to say that I

feel a bit for Mr Tilley. Mr Tilley jumped on a grenade after doing exactly what was expected of him, and it seems that he continues to get the boot put into him just because there is someone who is supposed to be more special than him who needs to be protected.

We know there is more to come out on this issue. I would have thought the government's best bet would have been to comprehensively deal with the issue and get it over and done with, because it is not going to go away. We know there is more to come, and it will be interesting to see what happens if Mr Weston is put in a box one day. It would be interesting to see what his position is in all this. He was an up-and-coming member of the Liberal Party. He was a candidate in the 2010 election. He had pictures taken with Mr Baillieu, who is now the Premier, and Mr Baillieu vouched for what a terrific bloke he was. Within 12 months the Premier had started to say that Mr Weston had problems, that he had not been well and that he had to be finished up, which is just unbelievable. Mr Baillieu was photographed standing next to him, he vouched for Mr Weston as a future member of the Assembly, yet less than 12 months later he said he had had problems for a long time. That is just amazing, and I can understand why Mr Weston would be angry.

Mr Weston probably thought he was doing what was expected of him even though it was wrong. Even though the whole episode to undermine the police commissioner was wrong, that is what he thought had to be done. Basically Sir Ken Jones was good and Simon Overland was not as good, so Sir Ken had to get the gig. That is what he and Mr Tilley thought had to be done. That is what Mr Weston and Mr Tilley endeavoured to do, and we would all be fooling ourselves if we believed that they were on their own. Anyway, we wait to see if the Premier will take up the advice and ask Mr Ryan to resubmit his evidence to the OPI on oath. I doubt very much that he will. It is more likely that Mr Ryan will put it in as an aide-mémoire than put it on oath to the OPI, but we will wait and see. I am sure there is much more to come out on this issue.

**Ms PULFORD** (Western Victoria) — I note that the government has flat-out run out of people prepared to try to defend these shenanigans at the highest levels of the government, but this is an important issue. A dysfunctional government in Victoria is an important issue, and I have more to add.

Peter Ryan is an important man. He is the Deputy Premier of Victoria, the Minister for Police and Emergency Services, the Minister for Bushfire Response — an incredibly important task for anyone to be charged with — and of course the Minister for

Regional and Rural Development. As the Leader of The Nationals in this Parliament Peter Ryan has the special role of protecting regional and rural communities in Victoria from the Liberal Party. At the moment he is stuck in the crossfire of Liberal Party factional warfare, and as a consequence the portfolios he is responsible for administering are suffering.

A long list of examples from the recent state budget point to the dereliction of Mr Ryan's duties — the great responsibilities that the people of Victoria and the coalition parties that form this government have entrusted Mr Ryan with. There is no greater example of a devastating blow being struck to regional communities than the \$100 million cut to TAFE funding that Mr Ryan's colleague in The Nationals and the Leader of The Nationals in this place, Mr Hall, has had the job of defending. Mr Hall has of course been a long-time advocate for access to education for kids in regional Victoria, and it is extraordinary to come into this place day in and day out and watch him take one for the team in defending this funding cut.

The government also scrapped the \$205 million Future Farming strategy. This includes cutting funding to the National Centre for Farmer Health, and the best excuse the government could come up with for that was that the centre has the word 'national' in its title, so maybe Canberra can pay for it instead.

An article in the paper yesterday indicated that the population shift that has been going on from Albury to Wodonga is about to be reversed. According to local people in the real estate industry, the bonuses and government support to stimulate new home ownership is weighted strongly in favour of regional Victoria until 1 July this year, when the bonus for people building a home in regional Victoria will cease. New South Wales has seen an opportunity, and it is increasing incentives. It was a remarkable thing to read that this shift has started to occur already in Albury-Wodonga, which is as good a place as any to notice such differences in state government policies.

The government has failed to protect midwives in remote areas of Victoria, and that is really just nasty penny pinching. It could be fixed with \$500 000 out of the state budget, but unfortunately the Rural Midwifery Support Program does not have any friends in the Baillieu-Ryan government.

Free financial counselling services have been cut in regional and rural areas.

**Mrs Petrovich** — On a point of order, Acting President, I just walked into the chamber, but I am not

sure if Ms Pulford is actually speaking to the motion before the house.

**Ms PULFORD** — On the point of order, Acting President, in response to Mrs Petrovich, I am responding very directly to the comments of Mr O'Donohue, who led off for the government, and those of Mr O'Brien, who spoke at some length about Mr Ryan's portfolio responsibilities.

**The ACTING PRESIDENT (Mr Ramsay)** — Order! I understand from previous rulings and from what I have heard that the debate on this particular motion has been wide reaching. I congratulate Mr Viney, who kept his contribution to the motion at hand, but I have to say that other speakers have covered a lot of territory in their contributions. On the basis that rulings have allowed the speakers to engage in referring to previous contributions, I will allow it, but I ask Ms Pulford to stick as close as she can to the motion at hand.

**Ms PULFORD** — Thank you for your assistance, Acting President. I intended to limit my comments to rebutting the points made by earlier speakers. I will make one final remark on the regional and rural development portfolio, where the budget papers show cuts to spending of the order of \$7 million.

**Mr Drum** — Have you heard of the Regional Growth Fund?

**Ms PULFORD** — Yes, Mr Drum. Last year Mr Ryan, who was perhaps a little less distracted than he is now with these catastrophes all around him, assured the Public Accounts and Estimates Committee that the Regional Growth Fund was conditional spending and that the programs that were in place when the government changed would continue. This year he has changed his tune, and those programs have been scrapped. That is why funding to regional development programs is less in 2012–13 than it was in 2011–12, and I refer members to budget paper 3 if they do not believe — —

**The ACTING PRESIDENT (Mr Ramsay)** — Order! I draw Ms Pulford's attention to — —

**Ms PULFORD** — I was provoked.

**The ACTING PRESIDENT (Mr Ramsay)** — Order! I understand that, but Ms Pulford's contribution is sailing very close to, I suspect, another motion that is coming up before this chamber next in relation to budget papers and budget currency. For the sake of adding value to this motion, it would be more worthwhile to keep close to this motion. If the member

wishes to debate the budget issues in relation to the Regional Growth Fund and other things, perhaps she could hold that over until the next motion to be debated before the chamber today.

**Ms PULFORD** — Acting President, I will take any opportunity to talk about these things, but I know Mr Scheffer is keen to add to this debate too, so I will continue. I thank you for your advice.

In relation to the Deputy Premier's role of fully implementing the bushfire royal commission recommendations, as recently as last week we saw something a little less than was promised in the lead-up to the election, and Mr Tee went through that in some detail last week.

There has been a great loss of confidence in this government right across Victoria. The internal disputation that is occurring because of these directly competing accounts about who said what and who knew what and when in the Overland-Jones-Weston affair is a massive distraction for this government and is impairing its ability to deliver the things that Victoria needs and, with respect to Mr Ryan's responsibilities, the things that Victorians in regional and rural Victoria need and expect from the Leader of The Nationals and a minister with those very important responsibilities.

Mr Ryan's credibility is simply in tatters, and that is without even going to his administration of his portfolios, in the extraordinary accounts of the discussions with the member for Benambra in the other place, Mr Tilley, about this shameful chapter in Victoria's history, when parts of the government were clearly out to get former Chief Commissioner of Police Simon Overland. In the last parliamentary sitting week there were explosive accounts about Mr Tilley feeling such a lack of trust in the minister for whom he was parliamentary secretary that he felt compelled to tape a conversation. We have our differences of opinion in the Labor Party based on policy, personality and all sorts of things, but when we get a culture of people pulling out a tape recorder on each other, that is really quite something. That demonstrates an extraordinary lack of trust between members who are supposed to be on the same side.

It was my great pleasure to serve as a parliamentary secretary in the previous government, and I worked closely with the then Minister for Regional and Rural Development, Jacinta Allan, the member for Bendigo East in the Assembly. In all the conversations I had with her during that period, never did the thought occur to me that I ought to pull out the tape recorder, because that was not the kind of relationship we had.

**Mr Viney** interjected.

**Ms PULFORD** — Ms Allan was a wonderful, full-time and fully committed Minister for Regional and Rural Development. It was my great pleasure to serve as her parliamentary secretary. I could not believe it when I read in the paper last week Mr Tilley's account of his relationship and interactions with the minister with whom he was supposed to be working very closely. There are a number of parliamentary secretaries, both current and past, in this chamber, and there are no doubt a few aspiring parliamentary secretaries around as well. It is an important role and opportunity given to some members of Parliament. That Mr Tilley's relationship with Mr Ryan was so totally dysfunctional that a tape recorder was coming out speaks volumes about the nature of the relationships within this government at the highest possible levels.

Mr Tilley and Mr Weston, former adviser to the Minister for Police and Emergency Services, gave their evidence on oath. Mr Ryan seems determined to avoid answering the question about whether or not his evidence was on oath. Premier Baillieu expects us to believe that these directly contradictory claims about what was going on are both to be believed. This is a Premier who lives in a completely parallel universe. Hypothetically if you had a 10-year-old and an 8-year-old at home when the last chocolate biscuit went missing, and one said, 'It was him', and the other one said, 'It was her', it would be very hard to accept the proposition — —

**Mr Scheffer** — If it was taped.

**Ms PULFORD** — If it was taped or if one or other of them was on oath, perhaps that might be different, but if you were presented with the empty biscuit packet and the assertion from both that they are absolutely, 100 per cent, telling the truth, the idea that you could say, 'Yes, you can both be right; you can both have a different recollection of it', is fanciful. Suddenly the dog is in the corner with his tail between his legs looking very guilty, like some third party taking the blame because all the other explanations provided are completely unbelievable. I do not know that Victorians are going to fall for that.

Victorians are being asked by the Premier, Mr Baillieu, to accept an unbelievable proposition that both Mr Ryan and Mr Tilley were telling the truth about the same conversation. In this sorry saga Mr Baillieu seems to be clinging to his deputy like some sort of political life raft. While this government is focused on its internal disputes and whether Mr Ryan is caught up in some strange internal Liberal Party generational change

or some battle between the conservative and old-style Liberals or whether this is some sort of Liberal Party-Nationals thing where The Nationals are upset, as they should be, about regional Victoria having been consistently done over by the Liberal government in just 18 months perhaps remains to be seen. Mr Baillieu and Mr Ryan need to get their story straight.

Mr Ryan owes Victoria an explanation. Mr Baillieu owes Victorian communities an honest and competent minister in these extremely important portfolios. The bushfire-affected communities and communities right across regional Victoria deserve better from this government. Every Victorian ought rightly to expect that the law and order portfolios are being administered and looked after by people with unimpeachable integrity. Mr Baillieu needs to demand that his friend and ally Mr Ryan clear the air on this saga, which has its origins in this government's obsession with Simon Overland, and provide Victoria with the honest and decent government that it deserves — a government that is focused on delivering the things that Victoria most needs in 2012.

**Mr SCHEFFER** (Eastern Victoria) — The coalition has been a presence in national politics and government for around 80 years, since the Bruce-Page coalition in the 1920s, and for very many years in Victoria. Rather than the unity that coalition members would like the public to accept, the true history of the relationship between The Nationals and the Liberal Party is riddled with betrayals and subterfuge that reveals an abiding and mutual mistrust which erupts from time to time into ugly and public bloodletting. But let us not waste time by delving into history, even recent history, to make the point. Let us instead focus on the track record of the present Victorian coalition led by the Premier, Mr Baillieu, for the Liberals in one corner and the Deputy Premier, Mr Ryan, for The Nationals in the other corner.

During the latter years of the previous Labor government the Liberals and The Nationals formalised their coalition and tried to pass themselves off as effectively one party. The first reason for this was to present a unified message to the electorate so as to minimise any sense of confusion that might frighten the public. The second reason was to avoid wasting any campaigning energy competing against each other at the electorate level. This was just one source of tension that was planted early on, because in country seats The Nationals, who prided themselves on having done the heavy lifting to bring Victoria back to the conservatives, now had to accommodate the Liberals.

None of us can forget the way the Kennett Liberal government trashed services in country Victoria during its seven years in government, and none of us can forget the way the Kennett Liberals ripped up country rail, closed down country schools and hospitals, privatised the energy industry, wound down the State Electricity Commission and purged the public service, causing thousands of job losses in every town right across the state, and no-one can forget how The Nationals let them do it, town by town, industry by industry, business by business and farm after farm.

In the months before the September 1999 election I was part of a team researching the support that government might provide to assist country women who lived on farms and ran small, non-farm-related businesses. I was staggered as I went around country Victoria at the anger and disappointment of these women as they vented about their treatment by the Kennett government. In the days before the 1999 election I lodged a draft report which was ultimately to go to Pat McNamara, the then Deputy Premier and leader of the National Party, as it was then, and I was told that we must have got it wrong and that we needed to rewrite the brief so that we had a better story to tell to the government. A week or so later the election came and country Victoria swept the Kennett government from office, leaving the National Party with a case to answer.

That story is now being repeated. I saw it 20 years ago, and I am seeing it again now. The only difference is that events seem to move faster now, but that may be a function of me being older. It is not 5, 7 or indeed 11 years into government; it is a mere 20 months after an election when a new government should be strong, unified, focused and swelled by popular support. But what we have here is a joyless government that does not know what on earth to do that is new, relevant and contemporary, so it falls back, despondent, on the policy clichés of the neocons. If the Kennett government was tragedy, the Baillieu government is a farce.

This government is like the Kennett government, only smaller — like the Thatcher government, only minuscule. Over some months the mood of the government has by turn been sullen one day and vitriolic the next. In this chamber we get a lot of time to look at each other, and it is not easy to hide what is going on with individuals and the collective of our opponents. In the days of hope, in the early summer of 2010, we saw coalition members filled with a sense of unbridled optimism that comes when something you have pined for falls unexpectedly into your hands.

**Mr Finn** interjected.

**Mr SCHEFFER** — But even before the 2006 election, Mr Finn, the ground was unsteady. I will quote Paul Austin, who wrote in the *Age*:

Will he —

Mr Baillieu —

survive as leader? The answer is almost certainly yes, but in part by default. The Liberals' talent pool is embarrassingly shallow, and the hoped-for influx of new members has failed to eventuate.

In my view the Premier is still there by default and, despite the influx of new members at the 2010 election, the Liberals' talent pool is patently and embarrassingly shallow. The one thing that the Liberals and The Nationals have in common is their respective talent pools are indeed embarrassingly shallow. In fact they are worse than shallow, because shallow implies a kind of benign lack of talent and creativity, whereas the Liberals and The Nationals have in their ranks members who are loose cannons and whose lack of balance and appreciation of their responsibilities have led them into dangerous territory. There is quite simply a lack of leadership on both sides of the coalition parties.

Without going into detail and referring simply to what we have all read in the daily media, consider the Premier himself, who ran an office out of which his chief of staff, Mr Michael Kapel, injudiciously involved himself in the plot to undermine the former Chief Commissioner of Police, Simon Overland. The Leader of The Nationals, Peter Ryan, contributed to the parlous state of the government when he involved himself in the same plot to overthrow the former Chief Commissioner of Police, an episode that has tarnished him and undermined the integrity of the high office he holds.

Then there is the ongoing saga, extensively reported in the media in recent days, that Bill Tilley, the member for Benambra in the Assembly, secretly recorded a conversation between himself and the Deputy Premier in which he says he was verbally — verbally! — by the Deputy Premier over conflicting evidence given to the Office of Police Integrity. When a senior member of the government, a former parliamentary secretary of the coalition, fronts the media to make his point and vent his grievances, we know that the internal processes inside the coalition have broken down and that there is no-one in the leadership who has enough respect and gravity to ensure that wrongs are righted and the interests of the team prevail. The fact is that Mr Tilley talks to the media because no-one can prevent him from doing so and some, I suspect, are supporting him to do it.

By the time these issues gain public traction we know that the reality within the party room is toxic and that for the government the sad reality is that it is almost impossible to fix, even for a government that was elected on the basis that it would be able to fix the problems. It is clear to anyone who has been following these events that one running sore in all this is the public humiliation and the loss of status of the former Parliamentary Secretary for Police and Emergency Services, Bill Tilley, not to mention the downright unfairness of having to lose so much for so little. It seems Mr Tilley's only reward for helping to tip out the former Chief Commissioner of Police is to keep the Deputy Premier, the leader of his party's coalition partner, in his place.

We have all been around politics for a while and we know the normal way these things are done is that there is a plan for the future, a reinstatement or a promise of another position. But it seems in Mr Tilley's case he was hung out to dry, pure and simple — and for what? For a member of The Nationals! It is easy and understandable that resentment grows to boiling point, and then that is directed to the leader of your own party who failed you as a loyal foot soldier.

Where does the member for Benambra think this will take him and his party other than gaining the satisfaction of seeing the Deputy Premier try to struggle out of the clag? Where does the member for Benambra think his destabilising of the Premier will lead? How will the government survive and succeed?

As I said before, the talent pool inside the coalition parties, the frontbench and the MPs, and also I suspect the advisers to the government whose skill is supposed to be keeping the government on track, is not very evident. The effect of Mr Tilley's public statement is to have irreparably harmed the Premier, whose protection must be his first duty. His second duty is to protect his government, and his third is to his parliamentary Liberal colleagues. That is exactly what Mr Tilley and those who support him are attempting to do. It is nothing less than undermining and ultimately toppling the Premier, because increasingly it is the Premier, whose support has fallen to 29 per cent, who is seen as the problem.

The other big source of the unravelling of the coalition is the tragic circumstance of the Minister for Higher Education and Skills, Peter Hall, who is, as we know, a member of The Nationals in the coalition. By way of background, when The Nationals agreed to go into formal coalition with the Liberals they did so to strengthen their hand on election tickets to ensure they

got their share of members up in the Legislative Council.

**Mr Finn** — On a point of order, Acting President, to say Mr Scheffer is wide of the mark would be understating things somewhat. He is making references to matters that are far removed from the motion that is currently before the house. Apart from that he is reading his speech, which is also against the standing orders. On both counts I ask you to bring him to order.

**Mr SCHEFFER** — On the point of order, Acting President, the first two lines of the motion are ‘that this house notes the ongoing atmosphere of mistrust and recrimination’. That is what I am referring to.

**The ACTING PRESIDENT (Mr Ramsay)** — Order! I do not uphold the point of order. I have sat here for an hour and the debate on this motion has been far ranging on both sides of the chamber. I will allow Mr Scheffer to finish his contribution; hopefully it will be soon. We will then put the motion to a vote.

**Mr SCHEFFER** — Mr Finn will be gratified to know there is not too long to go in my contribution. He can just sit and listen to it.

The point I was making was that in the lead-up to the last election in 2010 there was a big issue inside The Nationals and the Liberals about the position of their candidates on the upper house ticket. In the 2006 election Mr Hall was last on the ticket for Eastern Victoria Region, with Philip Davis and Ed O’Donohue in spots 1 and 2 respectively. In 2006 Peter Hall was elected last on preferences, so he wanted a safer position for the 2010 election, and the coalition deal delivered it.

As it turned out there was a significant swing in 2010 — —

**Mr Barber** — To the Greens.

**Mr SCHEFFER** — To the Greens, and I was the last to be elected. I am certain that at various points during Labor’s last term, when Labor was doing pretty well in the polls, there must have been moments when Ed O’Donohue felt some level of resentment that he might be vulnerable to paying for Mr Hall’s election.

When Mr Hall so royally messed up the TAFE budget and through his extraordinary letter to TAFE leaders managed to completely undermine the government’s TAFE-trashing market strategy, we could have been forgiven for thinking that Ed O’Donohue, one of the more competent members of the government, worried

that Mr Hall might cost him his seat if the current downward drift of the coalition continued.

There is a great deal to say about this motion — —

**Mr Finn** — On a point of order, Acting President, taking into consideration your earlier ruling — and I accept it and would not argue with it for one moment — I note that speaking about the electoral history of The Nationals at this time is straying from the motion to a degree that would be hard to ignore. On the question of relevance, I ask you to bring Mr Scheffer back to the motion.

**The ACTING PRESIDENT (Mr Ramsay)** — Order! I agree with Mr Finn. Mr Scheffer has drawn a pretty long bow in going through the upper house ticket in relation to the debate on this motion. I ask him, for the sake of those of us who have sat in the chamber for some time during the debate, to bring himself back to the motion and hopefully finish his contribution.

**Mr SCHEFFER** — There is, as I have indicated, lots to say about this motion. It is a rich motion — —

**Mr Finn** — Why don’t you say it?

**Mr SCHEFFER** — Unfortunately, Mr Finn, I think you are intellectually challenged to follow through the line of a debate, and I know — —

**Hon. D. M. Davis** — On a point of order, Acting President, it is outrageous that Mr Scheffer would reflect on a member in that way. It is something that he should withdraw.

**Mr SCHEFFER** — I withdraw.

**The ACTING PRESIDENT (Mr Ramsay)** — Order! I thank Mr Scheffer. In the heat of battle there were a number of voices that were engaged at that particular time. I ask the chamber to allow Mr Scheffer to finish his contribution.

**Mr SCHEFFER** — I say to Mr Finn that I did not intend to make a reflection on him. I made the comment in jest and with humour.

As I said, there is a great deal to say about the motion that Mr Pakula has brought before us to debate. Even though my comments have been wide ranging, I have not begun to touch on the strange conduct of the member for Frankston in the Assembly; the activities of the member for Mordialloc in the Assembly; the fundraising activities and donations right across my electorate; the member for Carrum in the Assembly; Mrs Peulich more recently; and the mention of the

member for Gembrook in the Assembly in relation to donations to his party.

All this speculation and public discussion of the integrity of government members is a distraction from the government's main policy obligations. In normal circumstances none of this would be a problem for a new government, but for this government these are serious problems, because there is barely a policy direction that has been thought through that has not been dug up and recycled. The internecine struggle within the coalition will not go away, as government members might delude themselves into thinking it will. These things are almost impossible to stop once they gain traction.

As I indicated at the beginning of my contribution, the tension between the Liberals and The Nationals runs deep. It is part of the DNA of the coalition. The slide will continue day by day and will be overlaid by poor policy decisions that will involve disastrous miscalculations of the politics and generate a whole new series of problems that will set off further tensions and internal conflict. This coalition is wracked with disunity and is clearly on its way down.

**Hon. M. P. PAKULA** (Western Metropolitan) — I will be very brief. I certainly do not intend to traverse all the matters that I — —

**Hon. D. M. Davis** — If you did, it would take you hours.

**Hon. M. P. PAKULA** — I say to Mr Davis that it took me only 20 minutes the first time around, so it is scarcely going to take me hours. If he wants me to take longer, I can. I simply want to reflect on the key element of the motion and the conduct of the debate.

The key to this motion is what we describe as the undeniable fact that the ongoing conflict and tension between the coalition partners is impacting on the government and its ability to focus on the things it ought to be focusing on, which relate to delivering services for the people of Victoria. The other part of our motion is that the best way — the only way in fact — for the government to get past this ongoing feud is for the Premier to insist that the Deputy Premier, Mr Ryan, do what the member for Benambra, Mr Tilley, did, which is to give evidence under oath, because the charade that the government engaged in to ensure that Mr Tilley resigned from his position as parliamentary secretary, an implicit suggestion by the Premier that his story is not to be believed whilst Mr Ryan's story is to be believed, is crumbling.

That facade is crumbling, and this suggestion that the government is putting forward that they are both somehow telling the truth is completely logically unsustainable. Either Mr Ryan knew, in which case Mr Tilley's recollection of events is correct, or Mr Ryan did not know, in which case Mr Tilley's recollection of events is wrong. Only one of those things can be true, and the only way for that to be resolved is for the Deputy Premier to take the opportunity to give evidence under oath. The Premier can ensure that happens, and it ought to happen. Mr Ryan ought not be willing to do that, he ought to insist on doing that, because it is the way for him to clear his name. It is the way for him to put this matter behind him and behind the government, but so far there has been an absolute unwillingness to do it. Generally one is only afraid of giving evidence under oath if one does not intend to be truthful under oath.

Interestingly, members of the government ran a defence against this motion in the following terms. It was simply, on the one hand, that there are no divisions. I think Mr O'Donohue as lead speaker said, 'Mr Bull' — the member for Gippsland East in the Assembly — 'and I are great friends'.

**Mr O'Donohue** — And we are.

**Hon. M. P. PAKULA** — I do not doubt you are, Mr O'Donohue, but, 'Some of my best friends are Nationals' is hardly a defence to the motion.

**Mr O'Donohue** — I talked to the motion.

**Hon. M. P. PAKULA** — Mr O'Donohue says he talked to the motion. He did that by simply reflecting on what he calls the government's achievements in terms of rolling out police and PSOs (protective services officers), but no-one from the government side sought to go to the — —

**Hon. D. M. Davis** — You are supporting PSOs now.

**Hon. M. P. PAKULA** — Mr Davis, as you know, we voted for your PSO legislation, and as you also know it has very little to do with this motion. What this motion required from members — —

*Honourable members interjecting.*

**The ACTING PRESIDENT (Mr Ramsay)** — Order! Through the Chair.

**Hon. M. P. PAKULA** — What this motion required from members of the government was a defence of Mr Ryan's truthfulness or Mr Tilley's truthfulness, or

both, and in fact what we got was an attempt by all government speakers to dance around the central question: what did Mr Tilley tell Mr Ryan? Interestingly, as both Mr Leane and Mr Viney pointed out, no-one — no Liberal MP — bothered to get up here and defend the integrity of the member for Benambra. None of the members opposite bothered to get up and defend the integrity of the member for Benambra, and their defence of the Deputy Premier revolved around what he has been doing in the role. There was no defence, no attempt to deal with the matter of whether Mr Tilley told Mr Ryan about the meeting with Weston and Jones.

No-one from the government side attempted or sought to deal with that matter. The reason that no-one did is that they cannot, because no-one from the government wants to get up here and assert that Mr Ryan was telling the truth and Mr Tilley was not, and equally no-one wants to get up here and assert that Mr Tilley was telling the truth and Mr Ryan was not. Everybody from the government side wants to maintain this charade that somehow they were both telling the truth.

**Mr Drum** — They were.

**Hon. M. P. PAKULA** — Mr Drum says they were. I would like to know how that is possible. I would like to know how it is possible that Mr Tilley is being truthful when he says, ‘I told Peter Ryan’, and how Mr Ryan is equally being truthful when he says, ‘Nobody told me’. They cannot both be right, Mr Drum — it has to be one or the other.

**Mr Drum** — Yes, they can.

**Hon. M. P. PAKULA** — Mr Drum says, ‘Yes, they can’. I talked in my substantive contribution about the fundamental, logical inconsistency lying at the heart of the government, and Mr Drum has just done more than I could ever do to prove it. This is the nonsense that resides at the heart of the government — that both Mr Ryan and Mr Tilley are telling the truth. Let me say again: Mr Tilley gave his evidence under oath, the Deputy Premier did not, and the only way this can be resolved is for the Deputy Premier to give evidence under oath. The Premier needs to insist on it, and if Mr Ryan says no, Mr Ryan has to go.

**House divided on motion:**

*Ayes, 19*

Barber, Mr ( <i>Teller</i> )	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
Jennings, Mr	Tee, Mr
Leane, Mr	Tierney, Ms
Lenders, Mr	Viney, Mr
Mikakos, Ms	

*Noes, 21*

Atkinson, Mr	Koch, Mr ( <i>Teller</i> )
Coote, Mrs ( <i>Teller</i> )	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	Peulich, Mrs
Finn, Mr	Ramsay, Mr
Guy, Mr	Rich-Phillips, Mr
Hall, Mr	

**Motion negatived.**

**PRODUCTION OF DOCUMENTS**

**Mr BARBER** (Northern Metropolitan) — I move:

That this house requires the Leader of the Government to table in the Legislative Council by 12 noon on Tuesday, 14 August 2012, a copy of the ‘Sinclair Knight Merz’ report investigating the effects of carbon pricing on Victoria’s hospitals, commissioned by the Department of Health and provided to the *Herald Sun*.

The Minister for Health has made a number of references to this report in recent days, since he leaked it to the *Herald Sun*; but he has not wanted to subject himself and that report to the kind of scrutiny that might be available if the report were public in its full format. I think this pattern of behaviour of the government making a claim or even making a decision and then running away from it is something that is confusing the Victorian public.

We saw this in relation to the motion debated a little while ago, where the government seemingly backed both the member for Benambra in the Assembly, Mr Tilley, and the Minister for Police and Emergency Services, Mr Ryan, but now nobody wants to say anything further. We have heard a lot said about irrigation upgrades in northern Victoria, and yet we have now learnt that we will not be receiving the business case. Of course the government decided to continue myki, tipping in even more millions to prop it up and keep it going, yet when we asked for the secret

myki report that guided that decision we were told, 'You can't have it'. Here we go again.

This is an area that deserves some scrutiny. I have found the minister's assertions in this area to be quite odd, because he has claimed there will be significant cost increases in the construction of hospitals. Yet we know that the carbon pollution price package was pretty well designed to protect the concrete and steel industries, because they are emissions intensive and trade exposed, so you have to wonder how it is that the minister makes and sustains this claim of dramatic rises in construction costs.

**Hon. D. M. Davis** — But concrete is not trade exposed — not the actual transport.

**Mr BARBER** — The Minister for Health is interjecting now and saying concrete is not trade exposed. It is; cement is produced in Australia — —

**Hon. D. M. Davis** — The cement is, yes, but the combining and movement of it is not.

**Mr BARBER** — Now we are hearing it. We know the overall cost of the carbon price to the economy in terms of inflation is minimal — it is less than 1 per cent — and the impact on wages is not expected to be in any way significant. It is barely significant within the terms of economic modelling, so how is it that Mr Davis, the Minister for Health, has been led down this path? There have been a number of articles in the *Australian* and the *Herald Sun* which give quite useful information. For once those two newspapers have come out with some very useful information in relation to these aspects of the carbon package. An article in the *Herald Sun* of Wednesday, 13 June, entitled 'Carbon cheats investigated — tax rorters in the gun', says:

Claims that homebuyers are being ripped off by a builder blaming the carbon tax for a 6 per cent price rise are being investigated.

Homebuyers, renovators and small businesses should not be fooled into accepting massive carbon tax-linked increases in the cost of steel, cement and aluminium, said Australian Competition and Consumer Commission chairman Rod Sims.

I am starting to get a bit worried that maybe the Minister for Health has been sucked in by the same group of what the *Herald Sun* describes as 'tax rorters'. The article continues:

Mr Sims said yesterday the 6 per cent price rise for a house was wildly higher than the reality in the building industry, which was price rises of 0.7–1.8 per cent. This was down from earlier estimates of about 2 per cent.

Likewise in the *Australian* of Wednesday, 13 June — —

**Hon. D. M. Davis** — Who is going to pay? Whatever number you choose, who is going to pay?

**Mr BARBER** — I say to Minister Davis that I am quite happy to have a good dialogue about the impact of the carbon price when he releases his report. Apart from the fact that the minister keeps provoking me, I would be perfectly happy to make this a brief debate. The minister can then table the report, we will take note of the report and we will have the discussion about whether this is significant or not and whether this is realistic or not. My recommended course of action is that we have an informed debate — informed by the piece of work that the minister himself has commissioned, regularly referred to and leaked to the *Herald Sun* but simply will not provide to this chamber. It is another example, as I said, of ring and run. The government makes claims, sometimes even makes decisions and then runs away from its own choices, and the public does not like it.

In the *Australian* on the same day we see the headline 'Builders warned over carbon rip-offs as complaints mount'. The article says:

The consumer watchdog has warned the building industry over carbon tax price rises as it emerged it has received 170 complaints about alleged rip-offs.

I would be really worried if the minister started to flag that there were unnecessary blow-outs in some of the capital programs in his portfolio area. Unfortunately, from the statements he has made so far, he seems to be anticipating such blow-outs, despite the ACCC (Australian Competition and Consumer Commission) and others warning that such blow-outs would be unnecessary because rises in the building price index, even taking into account the price on pollution, should not be large.

The article in the *Australian* also reports on comments by Mr Sims. It goes on to say:

His comments came as it emerged that 18 initial investigations have been launched by the ACCC into potential carbon tax price rorts after it has processed about half the 170 complaints received so far. Four investigations have proceeded to 'in-depth' probes.

A responsible course of action for the minister, apart from releasing this document, would not be to go out there talking up huge increases in the building price index but to say what those quite modest increases are expected to be. But that is not possible while the minister holds back this report, like the government is

holding back the secret myki report and the business case for irrigation in the northern area. The government is simply afraid of scrutiny of reports that it prepared, possibly for a political purpose, but that do not serve its purposes when they hit the light of day. Hence all this obfuscation, running around and wasting the time of the Parliament, as we have seen in relation to other documents requested by this Parliament. I hope to get a positive response from the government to my motion.

**Mr O'DONOHUE** (Eastern Victoria) — I am pleased to speak on behalf of the government and advise Mr Barber that the government will not oppose his motion. Indeed Mr Davis in previous contributions in this place has indicated a preparedness to make this document available in due course.

**Mr Barber** interjected.

**The ACTING PRESIDENT (Mr O'Brien)** — Order! Even with its inaudibility, I heard a word which I should not have heard. It was unparliamentary, and it should be withdrawn. I will not ask Mr Barber to make any further comment about it. I ask him to withdraw the statement he has made.

**Mr Barber** — I withdraw.

**Mr O'DONOHUE** — I absolutely reject the assertions made by Mr Barber in his reference to this document. Mr Davis has already come into this place during question time on a number of occasions and provided significant information about this Sinclair Knight Merz report. He responded to a question that I put to him in questions without notice in relation to the impact of the carbon tax on Ambulance Victoria, and we heard that the carbon tax is going to have a significant impact on Ambulance Victoria, so the impact of the carbon tax will be significant.

It is interesting that Mr Barber mouthed the federal ALP jargon of 'the carbon price'. It is like talking about 'income price' or 'company price' or stamp duty as a price. It is the carbon tax. While Mr Barber may somehow believe that in Greens economics a new tax does not impact on costs, the reality is that a tax increases costs. The carbon tax is a tax on everything and will therefore cause a significant increase in costs.

What we have heard from Mr Davis when he has responded to questions in this place about the impact on hospitals and on his portfolio is that the carbon tax will have significant implications for the Victorian hospital system and the Victorian health-care system, and the compensation that the commonwealth government is providing is inadequate. The commonwealth government is not providing compensation to Victorian

hospitals for their electricity use and other energy use that will go up as a result of the carbon tax, and Victorian patients, Victorian hospitals and the Victorian health-care system will suffer as a result. For the commonwealth government to do this, while it mouths the words that it cares about sick people and people in need and all of the rest of it, is an absolute disgrace.

The government does not oppose Mr Barber's motion. Rather than running away from it, as Mr Barber said, Mr Davis has been very open in giving this place detailed information about the impact of the carbon tax — not the carbon price, the carbon tax — on the Victorian health system. The Greens should be ashamed of their championing of the carbon tax, with increased prices for Victorians and its impact on the health-care system.

We know the Greens and the Labor Party want to close Hazelwood, and I will just finish on this point. With the interruption to power supplies in the Latrobe Valley as a result of the significant weather events we have had recently, what would have happened to Victoria's power supply if Hazelwood had been shut down as the Greens and the Labor Party would have it? The lights would be out. We have a federal government that has no understanding of the realities, and its supporters in the Victorian Parliament — the Labor Party and the Greens — would happily see the lights go out in Victoria. That is what would have happened if Hazelwood had been shut down as they wanted. The government does not oppose Mr Barber's motion.

**Mr LEANE** (Eastern Metropolitan) — The opposition supports the motion and the call from Mr Barber for a copy of the Sinclair Knight Merz report. I take into account that Mr O'Donohue said the minister has spoken about this report a lot. Mr O'Donohue asked the minister a question and the minister responded to that question, therefore this house should be satisfied without actually seeing the report. We should all be satisfied with the trust-me attitude from the minister and the member who asked him a question. They say, 'Trust us; we have asked the question and the minister has answered it'. We should all be satisfied that is what is in the report, 100 per cent, without the report being released. I would have thought that the important thing about producing a report would be releasing it.

We are glad that the government has said it is happy to release the report, and we look forward to it being tabled. I will not hold my breath, but we look forward to it. I will finish my contribution because I understand there are some government members who are quite keen to speak on the motion. I know Mr Finn is

chomping at the bit to speak. I reckon he was chomping at the bit to speak on the previous motion too, but he did not, so let us give him a go on this one.

**Ms CROZIER** (Southern Metropolitan) — I am pleased to a rise to speak on Mr Barber's motion. I note that Mr Leane was chomping at the bit to hear from Mr Finn on this issue, but I want to place a couple of points on the record because this is a significant issue for all Victorians. In particular it is a significant issue for health services. As Mr O'Donohue has pointed out, on numerous occasions the minister has made it clear that the report about the impact of a carbon tax on our health services will be released in due course.

As I said, it is a significant issue. I am not sure that Mr Leane understands how hospital services operate at their full capacity; it is 24 hours a day, 7 days a week. They provide significant service delivery that requires significant amounts of energy. As we all know, we need a reliable electricity supply. As Mr O'Donohue pointed out, and this was a point I was also going to make, with the recent floods in the Latrobe Valley, if the Hazelwood plant had not been in operation, or if it had been taken out as had been proposed, there would have been a significant risk to our overall electricity supply, and that would have had an impact on services such as health services. It would have impacted on the delivery of health services to all Victorians. It is a significant issue and one that should be taken very seriously.

Some really alarming figures have been quoted. We know that the Monash Medical Centre, which services a lot of constituents in my area of Southern Metropolitan Region, feels that the carbon tax will have a \$660 000 impost on its operations. That impacts enormously on the delivery of basic hospital care on a day-to-day basis, let alone on any elective surgery that may be undertaken by the facility. In Mr Leane's area of Eastern Metropolitan Region, Box Hill Hospital is a very good hospital. The impost on it will be somewhere in the vicinity of \$250 000, and that is just from the carbon tax alone. It is an additional impost on that facility which means that certain services will not be able to be provided to Mr Leane's constituents. It is a shame that Mr Leane is supporting such an imposition as the carbon tax and what it is going to do to various community and general health services.

I do not understand why we would send billions of dollars overseas for carbon credits. It is beyond me to know why that money should not be returned to our services here in this state. We need to look after Victorians, and there is every reason for providing

support for services such as those provided by health institutions.

Significant demand is going to be placed on our health services, and an impost like this will mean slower rates of elective surgery; there is no doubt about that. The carbon tax will also impact upon ambulance services. It will impact on the throughput of our hospital services, and that is something that needs to be taken into consideration. It is a very significant aspect of this whole debate.

In relation to other issues referred to by Mr Barber's motion, as Mr O'Donohue said, Sinclair Knight Merz has undertaken a report. It is a well-regarded organisation that was commissioned by the Department of Health to prepare a report, and it has significant concerns about how the effects of carbon pricing will play out across our health services in Victoria and how the compensation measures, which are not forthcoming from the federal government, will also impact on health services across the state. I have mentioned the ambulance service, but there are many other public health services that will be impacted upon by the carbon tax. They include community health centres and private hospitals. In addition to our very good public health system, private hospitals undertake an enormous amount of work in servicing Victorians across the board.

Not only will it put an additional strain on our public health services but that will flow through to private health services, which are also going to be struggling with additional costs, and of course it will flow through to the patient. At the end of the day it is a tax, and it will flow through to consumers. In this instance the consumer is the patient. Whether you are a public or private patient, the carbon tax will have an impact on whether you get your surgery on time, whether you are seen to and whether the equipment that is used to look after you in hospital will enable you to receive the care that you are entitled to.

I mentioned Monash Medical Centre in my electorate of Southern Metropolitan Region. The Alfred hospital is a significant hospital in Prahran that services many people from my electorate and right around the state. The Alfred hospital will also have to find an additional \$700 000-odd just to pay for this tax. It is nonsensical in so many ways. To say that this is a non-issue and will not have an impact is misguided.

**Hon. D. M. Davis** — Naive.

**Ms CROZIER** — It is naive. I thank Mr Davis. The cost will flow through to the end consumer. Although

Mr Leane's contribution was short, it was fairly significant. I think he should understand the impost that various health services in his electorate of Eastern Metropolitan Region are going to experience. As Mr O'Donohue has said, the government will not be opposing Mr Barber's motion. As has been said on numerous occasions, the report will be released in due course.

*Honourable members interjecting.*

**Ms CROZIER** — Mr Barber has asked when. It will be released in due course.

**Mr Barber** — This is the last sitting week before the introduction of the carbon tax.

**Ms CROZIER** — I know. How many days away is it?

**Mr Barber** — 1 July.

**Mr Finn** — Eleven days.

**Ms CROZIER** — Eleven days. That is far too soon for Australians, and we all fear it. As I said at the outset, this is a significant issue. The government will not be opposing Mr Barber's motion. With those few words I will conclude my contribution. I am sure Mr Finn will have something further to say.

**Mr FINN** (Western Metropolitan) — As has been pointed out by Mr O'Donohue and Ms Crozier, the government will not be opposing this motion today. However, while I was sitting here waiting for the call I could not help but consider what a pity it is that we had to have debate on this motion today. We should not be having any of this discussion. If the Prime Minister had carried through on the promise she made before the last election, there would be no carbon tax. We remember, and I am sure Mr Leane well remembers, the comments made by the current Prime Minister in the days before the last election. She said — and we can all say it together — 'There will be no carbon tax under the government I lead'. Those words will go down in the history of this nation as some of the most dishonest ones that have ever been uttered by a political leader, and rightly so.

It is interesting to have a look at the history of the honesty of some of the people who are involved in this carbon tax creation, particularly when one considers that the current Prime Minister will have been in her position for two years this Sunday. It was two years ago this Sunday that Kevin Rudd, the former Prime Minister, felt the cold blade of steel go through his shoulderblades. It was put there by his loyal deputy, the

woman who said, 'I will get a game as full-forward for Footscray before I will be Prime Minister', and, 'I will fly to the moon before I will be Prime Minister'. The rest of Australia now says, 'What a pity she didn't fly to the moon instead of becoming Prime Minister'. What a disaster she has been and continues to be. What an unmitigated disaster this carbon tax is going to be. We are already feeling the impact of it.

In the area of health it will not be just the hospitals that will be hit. I have not read the report that Mr Davis has. I think it will be very interesting reading. It may well be that Mr Barber will very much regret that he asked to see this report when he gets hold of it. I have not the slightest doubt that the carbon tax will have a huge impact on hospitals, the Royal District Nursing Service, community health centres, dental clinics and a whole range of health services across Australia, because this carbon tax is first and foremost a tax on electricity. In the last couple of weeks we have seen small businesses warned that they face increases in electricity prices of at least 25 per cent. If small businesses are going to be carrying an increase in their electricity bills of 25 per cent, of course there will be similar increases for hospitals, community groups and others in the community who are not 'compensated'. I use the term compensated in inverted commas, because the compensation we have seen from the federal government has nothing to do with this tax at all.

This so-called compensation is a dirty great bribe by a government that has lost its base and wants to get it back. It has nothing to do with compensating people for the carbon tax. It could not care less because these hospitals that we are talking about and the Royal District Nursing Service and the community health centres and so many other health facilities across the country are not being compensated by the federal government because they cannot vote, and that is what this comes back to.

Money is being deposited into people's accounts at the moment, and I must say I am not one of them. I am not receiving a cent in compensation. I do not know whether Mr Barber is — I would be very surprised if he is — but I am not receiving a cent in this so-called compensation. Perhaps the Prime Minister has realised that there is very little chance that I will vote for her at the next election.

**Mrs Coote** — She is losing sleep over it.

**Mr FINN** — Yes, it has to be said, Mrs Coote, that this Prime Minister deserves to lose a lot of sleep over a lot of things, but whether or not I vote for her will not be one of them. I think that would be safe to say. It

would be a fairly safe bet at the moment that I will not be camping out to vote for her at the next election. I will not be getting to the polling booth at 4 o'clock in the afternoon of the day before so that I can be first in the queue to cast my vote for the Labor Party at the next election. That is a fairly safe bet.

It will be very interesting, particularly for those of us who watch these things, to see how long the queues are before the polls open at the next federal election. It is reasonable to suggest that when the swing is on, the swing is on, and certainly at the next election the swing will be on and people will be getting to the polling booth nice and early, as they did in 1975, as they did again in 1983, as they did in 1996, and as we will be seeing again in 2013. People will be getting there nice and early to make sure their vote is cast and counted, to throw out what is undoubtedly the most appalling, inept, dishonest government this country has ever seen.

This carbon tax is very much a part of the way Australians feel about the Prime Minister and the government of Australia. I could go through the federal ministers — for example, Anthony Albanese. I could go through Craig Emerson —

**Mrs Coote** — Julia went through Craig!

**Mr FINN** — No, we will leave that one alone. I think it was the other way around, Mrs Coote, I really do, but we will leave it alone. There is no shortage of people in the federal ministry — Penny Wong, the federal Minister for Finance and Deregulation, is another classic example — who have led us astray on this particular issue, and the Australian people are seething; they are bubbling. The Australian people want an election. They do not want this carbon tax, and I challenge Mr Barber or Mr Leane or indeed Mr Eideh to get up in this chamber today and tell us that the Australian people want the carbon tax that begins in 11 or 12 days time. I challenge each and every one of them, including those Labor and Greens members who are listening in their rooms. I urge them to come into the chamber and get up on their haunches and tell us that the Australian people want this carbon tax and that they are delighted that the current Prime Minister lied to them just days before the last election. As Mr Ondarchie says, we are hearing crickets emanating from the opposition benches —

**Mr Leane** interjected.

**Mr FINN** — And there is a particularly large cricket — it might even be a cockroach — over in that corner. But just at the moment we are hearing crickets.

**Mr Leane** interjected.

**The ACTING PRESIDENT (Mr Elasmarr)** — Order! Through the Chair, Mr Finn.

**Mr FINN** — Acting President, unfortunately Mr Leane gets my blood up sometimes. It is most unfortunate, and I will endeavour to avoid it. But it should not surprise me because we have heard from a variety of people — and I have named some of them here this afternoon — that this carbon tax is not a tax at all. All of a sudden it is not a tax any more. Members of the federal Labor government talked about it for 12 months as a carbon tax. Then the big light appeared, and of course when lights appear you have to pay the tax.

They realised that the Australian people were not at all keen on the fact that this tax was coming so they decided they would call it a carbon price instead. So the carbon tax has become the carbon price just as global warming has become climate change, because again the light appeared and they realised, despite what the Prime Minister said about the earth warming, that even the most ardent of scientists has told us that there has been no warming of the earth for about 13 or 14 years now. Mr Barber might be able to back me up on the number of years. So it is not called global warming any more. If we are dependent upon global warming to back up this carbon tax, the argument is shot to bits because there has been no global warming. So global warming is out the window. That has gone along with carbon tax, and now we have climate change. And as I have said in this house before: what exactly is climate change?

**Mrs Coote** — Ask Tim Flannery.

**Mr FINN** — We will get to Tim Flannery in a moment, Mrs Coote. I can guarantee you on that! We need to ask: what exactly is climate change? Climate change can be anything the Labor Party and the Greens want it to be. If it is too hot, it is climate change. If it is too cold, it is climate change. If it is just right, it is climate change — and that is without the three bears. It is an extraordinary charade that the left in this country and throughout the world go on with to justify these new taxes that they have been pushing for some time.

Unfortunately we in Australia will cop it in the neck because this carbon tax that is imminent is the highest carbon tax in the world, and you have to ask: what have we, as Australians, done to deserve that, apart from believing Prime Minister Julia Gillard before the last election? Nobody can tell me that if Julia Gillard had told the truth before the last election — indeed if she had told the truth at any time, but particularly before the last election — she would still be the Prime Minister now. That would not have occurred because she would

not have been in a position to cobble together a coalition of misfits and no-hopers to put her government on the Treasury benches in Canberra.

**Mr Ondarchie** interjected.

**Mr FINN** — This Prime Minister and the federal government are based on a lie, and that lie will come to fruition in 11 or 12 days time, and every Australian will pay for that lie, as Mr Ondarchie, by interjection, is pointing out. Mr Ondarchie has some experience in the area of energy. I first met him many years ago when he was working for an energy company in my area, when I was a member of the Assembly, so I know about his vast experience in this area. Irrespective of who they are or where they are, everybody will pay this great big new tax on everything that will achieve absolutely nothing for the environment and everything for economic recession.

I can remember the last time we had a government that deliberately put the country into recession. You might remember a bloke called Paul Keating. Which party was he from? What is it with the Labor Party? It likes to put Australia into recession. Its members like putting people out of work and putting businesses to the wall. They like people losing their homes. What is it with the Labor Party? What is it with the left in this country? They like people to suffer. That is what this carbon tax is all about. It is about making people suffer; that is exactly what it is about.

Age pensioners all over this country will not be able to afford heating. Many of them are struggling to heat their homes now. When this tax is introduced on 1 July there will be many more aged pensioners who will be going to bed in the middle of the afternoon because they cannot afford to turn the heating on in their homes. Many of them will not be able to afford to maintain a decent standard of living as a direct result of this carbon tax. Is that fair? What have these people done? These people served this nation. They worked and paid their taxes all their lives. They raised a family. They got to a certain point in their lives where they thought they should be able to have a good standard of living to live out their last few years in comfort, and what happens? Along comes Julia Gillard and slaps on the carbon tax. They will be going to bed at 3 o'clock in the afternoon just to keep warm. That is what is going to happen with this carbon tax. We can thank Julia Gillard and Bob Brown for that.

**Mr Ondarchie** interjected.

**Mr FINN** — You might ask what happened to Bob Brown? I am glad Mr Ondarchie asked that, because

what happened is that as this carbon tax got closer it appears that the former leader of the federal Greens got more and more toey. He did a runner. If you look at Canberra now, there is no more Bob Brown. He threw the biggest petrol bomb he could find and he is now out of there. When that well-known fan is running overtime very soon — and that is going to cost because that will be an extra tax on electricity to run the fan — Bob Brown will not be there to carry the can. No, Bob Brown is down in Tassie — —

**Mrs Coote** — Writing books!

**Mr FINN** — Is he catching fish? No, he does not catch fish. I am not sure what he is going to be doing, but he is going to be in Tasmania. He certainly will not be in Canberra to face the heat of the reality he helped create. In many ways that is a huge pity, because it would be a justice if he faced the people of Australia at the next election and the wrath of people from across this nation was served up to him. I advise Mr Barber and his colleagues in the Greens to enjoy their current positions, because they will not have them for too much longer. The Greens have reached their peak. Let me assure them: from here on it is all downhill for them. It is interesting because that will be a direct result of the good old-fashioned kicking the Greens and Labor are giving the working people of Australia, and Mr Barber, the leader of the Greens in this Parliament, is laughing. He thinks it is highly amusing that people will be suffering as a result of the tax his party and the Labor Party have instituted in this country.

It is not just hospitals that will be affected. We will be talking about groupings like the Royal District Nursing Service, dental services, community health centres and other health services that will suffer as a result of this tax, because as we have discovered over recent months local government will feel the full force of this particular tax. I have spoken to a number of councillors and council officials in the western suburbs — —

**Mr Barber** interjected.

**Mr FINN** — We do not know. That is the thing, and nor does Mr Barber know. That is the problem. We can have no faith in what the federal government is telling us, because we have been lied to before by the Prime Minister of this country. When we see her telling us what it is going to cost local government and what it is going to cost us personally we can have no faith in the words that come from her mouth, because we have been lied to before, as indeed Kevin Rudd was lied to. So many others have been lied to, including Andrew Wilkie, the Independent member for Denison, on the gaming issue. As we go along, so many have been lied

to by this Prime Minister. The Australian people have got to this point. We hear noises coming from Canberra that it is not going to cost you and you will be better off, and we know that in all likelihood that is another Labor lie.

**Mr O'Brien** interjected.

**Mr FINN** — Mr O'Brien raises the issue of the compensation ads. As Mr O'Brien points out, they do not actually mention why we are getting the compensation. It is one of the most extraordinary things I have ever seen in my life, that you would run a multimillion-dollar taxpayer-funded advertising campaign and not mention why all this money is forthcoming. It was 'Do not mention the war'. Now it is 'Do not mention the tax'.

Since announcing it proudly at one end of the earth, the Prime Minister has flown around the world to attend all these great conferences and to grandstand at all these environmental forays, although I think she will not be doing that again after this week because she really bit off more than she could chew there.

The Prime Minister stood up proudly and said, 'We are doing this; we are introducing a carbon tax into Australia', but now the government does not want to know about it. It does not even want to mention the word. All of a sudden 'tax' is a four-letter word in Australia, particularly when it is a carbon tax. It is going to be interesting in the next few weeks because I understand — and Mr Barber may well be off to this — there is some sort of environmental gabfest going on in Rio de Janeiro.

**Mr Ondarchie** — A love-in.

**Mr FINN** — It may well be a love-in. That really curls your hair!

It is interesting to note that these environmental conferences and confabs are never held in Poland in winter. They are never in East Germany. They are never in the back blocks of Scotland. Where are they off to for this next one? They are off to Rio! I do not know who from the Greens has got the budgie smugglers out and is preparing to head off to Rio for this, but you have to wonder exactly why we go through this charade. It has apparently been 20 years that we have been going on with this nonsense, and the only thing that has been achieved with these environmental conferences in the last 20 years is that a lot of people have gotten very rich as a result of scaring a lot of other people.

Look at Al Gore. There is a man whose personal wealth has doubled as a result of trying to scare the living suitcases out of every person he possibly can on this planet. He has been proven in court to be a shonk — a total and complete shonk — but that does not stop him. Then we have Tim Flannery. Tim Flannery has told us that it is never going to rain again. He has told various state governments around this country that it is absolutely necessary for the future of their states that they have a desalination plant. Guess what? Those Labor governments fell for it.

**Mr Leane** — It was your policy!

**Mr FINN** — If Mr Leane wants to talk about the desalination plant pertaining to climate change — global warming — I am very happy for him to do that, because here we are as Victorian taxpayers, yet again victims of this global warming con. Here we have Tim Flannery — 'Sandbags', as they call him, because since he made that prediction all we have had is floods — on \$180 000 a year for a part-time job of just two or three days a week. He is getting it totally wrong on every occasion for \$180 000 a year. I will make the Prime Minister an offer here today: I can get it just as wrong for half that. If she wants to take me up on it, for \$90 000 a year I will get it totally and absolutely just as wrong as Sandbags Flannery, and I will work for half the time too, just to be totally consistent.

On this issue of greenhouse gases, global warming, climate change and all the things that people who get together in places like Rio like to talk about, you have to wonder how they get there. They are obviously worried about the impact on us all of the carbon footprints that they like to rabbit on about, yet you have to wonder how these people are actually going to get to Rio.

**Mr Ondarchie** — Rowboat!

**Mr FINN** — I do not think so. It could not possibly be that these people will fly to Rio in jets — predominantly, I would suggest, in business class, if not first class in the case of many of them — because that would put dreadful things in the air, create dreadful climate change, dreadful global warming and create the situation where it might never rain again!

We have heard this time and again from those people, and I am delighted to say that the people — not just in Australia but around the world — have had enough. They do not believe it anymore. They have been told enough lies to last a lifetime. It is not just a lie about the carbon tax, it is a lie about the whole global warming and climate change thing. We have seen universities

and the United Nations caught out fabricating evidence to support climate change and their global warming theories and global warming business, because it is a huge industry. A lot of people are making huge sums of money because of climate change and global warming, because if global warming does not exist — if climate change does not exist — those people will not get their millions of dollars in grants from the government. They will not get to live the lifestyle which they have enjoyed. They will not get to fly to Rio in first class — and we cannot have that, can we?

**Mrs Coote** — Did Tim go?

**Mr FINN** — I would be interested to know, Mrs Coote, if Sandbags is off to Rio. I have been distracted ever so slightly. I am coming to the end of my time, very sadly, but I want to make the point —

**Mr P. Davis** — You have more to say?

**Mr FINN** — I assure Mr Davis I have much more to say. I just want to make the point that this tax — and it is a tax — will have a huge, savage and deleterious effect on millions of Australians. At the last election and the election before we heard the Prime Minister of this country talking about working families. This tax proves that the federal government could not care less about working families. It proves that the Greens never have cared about working families.

**An honourable member** — Or people.

**Mr FINN** — Or people. We could go on for another couple of days on the Greens' attitudes to people. We saw that dreadful individual Peter Singer getting a Medal of the Order of Australia just the other day. His views on people are horrifying, but we will go there another day.

As I say, the government will not oppose this motion. I will not oppose this motion, but what I will oppose is those who are making a lot of money out of lying to us. It has been going on for far too long, and it has to stop. This country has to get back on an even keel. We have to say to these shysters, 'No more; we will not put up with the nonsense that we have been peddled for far too long'. I say to those people who will be hit hard by this carbon tax — to those working families, to those who work in hospitals, to those who work in local government, to those who work in schools, to those community groups around Australia who will be hit hard by this appalling, vicious and unnecessary carbon tax — that they should remember who has done this to them, and they should never let them do it to them again.

**Mr BARBER** (Northern Metropolitan) — There are a number of claims made there that I could probably respond to in order, if I am quick about it.

Mr O'Donohue repeated the claim that has been previously made by the Premier, the Deputy Premier and the Minister for Energy and Resources, which is that if Hazelwood were to be shut down, the lights would go out. Last week half of Yallourn went out without warning, and the lights did not even flicker. Mr O'Donohue now has to make a new claim, which is that if both Hazelwood and Yallourn were to go out, then the lights would go out. It is another example of running away from your own assertions.

As we know, the Liberal Party has previously claimed that as a result of the carbon tax \$400 will be added to the cost of the average car and that would shut down the auto industry. However, we saw last night another \$200 put forward by way of tax from the Liberal Party on top of that. Ms Crozier was somewhat scathing of Mr Leane in that she implied he did not want to know or care about the impact of this on local hospitals in his area. In fact it is the minister who has held back this report for months and months now. Access to that report would have allowed Mr Leane to not only know it but to form his own view on it.

That did not stop Mr Finn, of course, who said that he guaranteed this was going to have a devastating impact on hospitals but admitted that he had not read the report. That really brings us to what is going on here. We have moved beyond, as far as the Liberal Party is concerned, questions of rationality, questions of information, questions of empiricism, and it is now just all about belief. That is why, if you are like Mr Finn, and if you are amusing enough and loud enough, you will get people to go along with you, even the members of his own party who fundamentally do not believe what Mr Finn says about there being no global warming. There are plenty of members on Mr Finn's side who know the impact that climate change is having, and yet they went along with the act that we just saw from Mr Finn.

Mr Finn talked about former Prime Minister Paul Keating, but he did not talk about John Hewson, of course, the man who proposed a great big tax on everything. Mr O'Brien said, 'At least he took it to an election'. The Greens took the carbon price to every election since 1996. I know because I was with Bob Brown when he launched it for that election. That led to the claim by Mr Finn that it was all over for the Greens and we had peaked. It is the same claim made at every single election that I have ever been involved in, and at every one of those elections, guess what? The Greens vote went up. Before we come back to the Council in

August there will be another election. It is called the Melbourne by-election.

Mr Finn defied me to find someone who backs the carbon tax. In fact only 12.5 per cent of Liberals do, according to recent polling, so he has been spending his time at branch meetings, but 20 per cent of those same Liberal voters do not support the repeal of the carbon tax, which is an interesting dilemma for Mr Finn to deal with after the election. I think that is enough. I could go on. I thank the house for its time to debate this motion.

**Motion agreed to.**

**Business interrupted pursuant to standing orders.**

## STATEMENTS ON REPORTS AND PAPERS

### Department of the Legislative Council: report 2010–11

**Mr LENDERS** (Southern Metropolitan) — I rise to speak on the annual report of the Department of the Legislative Council, but realistically what I will speak on is the reference it contains to former members. I use this as an opportunity to speak about the life and times of the late Burwyn Davidson, who served in this chamber and who passed away recently.

At times during condolences in this house I have said that many of us have never met some of these former members of Parliament. Burwyn served in this house from the election in October 1988 until the election in 1996. He was a member for the last four years of the Cain and Kirner Labor governments, and for the first three and a half years of the Kennett-McNamara coalition government. Burwyn passed away at the age of 69. While I never served with him in Parliament, I had the privilege of working with Burwyn in a vast array of Labor Party-related activities during the years he was a member of Parliament and also the years before he was a member of Parliament.

Burwyn came to the Parliament from a position in the trade union movement. He had been, of all things, an officer in a trade union about which we do not hear anymore because it was a union that disappeared as a result of amalgamation, the United Sales Representatives and Commercial Travellers Guild of Australia, which represented people who would go around selling things — probably better known these days as call centre operators. That union amalgamated with the Federated Storemen and Packers Union of Australia to form the National Union of Workers. Burwyn was very much a part of that union. He was on its committee of management for many years, and

Mr Pakula and Ms Pulford both worked with him on the committee of management for the union of which they were officials.

Burwyn was elected to this place as a member for Chelsea Province. When one reads his inaugural speech from 1988 one understands that he was a very uncomplicated Labor man. The things that mattered to Burwyn were essentially jobs, education, health and public transport. Those were the sorts of issues about which Burwyn spoke. He was seen around the Parliament for many years before he was elected as a member. He was senior vice-president of the Victorian branch of the Labor Party for a number of years; he was a member of the ALP disputes tribunal and he chaired the central preselection panel for a number of years.

He was very much an organisational man and spent a lot of time mentoring younger people. He was an uncomplicated Labor man. He loved the labour movement and the trade union movement and would do all the work that he could. In his inaugural speech he noted that up until the election of the Cain government in 1982 there had only been nine years of a Labor government in the history of Victoria. He lamented that a couple of those were in coalition with the then Country Party — but I am probably getting a tad partisan at this juncture for this particular day.

Burwyn loved fishing and had a passion for live music. An article in the *Age* of 11 June 1995 states:

Looking a little like a Chicago enforcer, a shadowy figure was seen traipsing through state Parliament's car park late Wednesday carrying a guitar case. It turned out to be Labor MP Burwyn Davidson, balladeer for Chelsea Province, who explained later that there had been a jam session in Theo Theophanous's office to mark the last sitting day of the upper house. 'A singalong and a few yarns with the boys', he trilled.

On our side now we are spoilt by Mr Elasmr providing us with a wonderful spread of Lebanese food on our last day, but obviously that last sitting day tradition has existed for a while. That was Burwyn through and through. He was a team player; he was a Labor man, and he loved doing that. It was interesting that when Mr Tarlamis spoke in his members statement yesterday about the funeral service for Burwyn, he noted that at the end of the service there was live music. That is what Burwyn loved; that is what he had done for many years after he served in Parliament and it was something that was a legacy for the future from him to young people.

Burwyn did an enormous amount to keep the Labor Party going. He worked to get Labor elected and to make the party organisation work. He was a foundation member of the first Labor Party branch in Mulgrave, which was set up at a time when Sir Billy Snedden had

been the Liberal bastion for years. Burwyn established one of the first Labor branches in the area to get a presence. It was a critical seat going forward after federal intervention in Victoria, a seat that Labor needed in order to win back federal government. That was Burwyn's life.

I pay tribute to a great Labor man who has passed on. He was a shadow minister in this place for roads and ports for a number of years but will probably be best remembered for the work he did in the Labor Party, building the organisation and mentoring younger people, and in his post-parliamentary years he cultivated live music as something that added passion, life and soul to his community. In paying tribute to Burwyn, I say that I also knew his wife, June, and his son John well. He will be missed.

### **Victorian Law Reform Commission: guardianship report**

**Mrs COOTE** (Southern Metropolitan) — Today I will speak on the Victorian Law Reform Commission's final report on guardianship. This is a hefty report; in fact there are more than 600 pages and 440 recommendations. In 2009 the former government requested that the VLRC look into guardianship and make a very careful analysis of it, and that is exactly what has happened over a period of time. It is very pleasing to see this report finally released and to go through its recommendations. Obviously I will not have a chance to go through all of its recommendations in the 5 minutes allocated to me today; however, I intend to speak on this report again in the future, because it contains many elements that need to be commented on and looked at in detail.

Term of reference 1.8 at page 5 of the report states:

The commission was also asked to consider appropriate interaction between the G&A act —

the Guardianship and Administration Act 1986 —

and other relevant laws that deal with substitute decision making, or circumstances in which substitute decision making might be needed, including the:

Instruments Act 1958 (Vic.)

Mental Health Act 1986 (Vic.)

Disability Act 2006 (Vic.)

Children, Youth and Families Act 2005 (Vic.)

Crimes (Mental Impairment and Unfitness to be Tried) Act 1997 (Vic.)

Medical Treatment Act 1988 (Vic.).

Dealing with those particular pieces of legislation is a fairly arduous task. That said, it is very important to note how well this report was received by the Attorney-General, Robert Clark. In a media release of Wednesday, 18 April, he states:

The report rightly recognises that decision-making capacity is not an all-or-nothing concept. People with impaired decision-making capacity may be fully capable of making some types of decision themselves, while needing various levels of help with other decisions and activities.

In this place where we are all fairly articulate, literate and have every understanding of where to go to seek information, we often forget how difficult it is for the more vulnerable members of our community to try to get appropriate help and support when they need it. As Robert Clark said, people who can live quite comfortably and manage in the community can be vulnerable in some areas, and it is important to know that there is a safety net to help and support them, so I am very pleased to see in this report a section about accountability and safeguards. I believe that, if this report and its recommendations are to have viability into the future, there must be accountability and safeguards. After all, we are dealing with some of the most vulnerable people in our community.

At point 68 of the executive summary on page xxviii the report states:

The commission is aware of increasing community concerns about abuse of vulnerable people in the community and the misuse of substitute decision-making powers. There is a need to strengthen accountability mechanisms in guardianship laws.

This is a particularly pertinent issue to be addressing in this place at this time. We only need look at the great work done by the Minister for Community Services, Ms Wooldridge, in the disability sector, in mental health and throughout the community services portfolio to see just how much work has been done, particularly on the issue of vulnerable children within our community. I note the work done by the minister in commissioning Philip Cummins to produce the Protecting Victoria's Vulnerable Children Inquiry report.

As a result of that work, the minister has put significant funding towards vulnerable children and programs to prevent them from being abused. That was an immediate reaction, which is very good. I am running out of time to speak on the guardianship report, but when I have another opportunity to speak on it I will talk about the role of the public advocate. Minister Wooldridge is very supportive of the public advocate, and Colleen Pearce and her team are to be

commended on the work they do. I meet with them personally on a regular basis. Rosemary Barker, Colleen Pearce and the team do a phenomenal job. I will speak about this report at a later stage.

### **Auditor-General: *Annual Plan 2012–13***

**Mr ELASMAR** (Northern Metropolitan) — I rise to speak to the Victorian Auditor-General's Office (VAGO) *Annual Plan 2012–13*. It is the role of the Auditor-General's office to monitor and audit the performance of the public sector in relation to accountability and transparency for the people of Victoria. I have read and spoken about many VAGO reports from across the public sector, and I must admit the one thing that impresses me is the utter disregard by VAGO to curry political favour or pander to politicians who are currently in office, no matter what their political ideology. VAGO's parliamentary reports are generally of an excellent standard and are arguably the truest financial and performance accounts of the state of play in the Victorian public sector.

The *Annual Plan 2012–13* foreshadows changes to the coming audit program by forecasting financial and performance audits of agencies. This will enable agencies to put in place a proper management and audit process prior to VAGO's audit. This is sensible and gives agencies the opportunity to improve their reporting mechanism and to engage more constructively with VAGO's audit processes. There are times when momentous and catastrophic events have laid waste lives and properties in Victoria. When disasters occur the people of Victoria do not bother about budget blow-outs or previously projected financial outcomes for some of our emergency services agencies so long as these additional moneys are expended for the relief of suffering fellow Victorians.

As we all know, the Victorian Auditor-General is an independent officer of the Victorian Parliament, and we and the public of Victoria have been well served by his fearless, without-favour and honest appraisal of how well or otherwise the government of the day is travelling.

### **Environment and Planning References Committee: environmental design and public health in Victoria**

**Mrs KRONBERG** (Eastern Metropolitan) — I rise to speak once again on the Legislative Council's Environment and Planning References Committee's report on its inquiry into environmental design and public health in Victoria, which was released in May. I am so dismayed at the conduct of my colleagues from

the opposition party during this inquiry that I feel a lot of material needs to be placed on record in this house. It is important to note the activity around the very important reference given by this chamber. The inquiry was an opportunity lost and time and resources were squandered, and the people of Victoria need to know about it.

I will pick up the thread from where I left off in my last account of this shambles, when I focused on the jaundiced approach taken by the chair of the committee, Gayle Tierney, in terms of how she concocted visits and incorporated case studies into the body of the report that provided an improved public profile and — —

**Mr Lenders** — On a point of order, Acting President, Mrs Kronberg has described Ms Tierney's action as jaundiced. She has described a fellow member of this chamber in those terms. I would say that is a reflection and she should do that only by substantive motion, so I ask you to rule accordingly.

**Mrs Peulich** — On the point of order, Acting President, describing an action is not a reflection on a member; it is a reflection on conduct. That comment is substantiated in full by the fact that there were 50 divisions on 34 recommendations, which certainly indicates that a very jaundiced approach was taken to a very important report.

**The ACTING PRESIDENT (Mr Eideh)** — Order! Mrs Peulich cannot debate the point of order. Mrs Kronberg.

**Mrs KRONBERG** — I am sorry, Acting President, I did not hear your last ruling. I have not taken a point of order; I am awaiting your ruling.

**The ACTING PRESIDENT (Mr Eideh)** — Order! Mrs Kronberg to continue.

**Mrs KRONBERG** — Thank you very much, Acting President. I appreciate your approach to the ruling.

What is really important for this house and the people of Victoria to understand is that the time and the resources of a committee were used for the distinct and direct political advantage of the committee chair. The bald facts stand for themselves. They are that site visits were conducted within the electorate of the chair, and I feel that the political dividend, the public profile, the support of local government and the attention of the community in general benefited the chair, not the committee's deliberations as a whole. In fact the examples that are enshrined in the case studies in the

report are poor examples and proof positive that this was a waste of time.

As an extension of that, when we talk about case studies in and around the city of Greater Geelong and the Norlane-Corio area, we need to point to something which led the committee into political quicksand. At this point it is worth incorporating some of the text from the minority report. It talks about difficult political issues and states:

... such as those confronted the committee following a visit to the so-called 'Kingston green wedge' were conveniently sanitised and simply left without any meaningful comment or recommendation.

This is important. It is about what is not said. The report continues:

This silence is a matter of concern given that previous 10 years of Labor inaction on this issue which continues to see thousands of affected residents still suffering negative impact on their health and amenity. Labor and Greens MPs, who were initially reluctant to visit the site, were unmoved by the consequences of Labor's green wedge legislation imposed over an atypical and non-conforming area which suffers from land use conflicts locked into place by Labor's legislation.

The people of Victoria need to know what a jaundiced, skewed and inappropriate direction this committee set off on. We did our very best to correct this by coming up with reasonable recommendations.

For me, the fundamental responsibilities of being a committee chair are to provide input from as wide a cross-section of sources and examples as possible, to display some objectivity and hear from wide, diverse and perhaps deep sources. This report is proof positive of how the Labor opposition, in spite of whatever is said to its members, whatever proof or evidence is presented to it, or however it reflects upon its dismal track record, is still looking at life myopically. It is almost as if it is looking at life through a drinking straw. Frankly, the report contains a welter of support for recommendations that Labor either did not deliver when in government or made no decision to fund.

This new era of enlightenment that this report bears testimony to is supported by the Labor opposition and its bedfellows on the left, the non-government members, the Greens, and what strange and discomfiting bedfellows are those Greens — —

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

## Department of the Legislative Council: report 2010–11

**Hon. M. P. PAKULA** (Western Metropolitan) — Try following that! Like the Leader of the Opposition, Mr Lenders, I want to make a comment about the annual report of the Department of the Legislative Council, in particular the fact sheet about former members. I want to use this opportunity to make some comments about a former member for Chelsea Province between 1988 and 1996, Burwyn Eric Davidson, and express my condolences to his family for their loss.

I joined the Labor Party in 1987, some 25 years ago, and one of the first — —

**Mrs Peulich** — You must have had short, short trousers on.

**Hon. M. P. PAKULA** — I am older than Mrs Peulich thinks I am. In 1987 one of the first friends I made in the Labor Party was another former member of this place, Fred Van Buren, a former member for Eumemmerring Province, who is someone Mrs Peulich probably knows. Fred was a great friend of mine right up until his sad and premature departure. Fred said to me as a very young member of the party, 'Mate, you've got to get to know Burwyn Davidson'. You have to know Fred! He said, 'Burwyn is the secretary of Labor Unity and you've got to get to know him'.

I have been back through some media clippings from the early 1980s, and they show the central role that Burwyn played in many of the arguments that were going on inside the party about modernisation and reform in the early years of the Hawke and Cain governments. Burwyn, as a very influential person in the party, played a very significant role in those conversations.

I duly met Burwyn Davidson at Fred Van Buren's suggestion. Over the years our paths crossed many times in numerous situations. Burwyn was a bloke who had a very wide range of interests outside being a member of Parliament. It is not well known by everyone, but he played an enormous role in standing up for the rights of commercial travellers and sales representatives. The United Sales Representatives and Commercial Travellers Guild of Australia was one of the first unions that I joined in the late 1980s when I was working in an outbound call centre while going through university. Burwyn was someone who was always very prominent as the vice-president of that union, in union publications and in standing up for our rights as members.

Some time later, in 1993, when I became a full-time official of the National Union of Workers, Burwyn was on the committee of management of the NUW following the amalgamation of the Federated Storemen and Packers Union of Australia with the commercial travellers guild. Once a month Burwyn and I would spend a Wednesday evening together on the committee of management and I saw firsthand Burwyn's commitment not just to the Labor Party but to the union that we were both representatives of and to the rights of commercial travellers and working people more generally.

Burwyn was also incredibly passionate about music, particularly folk music. He was well known for bringing guitars along to events. I see Acting President Tarlamin nodding in agreement. Burwyn was well known not just as a raconteur but as a rambling man and a song master. On more than one occasion he regaled us with his not inconsiderable prowess as a musician. I also recall him as a keen cook. I have somewhere a politicians' cookbook which Burwyn was instrumental not just in producing but in promoting.

Burwyn was an interesting and significant figure in the Victorian ALP throughout the 1980s and 1990s, a strong contributor to this Parliament and someone who was taken far too soon. I express my condolences to his wife, June, his sons, John, Jason and Robert, and his grandchildren, Kyle and Jessica. Vale Burwyn.

#### **Auditor-General: *Science and Mathematics Participation Rates and Initiatives***

**Mrs PEULICH** (South Eastern Metropolitan) — I wish to make some remarks on the *Science and Mathematics Participation Rates and Initiatives* report of June 2012 tabled by the Victorian Auditor-General. But before doing so, I make the observation that regrettably members are being forced to use statements on reports to put on the public record statements about their colleagues, in many instances parliamentary colleagues who have served this Parliament. I know I am digressing, but I think that is a poor reflection on what this Parliament entitles us to do.

My own view is that every member of Parliament deserves the respect of their colleagues making a few remarks about them by way of a condolence motion on their passing. It is a bit like the old communist regimes where the length of your funeral was determined by your status in the party, and if you were not a headline party apparatchik, you were not entitled to a particularly well-attended or long funeral. What I am trying to say is that I think any member of Parliament who serves in this place ought to have the opportunity of having their

colleagues put some remarks on the public record as part of a condolence motion rather than the current practice of members acknowledging those who have not served as ministers with 1 minute's silence. If members believe that is not consistent with an egalitarian society, there is an opportunity to change that in the future.

They do not need to be long dissertations. If a member of Parliament had represented this place for 25 years, but had never served as a minister, under the current rules no member of Parliament would be entitled to place on the record any remarks during a condolence motion. I do not think that is consistent with our egalitarian society, so hopefully there is an opportunity at some point in time to change that. In relation to this one, do you agree, Mr Leane?

**Mr Leane** — I do.

**Mrs PEULICH** — I am sure there are a couple of points that we could agree on. The time has galloped away.

The Auditor-General's science and mathematics participation rates and initiatives report is a very important one for the future of Victoria and, of course, for our young people. The science and mathematics participation rates and initiatives audit was conducted as part of the Auditor-General's audit plan. The objective was to assess the extent to which departmental initiatives have improved student participation and achievement in science and mathematics. Regrettably the news is not flash, it is not great, and I think it would be probably unsurprising to many people who understand our education system.

The report finds that the department has not succeeded — and when it says 'the department', it means schools and teachers — in raising achievement in science and mathematics or participation in the enabling sciences. The enabling sciences are science, technology, engineering and mathematics. The poor enrolment for engineering and technology courses means that we have a very substantial skills shortage facing this state and this nation; and in particular it excludes a lot of women, young women in particular, who constitute only 19 per cent of the labour force in the area of ICT, therefore they are missing out on significant opportunities to secure good jobs in a growth area because ICT is going to revolutionise absolutely everything that we do and every single sphere of activity.

This is a very important report. It finds that students at the middle school level were often disengaged and did

not follow through with many of these subjects, except mathematics, which is obviously upscaled at Victorian certificate of education in order to enhance entry. I believe the problem stems from primary school education. There is no collection of comprehensive data to assist students with their workforce decision making, so it is important that we introduce some programs to turn these trends around. Our future depends on it.

I am pleased to see the department has accepted all the recommendations in a devolved environment and obviously in the context of available resources. It intends to establish performance measures for science and maths education, including data to measure progress and success, and that is going to be critical to our future. Importantly we need to continue to improve ICT skills across the science and mathematics teacher workforce to better support teachers to integrate ICT into the curriculum. I intend to continue with this contribution at a future point in time.

### **Victorian Multicultural Commission: report 2010–11**

**Mr EIDEH** (Western Metropolitan) — I rise to speak on the Victorian Multicultural Commission report for 2010–11. Since its introduction in 1983 the Victorian Multicultural Commission, a Labor initiative, has been providing opportunities and services to a culturally, linguistically and religiously diverse society. It is a well-known fact that Melbourne houses one of the most cosmopolitan and cultured lifestyles in the country. The city is known for its diverse choices in foods, cultures and festivals, and these need to be celebrated. It is these cultures that make Melbourne what it is today.

The Victorian Multicultural Commission ensures that people from different cultural backgrounds have equal opportunity to access government services. The objectives on the commission's website are to promote:

full participation by Victoria's diverse communities in the social, cultural, economic and political life of Victoria

...

unity, understanding, mutual respect and harmony among Victoria's diverse communities

cooperation between bodies concerned with multicultural affairs and diversity.

The final one is:

to encourage all of Victoria's diverse communities to retain and express their social identity and cultural inheritance.

The vast majority of what has been established not only in this state but around the country has been as a result of the work that migrants have contributed to the cities that they now call home. The commission offers advice on multicultural affairs and citizenship issues in the state. Like so many established organisations across the state, the commission's success in delivering important services to the community would not be possible without the valuable contribution of its dedicated staff. I congratulate those staff on their dedication and performance and on their tireless work throughout 2010–11.

During that period the Victorian Multicultural Commission also supported 1800 Victorian community groups from many different cultural, linguistic and faith backgrounds through its community grants program. Community groups play a significant role in not only the community but also the wellbeing of the lives of those who participate. The more funding that is made available to these groups, the greater the opportunity they will have to merge with more established groups and create a more inviting and sociable community for all to become involved in and celebrate cultural diversity.

I note that the commission was able to increase its funding to the multicultural senior citizens organisational support grant by 40 per cent. Over 700 multicultural senior citizens groups across the state have benefited from this grant, which will add to their already established community programs and activities that will enhance the lives of many Victorians who unfortunately are isolated or dislocated in society due to their cultural or language barriers. The commission also has buildings and facilities improvement grants, education program grants, strengthening multicultural communities grants, multifaitth-interfaith grants, multicultural festivals and events, senior citizens organisational support grants and organisational support grants.

While reporting on the Victorian Multicultural Commission, I also mention the success each year in the state of Cultural Diversity Week. This festival ran its 10th anniversary festival this year and recognises the advantages multiculturalism and different languages and faiths bring to our state. Each year many Victorians get involved, including Victorian school students, ethnic groups and local councils, which is truly great to see.

Integrated communities are vital to the state of Victoria for not only community development but also its members. I congratulate the Victorian Multicultural Commission on its efforts in supporting and nurturing

the state's multicultural community. I commend this report to the house.

**Environment and Planning References  
Committee: environmental design and public  
health in Victoria**

**Mr RAMSAY** (Western Victoria) — I rise speak on the inquiry into environmental design and public health in Victoria. I wish to raise issues contained within the report rather than the sorts of concerns raised in previous contributions from members of the committee in relation to the final determination of the report. In essence the report raises some significant and important issues that we should as a government respond to, and I look forward to the government's response to those recommendations.

I understand there is a fair bit of blood-letting in relation to the final determination of recommendations in the report and, as suggested, the 50-odd divisions within the minority report. However, I will respond to some of the important issues that I believe culminated in both the public health issues and the environmental design that this inquiry was about. I make mention of this because I note that part of the report deals with crime. As chair of the Drugs and Crime Prevention Committee, I note a new reference tabled in Parliament this week asks the committee to look at crime prevention in relation to local government planning and design, so the work this committee has done has some relevance to this new inquiry it is going to embark on.

Some of the important issues I want to highlight within this report include the references to obesity, the epidemic of diabetes in this country, the proliferation of fast-food outlets and those that are taking advantage of what I call 'easy food'. Throughout the report reference is made to allowing open space in the landscaping of new housing developments. I drive through Armstrong Creek daily, and I believe we are creating another Hoppers Crossing or Point Cook.

**Mr Elsbury** — Point Cook!

**Mr RAMSAY** — I said Hoppers Crossing or Point Cook. It was in one breath, but I will take guidance from my parliamentary colleague Andrew Elsbury and will refer only to Point Cook, where there appears to have been a lack of judgement in relation to open space, green space, trees and a general environment where people can get out, exercise and smell the roses and fresh air. That is important, because in the Drugs and Crime Prevention Committee's previous reference it found an increase in antisocial behaviour where those environmental designs were not available, particularly

in new housing estates. Without open space there tends to be antisocial behaviour. Without the opportunity to exercise we are increasing the rate of obesity and diabetes. Without light and green we are also creating the tendency for antisocial behaviour.

I also note that the report talks about the increase in the number of alcohol retail outlets. Our committee looked at the increase in antisocial behaviour, particularly within a 50-metre circumference of these outlets. I am pleased to see, despite the difficulties in getting bipartisan support for the recommendations, that there are a number of good outcomes in the report in relation to both public health and environmental design. The government could consider this as part of the process of opening up more land for residential use, given that I see the Minister for Planning is in the house as I speak. On that basis, this report and the drugs and crime prevention inquiry into crime prevention and local government planning will play an important role in how we develop residential housing lots in the future.

**VicRoads: report 2010–11**

**Ms DARVENIZA** (Northern Victoria) — I want to make some remarks on the VicRoads 2010–11 annual report. First of all, I acknowledge the contribution that has been made not only to this report but to VicRoads generally by its CEO, Gary Liddle, and by its chief operating officer, Bruce Gidley.

In the report for 2010–11 it is very pleasing to read some of the statistics. In 2012 Victoria saw its lowest road toll on record, with 288 fatalities. Of these, 172 were in rural Victoria. The number of serious injuries was 4946, which was 1305 fewer than in 2009. These statistics are far too high, but they are in fact the lowest on record.

There were 76 fatalities in northern Victoria, which means that northern Victoria had 26 per cent of the fatalities for the 2010–11 year. This is not a pleasing statistic at all. As a member representing the electorate of Northern Victoria Region, it is very distressing and disturbing to see such a high number of fatalities in the region. The number of serious injuries for my electorate was 1009, which is nearly a fifth of the total for the entire state and again a disturbingly high number which we would like to see decrease. I am sure I speak for all members of this chamber when I say we want to see the road toll and the number of serious injuries resulting from car crashes reduced.

All the fatalities and serious injuries are very distressing for the people involved. A serious injury to or a death of a family member or loved one has a lifelong effect

on a family. A serious injury from a road crash may have a lifelong impact on the affected person, who may not be able to work or do the job they have always done. It may leave them with chronic pain or a disability and seriously curtail their capacity to enjoy life.

Moving on to road system development, it is very pleasing to see that major works have been completed on the Goulburn Valley Nagambie bypass in my electorate. It is a road that I use all the time going to and coming from Shepparton. Whilst the speed restrictions that are part of those roadworks can be frustrating when driving, it is great to see the Nagambie bypass, which is a \$222 million partnership project between the state and commonwealth governments, taking trucks and through traffic away from the Nagambie town centre.

A substantial part of my electorate comprises the food bowl of Victoria, with around 25 per cent of the total value of Victoria's agricultural production generated in the area. The completed bypass will support the significant food processing and agriculture industry that uses the Hume Highway every day to transport goods to Melbourne to make sure that they get to the domestic and international markets. More than 1900 trucks travel through Nagambie's town centre each day, with road freight likely to double over the next 30 years. The bypass will support industry and improve safety and enjoyment for people living in and visiting that region.

I wanted to talk briefly about the safer road users programs, but I will have to refer members to the report.

### **Environment and Planning References Committee: environmental design and public health in Victoria**

**Mr ELSBURY** (Western Metropolitan) — I rise this evening to discuss the Environment and Planning References Committee report entitled *Inquiry into Environmental Design and Public Health in Victoria*. I have already spoken at some length about this report, and today I would just like to focus on a few points that were made in that particular report.

While the report itself was quite vigorous in the language that was used to give a reason that Victoria should move towards a greater housing density, that conviction was not conveyed in the actual recommendations that were brought down. Indeed it was skirted around quite successfully by the opposition majority members of the committee. Instead we have a half-baked idea of encouraging greater density rather than enforcing an ideological bent towards cramming

as many people as possible into an area without any consideration for the amenity of any of the new developments that are occurring in Victoria. Some very strong language was used. In trying to justify this particular ideal the report says:

In Melbourne, the high density residential patterns of the 19th century inner city created an urban environment that was walkable and connected by public transport. However from the mid-20th century in Australia, the trend has shifted to cities that are low density and/or decentralised, with separated land uses and arterial and cul-de-sac based street designs.<sup>280</sup>

The footnote reference says:

<sup>280</sup> P. Newman, 'Re-imagining the Australian suburb seminar', presentation to Royal Melbourne Institute of Technology, Melbourne, 18 October 2005 ...

The reason people moved out into suburbs was that they did not want to live next to factories. They did not want to live next to where they worked. The industrial capacity of Melbourne basically allowed them to move out further from the city, and the fact that public transport expanded and there was personal transport through cars allowed people to move away from their place of work where they spent the majority of their time. In many instances there were health effects related to being so close to a factory, such as respiratory problems et cetera.

There has been a change in that Victorians and people across the world want to live near where they work. This is a major part of changing the face of Melbourne. This report has completely ignored the fact that the market is driving a push towards greater density. Inevitably land prices will increase. Out in my neck of the woods you used to be able to pick up a decent-sized block of land for about \$99 000. Some people will scoff at that because they would have got one much cheaper than that less than 15 years ago. Nowadays you are looking at between \$150 000 and \$200 000 for a similar sized block. The market is expanding and the cost of having a backyard has got beyond some people, and that is why greater density developments are now being marketed.

The City of Wyndham has its town centre project and the City of Brimbank has its enlightened Sunshine Rising projects. One of the leaders in this area is the City of Hobsons Bay, which back in 2006 released a vision for the Pier Street precinct. That was scoffed at by most people because it involved higher density, high-rise development, but at the moment there is a dirty great big crane in the middle of Pier Street helping to build two additional high-density developments to accommodate the market that wants to move into that style of accommodation.

Between 2006 and 2011 the city of Melbourne had a population increase — that is, the numbers of people living in the city — of 26.5 per cent, which shows there is a gradual move towards this type of lifestyle. There are concerns about that style of living which I will raise at a later date.

### **Department of Transport: report 2010–11**

**Mr LEANE** (Eastern Metropolitan) — Today I wish to speak on the annual report of the Department of Transport for 2010–11. I want to concentrate on an interesting section of the report headed ‘Victorian Railway Crossing Safety Steering Committee’. It states:

The Victorian Railway Crossing Safety Steering Committee (VRCSSC) was established in 2005 to advise and make recommendations to the Minister for Public Transport on the policy directions, management and standards for road and pedestrian crossings in Victoria.

The committee is chaired by DOT with representatives from VicTrack, Victoria Police, VicRoads, V/Line and the Municipal Association of Victoria (MAV). Transport Safety Victoria (TSV) maintains ‘observer’ status on the steering committee.

As I said, the steering committee was established to make recommendations to the minister about safety around railway crossings. It is an interesting topic and a very important one. The report states:

There were no road level crossing motor vehicle/train crash fatalities in Victoria during 2010–11.

That is absolutely fantastic considering these are very dangerous parts of our road network.

Some of the advice given by the committee to the minister is about which particular level crossings should undergo grade separation. I am not sure whether the committee gave any advice around a certain crossing in Brighton; I would be surprised if it advised that the crossing should be taken out. However, the committee highlighted some very important level crossings that need to be addressed.

In Eastern Metropolitan Region some significant work has been done around grade separation at level crossings. The Middleborough Road level crossing received a grade separation a number of years ago, and it was a successful operation. It was a huge operation when you consider the work was done over a period of up to four weeks. They tried to get it done over the Christmas and New Year period when the rail system was quiet. The amount of work done before that month of intensive labour was huge. It involved consultation with the people who lived locally and also businesses, and there was a lot of planning around the project.

Middleborough Road was an interesting project. I had a look at it a couple of times. It was amazing to see the amount of earth that had to be moved and the number of workers in such a small space.

The other recent successful grade separation in Eastern Metropolitan Region was the Springvale Road grade separation. The Bracks and Brumby governments and the federal government invested a lot of funds in that particular project.

**Mr Lenders** — Two good governments.

**Mr LEANE** — Yes, two good governments. That has made an amazing difference to the journey down Springvale Road. The Springvale Road–Maroondah Highway intersection used to be labelled as one of the worst intersections in the Melbourne metropolitan area. The biggest issue with that intersection was the level crossing, because the traffic down Springvale Road banked up and it caused all sorts of nightmares there. Since the grade separation, which was championed by the member for Mitcham in the other place at the time, Tony Robinson, who was a very good member, there has been a change to the area. It has been a fantastic project.

I know the government has promised a number of other grade separations. I understand some funding has been allocated for Rooks and Mitcham roads because the grade separation was promised for this term of government. I would be very surprised if that commitment is fulfilled, despite the funding. A number of other grade separations have been promised which have no funding attached to them, and they will definitely not be completed within this term of government.

### **ADJOURNMENT**

**Hon. R. A. DALLA-RIVA** (Minister for Employment and Industrial Relations) — I move:

That the house do now adjourn.

### **Water: authority dividends**

**Mr LENDERS** (Southern Metropolitan) — The matter I raise on the adjournment tonight is for the attention of the Treasurer, Mr Wells. The Thomson Dam was built in 1984. It took many years before the dam was full. As far as I am aware, from my reading of the Melbourne Water annual report, it has still not been completely paid for; there are still debt levels there. I draw the Treasurer’s attention to the Department of

Sustainability and Environment's description of the desalination plant:

When the Victorian desalination plant starts making high-quality drinking water from seawater, we will have a guaranteed water supply even in years of drought.

I also quote for the Treasurer's attention a press release from the Minister for Water dated 19 June when he said, amongst other things:

Advice from the consortium building the desalination plant indicates commissioning will begin in August, with full payments expected to begin in February 2013.

I also draw the Treasurer's attention to the Premier's website and a PricewaterhouseCoopers report dated 28 February 2011, which details the payments to be made for the desalination plant. In short, on a February starting date for the payments, it means that 215 days of the next financial year at \$1.79 million a day will not need to be paid, which is \$385 million. If you add that to the 195 days of the current financial year that will not need to be paid of \$349 million, the desalination plant is coming in at \$734 million under budget.

The reason I have raised this matter concerns the big debate at the moment about how this \$734 million under budget for the desalination plant is being accounted for. The Minister for Water and the Premier are clearly confused in that they say there is no dividend. They refuse to define a dividend, and they do not say in which year the dividend is being paid.

The action I seek from the Treasurer is for him to clearly outline what the dividend is this year for Melbourne Water, City West Water, South East Water and Yarra Valley Water. Is the dividend unchanged at 65 per cent of profit for those organisations for the 2011–12 and the 2012–13 years? If it has changed, where has that change been reported other than cryptically in a press release or in media statements by the Premier and the Minister for Water?

What I am seeking from the Treasurer is some clarity. The government's own documents on the Premier's website say without question that \$734 million of desalination payments will not need to be paid. We have a dividend policy that has not changed; it says that 65 per cent of the profit from Melbourne Water and the other water retailers will go to government as a dividend.

We have not had the Treasurer come out and define what the dividend will be. We know that dividends have gone from \$300 million to \$700 million in the budget papers. What I seek from the Treasurer is some clarity as to exactly what the dividend is, whether the

policy has changed and whether the verbal statements of the Premier and the written statements of the Minister for Water are accurate. I urge him to put the information on the website quickly so Victorians know what happened to the \$734 million under budget for the desal.

### **Girl Guides Victoria: academy**

**Mrs COOTE** (Southern Metropolitan) — My adjournment matter this evening is for the Minister for Youth Affairs, Ryan Smith, and it concerns a recent statement he made about girl guides. I would like to commend the minister for allocating \$5 million to Girl Guides Victoria and Scouts Victoria. It provides huge recognition of the valuable work that the girl guides and scouts do with young people in leadership roles in Victoria. The minister also recently allocated an additional \$280 000 to fund a volunteer program aimed at recruiting people from multicultural backgrounds to guiding, which is to be commended. Awareness of Girl Guides Victoria is important for people who are newly arrived to this state and might not have a great idea about what activities are available for youths. Girl Guides Victoria is such a worthwhile organisation, and this grant will encourage people to be part of it.

The \$280 000 is going to be used to determine why people from culturally and linguistically diverse backgrounds are participating in guiding and why they are not. Once the minister has this evidence, policies will be able to be put into place to encourage people to participate more. I was particularly pleased to see that the minister has created a Girl Guides Academy. This will allow for the mentoring of young people into the future. It will build upon a healthy organisation, and I think people from multicultural groups will get a great deal out of belonging to the girl guides. I will be interested in watching the outcome of this funding.

The action that I seek is for the minister to provide a reward for the graduate volunteers from this academy in Southern Metropolitan Region. I think it would be a good opportunity to reward the people in this area who have participated. People in Southern Metropolitan Region would be pleased to know how successful this program has been.

### **Frankston Primary School: refurbishment**

**Mr TARLAMIS** (South Eastern Metropolitan) — I raise a matter for the attention of the Minister for Education. I am seeking urgent action with regard to the refurbishment of the existing facilities at Frankston Primary School. When it comes to education in the Frankston area, Frankston Primary School has a strong

history. Established in 1874, Frankston Primary School is the oldest school in the district and has a wealth of history preserved in its Old School House Museum.

The previous member for Frankston, Alistair Harkness, secured a commitment from the previous Labor government for a \$500 000 refurbishment of classrooms that were built 70 years ago. The refurbishment would deliver a physical environment where active student-centred learning could take place. Flexible, functional spaces would be created that would support contemporary learning and modern teaching practices. This would provide greater flexibility for educators to encourage active student-centred learning activities in groups or individually and employ teaching approaches such as inquiry and project-based learning, creative expression and hands-on investigation. It would also allow unlimited access to ICT. All of these things are difficult to achieve in an outdated classroom that was built in the 1940s.

In the past three years the school has spent over \$100 000 on maintenance, replacing windows, funding structural repairs to the collapsing roofline and financing a roof refurbishment. The \$500 000 refurbishment project that was committed to by the previous Labor government would have delivered a new learning centre on level 2 that would have enhanced teaching and learning outcomes. It would have delivered specialised learning zones with moveable walls and doors, along with interior refurbishments. It would have allowed for the demolition of the boiler room and for it to be replaced with an environmental heating and cooling system capable of regulating the temperature of all rooms in the building.

The current classrooms simply do not meet the needs of students and do not allow for the implementation of the effective schools model, which aims to distribute leadership, develop a team approach to teaching and foster collaborative professional learning. It is incumbent upon the government to provide the physical workplace infrastructure and appropriate remuneration for dedicated and professional teachers to achieve the performance requirements that the government expects. The conditions that the teachers and students are expected to accept at Frankston Primary School simply do not meet their educational needs.

While the government has unfortunately abandoned the former Labor government's building program, it should not walk away from schools in need that were allocated funding by the previous government. I therefore ask the Minister for Education, Martin Dixon, to commit to the

much-needed refurbishment of the existing facilities at Frankston Primary School without delay.

### **Sunshine Football Club: ministerial visit**

**Mr FINN** (Western Metropolitan) — I wish to raise a matter this evening for the attention of the Minister for Sport and Recreation, Hugh Delahunty. I am sure the minister would be aware, as most members of the house are, of the importance of Australian Rules football to communities in the western suburbs. Tonight I refer to a visit I made recently to the Sunshine Football Club at the Kinder Smith Reserve in Braybrook.

I point out to the minister that the Sunshine Football Club was established in 1959 and has occupied the Kinder Smith Reserve since 1962. It is situated in Braybrook, which is Victoria's second-most disadvantaged suburb. The club delivers a structured sporting environment to teach football and life skills to local kids. It does a great job of doing so. The main purpose of the club is to deliver health and social benefits to the Braybrook and Sunshine communities. It has 900-plus members and is the largest sports club in the broader Braybrook and Sunshine area. It is the only football club with a full complement of junior teams. The junior participation rate has been growing by 5 to 10 per cent annually for the past three to four years.

Currently the club organises two weekly Auskick sessions and fields under-9, 10, 12, 13, 14, 16 and 18 teams, under-12 girls teams, reserves, seniors and AFL masters. The club competes in division 1 of the Western Region Football League. As members can see, it is a club which has quite a bearing on the local community and a considerable impact on the football community of the western suburbs.

Demographic changes forecast in the Sunshine and Braybrook areas indicate we will see a doubling in the number of children under 12 years of age in the region in the next 10 or so years. Those are the figures according to Maribyrnong City Council research. So there is a challenge for a club such as Sunshine Football Club in keeping up with the demand to provide the service it has provided for so long — certainly since 1959. It is a challenge to provide young people in Braybrook and Sunshine with an outlet and a way of showing that they want to belong to the community — basically to keep them out of trouble.

I ask the minister to join me and again visit Sunshine Football Club to meet with president Bas Tensen, the committee and the local community. Whilst we are there he might also like to meet with Albion Football

Club members, who need lights at their ground as they want to play some night games to get some extra revenue, which might be a good thing as well. These clubs are certainly important for our local western suburbs community, and I invite the minister to join me.

### **Horsham College: redevelopment**

**Ms TIERNEY** (Western Victoria) — My adjournment matter this evening is directed to the Minister for Education, Martin Dixon, and is in relation to Horsham College. Last Tuesday and Wednesday I had several meetings with key stakeholders in the Wimmera, and in particular in Horsham, Stawell, the Pyrenees and other parts of the Southern Grampians. The issue of the Horsham College campus redevelopment kept coming up in discussions, not just in terms of this being a key education project in the region but in respect of economic development in the region.

As we know, many regional towns are seeking new people to join their communities. The town of Horsham has a skills crisis on its hands in certain areas, but there is a serious prospect for economic growth in the area, particularly with the expansion of the mineral sands project and a number of other initiatives that are taking place. As we know, when families are looking at relocating they look at employment prospects but also schooling in the local area. I would never want to talk down Horsham College; it is an excellent school with fantastic teachers, but they are working in difficult circumstances. There are 1100 students at the campus. It is the largest school in the Wimmera, and it provides a number of specialist programs not just for Horsham but for the region.

Therefore the action I seek this evening is that the minister re-examine the funding of Horsham College. The community was absolutely shocked at not receiving the money it thought was going to receive in the last budget. I also seek that the local member for Lowan in the other place, the Minister for Sport and Recreation, Hugh Delahunty, stand up in cabinet and ensure that the voices of Horsham are heard and that there will be opportunity for economic growth and serious educational prospects for not only children living in Horsham today but also those who will live there in the future.

### **Woodend Primary School: maintenance**

**Mrs PETROVICH** (Northern Victoria) — My matter is for the Minister for Education, Martin Dixon. On Monday of this week I attended a meeting of the

school council at Woodend Primary School. This is not the first time I have attended this primary school. In fact I have attended twice in as many months, and my son attended this school. I have to say the standard of education provided by the dedicated staff is very well regarded in this community and supported by an active school council.

The council has expressed its concern about maintenance issues at the school. Unfortunately — and the school council acknowledges this — over 11 years of Labor's neglect the school has fallen into disrepair. This is not an uncommon story across the state. I believe over 200 schools across the state are in need of repair. It is a disgraceful Labor legacy of government neglect and worse, in this region, as a result of lack of representation over 11 years by the member for Macedon in the other place, Joanne Duncan.

To help address this issue Minister Dixon has asked for all schools to be audited in terms of their maintenance requirements. The issues at Woodend primary are around a dilapidated music room, weather damage to guttering, drainage and trip hazards. The most recent issue which has caused distress is that the already unusable basketball court has had a goalpost collapse. The court is now out of bounds and not to be used. Fortunately it happened after-school hours. Unfortunately the federal Labor government has not made the situation any easier by its denial of Building the Education Revolution money to this school. Woodend Primary School did not qualify under that process.

The action I seek is that Minister Dixon provide a time frame for the results of the audit at the school and that a time be arranged for the regional director to meet with school council members and me to discuss options as soon as possible.

### **Ageing: elder abuse**

**Ms MIKAKOS** (Northern Metropolitan) — My matter is for the Minister for Ageing. I wish to raise a matter that is particularly timely, given that last Friday, 15 June, was World Elder Abuse Awareness Day. On that day I was pleased to attend the Seniors Rights Victoria's World Elder Abuse Awareness Day forum at Victoria University. In a fact sheet on elder abuse prepared by the Department of Health, elder abuse is defined as:

... any action in a relationship of trust that results in harm to an older person. Such harm can be physical, social, financial, psychological or sexual and can include mistreatment and neglect.

Sadly, elder abuse is a significant problem in our community, and the forum identified that between 2 and 6 per cent of our population are victims. This is an important issue that has bipartisan support, so in that spirit I welcome the fact that the Minister for Ageing, at that forum, announced the new elder abuse guidelines. I hope those guidelines will inform the work of health professionals in this area.

However, the issue that I am concerned about this evening is the lack of commitment to funding needed to help resource awareness campaigns around the new guidelines. Greater understanding is needed in the community in order to help reduce elder abuse. The previous government had committed \$2.6 million over three years towards the establishment of a free and confidential telephone legal service provided by Seniors Rights Victoria, and the previous government also helped launch the original guidelines *With Respect to Age — 2009*, to help professionals spot the signs of abuse. An important part of that strategy involved 45 information sessions held throughout Victoria to train health professionals including nurses, community health workers and other health providers to identify cases of abuse and respond to them.

In answer to a question last year, Minister Davis referred to funding but did not give a specific figure, and I am concerned that there is no specific funding provided to do this kind of community awareness raising and particularly professional education of relevant health professionals. Therefore I call on the Minister for Ageing to provide funding to enable new and existing initiatives to be established to ensure greater community awareness and education about elder abuse through these new guidelines and also to ensure that we can stamp out this dreadful abuse that is occurring amongst senior Victorians.

### **Astor Theatre: future**

**Ms PENNICUIK** (Southern Metropolitan) — My adjournment matter is for the Premier in his capacity as Minister for the Arts. It relates to the Astor Theatre on the corner of Chapel Street and Dandenong Road in St Kilda. I am a member of the Friends of the Astor Association, and the objectives and purposes of the association include:

To preserve, protect, and maintain the architectural heritage of the Astor Theatre as Melbourne's longest operating, purpose built, single-screen cinema and to continue utilisation of the building for its original purpose.

To showcase the Astor Theatre as a venue for the screening of 35-millimetre and 70-millimetre films and so provide audiences with the opportunity to experience these original formats in the digital age.

People who have been to the Astor would know it is the only place you can go to that regularly shows classic films, both old and new, every night of the week. The Astor has historical and social significance through its association with the most important mass entertainment of the 20th century, the cinema. The scale of the theatre and the quality of its decoration evoke the popularity and the glamour of the cinema as entertainment, particularly during its heyday in the 1930s. The Astor, with its modern design, spacious foyers and its many original furnishings, objects and surviving early signage, symbolises the suburban cinema experience during the interwar years when cinema-going reached its peak.

The Astor is also of historical and scientific significance for its collection of fixtures, fittings and movable objects, which assist in an understanding of the history and development of film technology, including the original screen threaded on its frame still in situ, a 1929 Western Electric amplifier, an original projector and original lighting rack. Anyone who has been to the Astor Theatre would appreciate all of these factors.

We have lost a lot of fabulous old cinemas: the Lumiere in 2005, the Longford in 2001, the Trak in 2000, the Carlton Movie House in 1999 and the Valhalla in 1996. In the 1990s we nearly lost the Classic Cinema in Elsternwick. I was a friend of the Classic Cinema, and it was saved through the activities of that group.

I note that the member for Prahran also raised this issue in the lower house last night. Had I not been unavoidably detained, I would have raised this adjournment matter last night. The community is very concerned, with the owners of the theatre, St Michaels Grammar School, which is next door, that this cinema may be lost. My request to the Premier is that he facilitate negotiations with the parties with a view to ensuring that the Astor continues to operate as a working, heritage cinema now and into the future.

### **High Street, Northcote: tram zone signage**

**Mr ELASMAR** (Northern Metropolitan) — My adjournment matter is for the Minister for Roads, Terry Mulder. In my electorate there is a tram zone on High Street between Separation and Clarke streets in Northcote that has the potential to be extremely dangerous to motorists. VicRoads, in partnership with Darebin City Council, has erected very large and high humps on both sides of the road running alongside the tram tracks in High Street. The humps are so high that if a vehicle is travelling at night, a driver could quite easily cause damage to their vehicle or themselves. I

have had a number of complaints from motorists who have narrowly missed having such an accident because there is no effective warning or road signage to alert them to this impending traffic hazard.

The area requires the installation of further traffic signs for both north and south-bound motorists to warn drivers of an impending hump in the middle of the road so they may drive closer to the kerb. There is signage for bicycles and pedestrians on the left side of the hump. One sign viewed when travelling north is already covered by a tree, and the same one is covered travelling south. The area requires small signage on the right side of the hump with an arrow directing traffic to keep to the left. I ask the minister to give an undertaking to investigate this issue as a matter of urgency as several near mishaps have already occurred and it is only a matter of time before there is a serious accident.

### Responses

**Hon. R. A. DALLA-RIVA** (Minister for Employment and Industrial Relations) — I have a number of matters which I will refer to the relevant ministers, and in particular matters to the Minister for Education from Mr Tarlamis, Ms Tierney and Mrs Petrovich in relation to a variety of schools. I will refer those matters on.

Mr Lenders raised a matter for the Treasurer, and I will refer that on.

Mrs Coote raised a matter for the Minister for Youth Affairs regarding girl guides, and I will refer that on.

Mr Finn raised a matter for the Minister for Sport and Recreation in terms of getting more recruits for Richmond, and I will refer that on.

**Mr Finn** interjected.

**Hon. R. A. DALLA-RIVA** — They might be doing better than Essendon.

I will refer to the Minister for Health, who is also the Minister for Ageing, the important issue of abuse of the elderly, which was raised by Ms Mikakos.

The matter from Ms Pennicuik in relation to the Astor Theatre has been in the news, and I will refer that to the Premier in his capacity as Minister for the Arts.

Mr Elasmr raised an issue in terms of speed humps for the Minister for Roads. It sounds like there is some urgent action needed there, and I will certainly refer — —

**Mr Elasmr** — Not speed humps.

**Hon. R. A. DALLA-RIVA** — Sorry, zone humps, but in terms of the humps, Mr Elasmr gave the address and I will certainly refer that on.

I have written responses to adjournment debate matters raised by Mr Finn on 24 November 2011, Mr Lenders on 2 May 2012 and Ms Tierney on 22 and 24 May 2012.

**The DEPUTY PRESIDENT** — Order! The house stands adjourned.

**House adjourned 6.50 p.m.**



**Minister for Public Transport  
Minister for Roads**

DOC/12/140698

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

Dear Mr Tunnecliffe

**ORDER FOR PRODUCTION OF DOCUMENTS**

I refer to the Legislative Council's resolution of 28 March 2012 seeking the production of:

*a copy of the Network Revenue Protection Plan for the 2012 calendar year, prepared under section 10.1 of the Metlink Services Agreement.*

I also refer to my letter to you dated 17 April 2012 advising that the Government required additional time to respond to the resolution.

The Government has now consulted with the relevant stakeholders and I enclose with this letter a copy the 'Network Revenue Protection Plan 2011/12'.

Yours sincerely

**Hon Terry Mulder MP**  
Minister for Public Transport

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