

**PARLIAMENT OF VICTORIA**

**PARLIAMENTARY DEBATES  
(HANSARD)**

**LEGISLATIVE ASSEMBLY**

**FIFTY-SIXTH PARLIAMENT**

**FIRST SESSION**

**Wednesday, 14 April 2010**

**(Extract from book 5)**

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Professor DAVID de KRETZER, AC

## **The Lieutenant-Governor**

The Honourable Justice MARILYN WARREN, AC

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Cabinet Secretary . . . . .	Mr A. G. Lupton, MP

## Legislative Assembly committees

**Privileges Committee** — Mr Carli, Mr Clark, Mr Delahunty, Mr Lupton, Mrs Maddigan, Dr Naphthine, Mr Nardella, Mr Stensholt and Mr Thompson.

**Standing Orders Committee** — The Speaker, Ms Barker, Mr Kotsiras, Mr Langdon, Mr McIntosh, Mr Nardella and Mrs Powell.

## Joint committees

**Dispute Resolution Committee** — (*Assembly*): Mr Batchelor, Mr Cameron, Mr Clark, Mr Holding, Mr Lupton, Mr McIntosh and Mr Walsh. (*Council*): Mr D. Davis, Mr Hall, Mr Jennings, Mr Lenders and Ms Pennicuik.

**Drugs and Crime Prevention Committee** — (*Assembly*): Ms Beattie, Mr Delahunty, Mrs Maddigan and Mr Morris. (*Council*): Mrs Coote, Mr Leane and Ms Mikakos.

**Economic Development and Infrastructure Committee** — (*Assembly*): Ms Campbell, Mr Crisp, Mr Lim and Ms Thomson. (*Council*): Mr Atkinson, Mr D. Davis and Mr Tee.

**Education and Training Committee** — (*Assembly*): Mr Dixon, Dr Harkness, Mr Herbert, Mr Howard and Mr Kotsiras. (*Council*): Mr Elasmarr and Mr Hall.

**Electoral Matters Committee** — (*Assembly*): Ms Campbell, Mr O'Brien, Mr Scott and Mr Thompson. (*Council*): Ms Broad, Mr P. Davis and Mr Somyurek.

**Environment and Natural Resources Committee** — (*Assembly*): Ms Duncan, Mrs Fyffe, Mr Ingram, Ms Lobato, Mr Pandazopoulos and Mr Walsh. (*Council*): Mr Murphy and Mrs Petrovich.

**Family and Community Development Committee** — (*Assembly*): Ms Kairouz, Mr Noonan, Mr Perera, Mrs Powell and Mrs Shardey. (*Council*): Mr Finn and Mr Scheffer.

**House Committee** — (*Assembly*): The Speaker (*ex officio*), Ms Beattie, Mr Delahunty, Mr Howard, Mr Kotsiras, Mr Scott and Mr K. Smith. (*Council*): The President (*ex officio*), Mr Atkinson, Ms Darveniza, Mr Drum, Mr Eideh and Ms Hartland.

**Law Reform Committee** — (*Assembly*): Mr Brooks, Mr Clark, Mr Donnellan, Mr Foley and Mrs Victoria. (*Council*): Mrs Kronberg and Mr Scheffer.

**Outer Suburban/Interface Services and Development Committee** — (*Assembly*): Mr Hodgett, Mr Langdon, Mr Nardella, Mr Seitz and Mr K. Smith. (*Council*): Mr Elasmarr, Mr Guy and Ms Hartland.

**Public Accounts and Estimates Committee** — (*Assembly*): Ms Graley, Mr Noonan, Mr Scott, Mr Stensholt, Dr Sykes and Mr Wells. (*Council*): Mr Dalla-Riva, Ms Huppert, Ms Pennicuik and Mr Rich-Phillips.

**Road Safety Committee** — (*Assembly*): Mr Eren, Mr Langdon, Mr Tilley, Mr Trezise and Mr Weller. (*Council*): Mr Koch and Mr Leane.

**Rural and Regional Committee** — (*Assembly*): Mr Nardella and Mr Northe. (*Council*): Ms Darveniza, Mr Drum, Ms Lovell, Ms Tierney and Mr Vogels.

**Scrutiny of Acts and Regulations Committee** — (*Assembly*): Mr Brooks, Mr Burgess, Mr Carli, Mr Jasper and Mr Languiller. (*Council*): Mr Eideh, Mr O'Donohue, Mrs Peulich and Ms Pulford.

## Heads of parliamentary departments

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

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

*Parliamentary Services* — Secretary: Mr P. Lochert

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**FIFTY-SIXTH PARLIAMENT — FIRST SESSION**

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**Deputy Speaker:** Ms A. P. BARKER

**Acting Speakers:** Ms Beattie, Ms Campbell, Mr Eren, Mrs Fyffe, Ms Green, Dr Harkness, Mr Howard, Mr Ingram, Mr Jasper, Mr Kotsiras, Mr Languiller, Ms Munt, Mr Nardella, Mr Seitz, Mr K. Smith, Dr Sykes, Mr Stensholt and Mr Thompson

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**Deputy Leader of the Parliamentary Labor Party and Deputy Premier:**

The Hon. R. J. HULLS

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

Mr E. N. BAILLIEU

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

The Hon. LOUISE ASHER

**Leader of The Nationals:**

Mr P. J. RYAN

**Deputy Leader of The Nationals:**

Mr P. L. WALSH

Member	District	Party	Member	District	Party
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Asher, Ms Louise	Brighton	LP	Lobato, Ms Tamara Louise	Gembrook	ALP
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Batchelor, Mr Peter John	Thomastown	ALP	Maddigan, Mrs Judith Marilyn	Essendon	ALP
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Blackwood, Mr Gary John	Narracan	LP	Merlino, Mr James Anthony	Monbulk	ALP
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Brooks, Mr Colin William	Bundoora	ALP	Morris, Mr David Charles	Mornington	LP
Brumby, Mr John Mansfield	Broadmeadows	ALP	Mulder, Mr Terence Wynn	Polwarth	LP
Burgess, Mr Neale Ronald	Hastings	LP	Munt, Ms Janice Ruth	Mordialloc	ALP
Cameron, Mr Robert Graham	Bendigo West	ALP	Napthine, Dr Denis Vincent	South-West Coast	LP
Campbell, Ms Christine Mary	Pascoe Vale	ALP	Nardella, Mr Donato Antonio	Melton	ALP
Carli, Mr Carlo Domenico	Brunswick	ALP	Neville, Ms Lisa Mary	Bellarine	ALP
Clark, Mr Robert William	Box Hill	LP	Noonan, Wade Mathew <sup>7</sup>	Williamstown	ALP
Crisp, Mr Peter Laurence	Mildura	Nats	Northe, Mr Russell John	Morwell	Nats
Crutchfield, Mr Michael Paul	South Barwon	ALP	O'Brien, Mr Michael Anthony	Malvern	LP
D'Ambrosio, Ms Liliana	Mill Park	ALP	Overington, Ms Karen Marie	Ballarat West	ALP
Delahunty, Mr Hugh Francis	Lowan	Nats	Pallas, Mr Timothy Hugh	Tarneit	ALP
Dixon, Mr Martin Francis	Nepean	LP	Pandazopoulos, Mr John	Dandenong	ALP
Donnellan, Mr Luke Anthony	Narre Warren North	ALP	Perera, Mr Jude	Cranbourne	ALP
Duncan, Ms Joanne Therese	Macedon	ALP	Pike, Ms Bronwyn Jane	Melbourne	ALP
Eren, Mr John Hamdi	Lara	ALP	Powell, Mrs Elizabeth Jeanette	Shepparton	Nats
Foley, Martin Peter <sup>2</sup>	Albert Park	ALP	Richardson, Ms Fiona Catherine Alison	Northcote	ALP
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Graley, Ms Judith Ann	Narre Warren South	ALP	Ryan, Mr Peter Julian	Gippsland South	Nats
Green, Ms Danielle Louise	Yan Yean	ALP	Scott, Mr Robin David	Preston	ALP
Haermeyer, Mr André <sup>3</sup>	Kororoit	ALP	Seitz, Mr George	Keilor	ALP
Hardman, Mr Benedict Paul	Seymour	ALP	Shardey, Mrs Helen Jean	Caulfield	LP
Harkness, Dr Alistair Ross	Frankston	ALP	Smith, Mr Kenneth Maurice	Bass	LP
Helper, Mr Jochen	Ripon	ALP	Smith, Mr Ryan	Warrandyte	LP
Hennessy, Ms Jill <sup>4</sup>	Altona	ALP	Stensholt, Mr Robert Einar	Burwood	ALP
Herbert, Mr Steven Ralph	Eltham	ALP	Sykes, Dr William Everett	Benalla	Nats
Hodgett, Mr David John	Kilsyth	LP	Thompson, Mr Murray Hamilton Ross	Sandringham	LP
Holding, Mr Timothy James	Lyndhurst	ALP	Thomson, Ms Marsha Rose	Footscray	ALP
Howard, Mr Geoffrey Kemp	Ballarat East	ALP	Thwaites, Mr Johnstone William <sup>8</sup>	Albert Park	ALP
Hudson, Mr Robert John	Bentleigh	ALP	Tilley, Mr William John	Benambra	LP
Hulls, Mr Rob Justin	Niddrie	ALP	Trezise, Mr Ian Douglas	Geelong	ALP
Ingram, Mr Craig	Gippsland East	Ind	Victoria, Mrs Heidi	Bayswater	LP
Jasper, Mr Kenneth Stephen	Murray Valley	Nats	Wakeling, Mr Nicholas	Ferntree Gully	LP
Kairouz, Ms Marlene <sup>5</sup>	Kororoit	ALP	Walsh, Mr Peter Lindsay	Swan Hill	Nats
Kosky, Ms Lynne Janice <sup>6</sup>	Altona	ALP	Weller, Mr Paul	Rodney	Nats
Kotsiras, Mr Nicholas	Bulleen	LP	Wells, Mr Kimberley Arthur	Scoresby	LP
Langdon, Mr Craig Anthony Cuffe	Ivanhoe	ALP	Wooldridge, Ms Mary Louise Newling	Doncaster	LP
Languiller, Mr Telmo Ramon	Derrimut	ALP	Wynne, Mr Richard William	Richmond	ALP

<sup>1</sup> Resigned 6 August 2007

<sup>2</sup> Elected 15 September 2007

<sup>3</sup> Resigned 2 June 2008

<sup>4</sup> Elected 13 February 2010

<sup>5</sup> Elected 28 June 2008

<sup>6</sup> Resigned 18 January 2010

<sup>7</sup> Elected 15 September 2007

<sup>8</sup> Resigned 6 August 2007



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**Wednesday, 14 April 2010**

**The SPEAKER (Hon. Jenny Lindell) took the chair at 9.34 a.m. and read the prayer.**

## **BUSINESS OF THE HOUSE**

### **Notices of motion: removal**

**The SPEAKER** — Order! I wish to advise the house that under standing order 144 notices of motion 18, 19, 104 to 107, 144 to 146 and 223 to 227 will be removed from the notice paper on the next sitting day. A member who requires the notice standing in his or her name to be continued must advise the Clerk in writing before 6.00 p.m. today.

## **PETITIONS**

### **Following petitions presented to house:**

#### **Electricity: smart meters**

To the Legislative Assembly of Victoria:

The petition of citizens of the state of Victoria draws to the Legislative Assembly's attention the Brumby government's mismanagement of smart meters, in particular:

the Auditor-General's finding that the project cost has blown out from \$800 million to \$2.25 billion, all of which will be paid for in higher bills;

the Auditor-General's finding that the electricity industry may benefit from smart meters at the expense of the consumers who pay for them;

the unfairness of many consumers and small businesses having to pay for smart meters before they are installed; and

findings by Melbourne University that many families will have to pay around \$300 per annum in higher electricity bills as a result of Labor's smart meters.

The petitioners therefore request that the Legislative Assembly require the Brumby Labor government to immediately freeze the rollout of smart meters across Victoria until it can be independently demonstrated that consumers will not be forced to pay for the Brumby government's mistakes in the smart meter project.

**By Mrs VICTORIA (Bayswater) (72 signatures), Mrs FYFFE (Evelyn) (129 signatures) and Mrs POWELL (Shepparton) (459 signatures).**

#### **Bulleen Road–Golden Way, Bulleen: traffic lights**

To the Legislative Assembly of Victoria:

The petition of residents of Bulleen draws to the attention of the house the dangerous intersection at Bulleen Road and Golden Way.

The petitioners therefore request that the Legislative Assembly of Victoria support the installation of traffic lights at the T-intersection of Bulleen Road and Golden Way, Bulleen.

**By Mr KOTSIRAS (Bulleen) (24 signatures).**

#### **Rail: Mildura line**

To the Honourable Speaker and members of the Legislative Assembly of Victoria:

This petition of residents of Victoria draws to the attention of the house the reinstatement of the Mildura–Melbourne passenger train.

The petitioners register their request that the passenger service be suitable for the long-distance needs of the aged and disabled who need to travel for medical treatment, for whom travelling by coach or car is not a comfort option, and for whom flying is financially and logistically prohibitive.

The petitioners therefore request that the Legislative Assembly of Victoria reinstate the passenger train to service the needs of residents in the state's far north, who are disadvantaged by distance.

**By Mr CRISP (Mildura) (53 signatures).**

**Tabled.**

**Ordered that petition presented by member for Shepparton be considered next day on motion of Mrs POWELL (Shepparton).**

**Ordered that petition presented by member for Evelyn be considered next day on motion of Mrs FYFFE (Evelyn).**

**Ordered that petition presented by member for Bulleen be considered next day on motion of Mr KOTSIRAS (Bulleen).**

**Ordered that petition presented by member for Bayswater be considered next day on motion of Mrs VICTORIA (Bayswater).**

**Ordered that petition presented by member for Mildura be considered next day on motion of Mr CRISP (Mildura).**

## DOCUMENTS

## Tabled by Clerk:

Auditor-General — Fees and Charges — cost recovery by local government — Ordered to be printed

*Parliamentary Committees Act 2003:*

Government response to the Law Reform Committee's Report on the Review of the *Members of Parliament (Register of Interests) Act 1978*

Government response to the Public Accounts and Estimates Committee's Report on the 2009–10 Budget Estimates Part Two.

## MEMBERS STATEMENTS

## Racing: Geelong

**Dr NAPHTHINE** (South-West Coast) — Action is needed by the Minister for Racing and Racing Victoria to address some serious ongoing concerns of racehorse trainers at Geelong. Trainers are very concerned that the decision to stop funding for the part-time horse pool attendant will put the lives of valuable horses at risk as well as create occupational health and safety risks for trainers and their staff.

Gary Dendle is a very experienced horse handler who works 26 hours a week, helping trainers and strappers swim 40 to 70 horses every morning. This can be a risky environment but there have been no mishaps at Geelong. The Geelong trainers group advises that the safety of horses and handlers would be at risk without an experienced pool attendant. This short-sighted decision must be overturned.

Geelong trainers have also experienced ongoing frustration due to the prolonged closure of the synthetic ThoroughTrack. It has now been closed for over a year. Its reopening was scheduled for April, it was delayed until May, and now is delayed until late June. Without adequate facilities Geelong trainers find it difficult to attract new horses to their stables, placing the jobs of stable hands, track riders and suppliers at risk. I urge the Minister for Racing to come to Geelong to attend an early morning track session, as I have, to meet with trainers and hear their concerns and to fix these very real problems.

## Terry Manley

**Dr NAPHTHINE** — On another matter I congratulate and thank Terry Manley who is retiring after 40 years of service to the community as a police officer, including 21 years as a single officer at Dartmoor. I note that on his retirement he criticised the government for being soft on crime.

## Montrose Recreation Reserve: redevelopment

**Mr MERLINO** (Minister for Sport, Recreation and Youth Affairs) — The last weekend in March was a big celebration for the Montrose community. On Friday, 26 March the Montrose Recreation Reserve Committee held a gala dinner fundraising event to celebrate the completion of the new pavilion. The highlight of the evening was the announcement that the new facility will be called the Ken Dowling Pavilion, in honour of the person most responsible for the wonderful redevelopment of the entire recreation precinct.

This most deserving accolade was made even more special for everyone present that night, particularly Ken's wife, Chris, and many of Ken's extended family and friends, because Ken has achieved this whilst battling cancer for the last few years. We celebrated again on Sunday, 28 March, when the broader Montrose community came together for a family fun day, which was the first opportunity for many hundreds of people to look around the new pavilion.

This weekend Montrose Football Club will play its first home game, after a couple of seasons away in Kilsyth. The players and spectators will enjoy not only a new building, but also a completely redeveloped and lush, drought-resistant playing surface. There are also new netball courts, improved tennis facilities and one of the state's best community playgrounds.

This redevelopment was made possible through funding from local, state and federal governments. I am proud to have played my part in making this project a reality. But most importantly it was the incredible hard work, amazing fundraising, dedication, advocacy and passion of the Montrose Recreation Reserve Committee and the Montrose community, led superbly by Ken, that delivered this community asset. Well done, Ken — and go the Demons on Saturday!

## Micah Scott

**Mr MERLINO** — Congratulations and thanks to Monash University student Micah Scott for his great work as Victoria's National Youth Week ambassador. For the past five months Micah has combined his strong promotional, design and communications skills to help plan this fantastic event.

## Schools: Swan Hill electorate

**Mr WALSH** (Swan Hill) — I want to condemn the Brumby government for the appalling way that it is managing the Building the Education Revolution projects in my electorate, or more factually not managing those projects. If you take the Manangatang P-12 College as an example, it was promised \$860 000 in round 1 funding. The fences for the project were

erected, some pegs were put in, and then the builders disappeared. They have not been seen since. At least someone came during the last school holidays and sprayed the weeds on the site of a project that was supposed to be finished by February this year, but in effect has not been started. All the school has are some building site fences and some pegs in the ground, with no work being done on that particular site.

An even worse case is the Woorinen District Primary School. It was promised \$1.5 million in round 2 funding. The school was told in early August last year to move immediately into portables, which were not even there at that time. Those portables finally turned up in December. Some windows were not fitted and there were no Telstra connections, but the school was still told to immediately move into those portables. Fortunately the principal did not move the students in, because at this stage all they have are some unfitted portables with fences around them, holding up kids from using the major part of the playground area. The school has no time lines as to when that project is to start. The Building the Education Revolution for the people of my electorate is not happening, and the Brumby government stands condemned for not being able to manage projects.

### **Wyndham Cultural Centre: arts project**

**Mr PALLAS** (Minister for Roads and Ports) — The recent announcement of the \$300 000 project at the Wyndham Cultural Centre in Werribee by the Minister for the Arts is great news for the western suburbs. The Brumby Labor government is contributing \$170 000 to the upgrade of the facility through our Arts in the Suburbs program, and this complements the \$130 000 that has been contributed by the Wyndham City Council. This project aims to provide additional fly lines and upgrade lighting in the stage area, improve the bar and refreshment facilities in the foyer and install an accessible toilet in the back of house area. The Brumby Labor government will continue to support the arts within our local community and ensure they are accessible to all in Wyndham, particularly to those who appreciate performance art.

The upgrade will enable the Wyndham Cultural Centre to improve production standards and create a better patron experience. Previously the Brumby Labor government gave the centre a \$57 000 grant, which was used to create a box office and upgrade the centre's foyer area. I would like to thank the Wyndham City Council mayor, Heather Marcus, the acting CEO, Bernie Cronin, and the Wyndham Cultural Centre manager, Ross Le Clerc, for their combined efforts in helping to make Wyndham a cultural hub.

### **Colac: pharmacy services**

**Mr MULDER** (Polwarth) — On 9 April the wishes of the 4479 signatories to a petition seeking a third pharmacy licence for Colac came to fruition. The announcement that David Christofidis and Michael Georgy had been given the go-ahead to operate a pharmacy in the main street of the town was a tremendous achievement and a great example of people power at work. When Ruth Spokes, Jeannette Sell and Faye Roscoe walked into my office in the middle of last year seeking my support and assistance with a petition, little did I anticipate the determination they would show and the effort they would put in to helping deliver a third pharmacy for the community.

Despite two of these dedicated ladies being hospitalised in the course of the campaign they pushed on with the petition, and even after it was presented to Parliament they continued to lobby all parties concerned right up until the announcement last Friday. Naturally they are delighted with the result and look forward with great anticipation to August this year when the new pharmacy is expected to open. There is no doubt their efforts played a pivotal role in achieving this outcome. To Ruth, Jeannette and Faye: on behalf of the Colac community, thank you.

I would also like to place on record my thanks to Senator Michael Ronaldson for presenting the petition in the federal Parliament, to the Liberal candidate for Corangamite, Sarah Henderson, for her support and assistance and lastly, but by no means least, to the 4479 people who signed the petition. To the member for Corangamite, Darren Cheeseman, who turned these ladies away from his office and refused to render any assistance, I say, 'Wake up to yourself. There is always another option'. My office is always open, and I am always ready to assist the community.

### **Stawell Gift: future**

**Mr HELPER** (Minister for Small Business) — On 5 April I was one of the many visitors to Central Park in Stawell for the running of the 129th Stawell Gift. Joining me and a big crowd at Stawell for what was a great day were the Premier of Victoria and the member for Lowan. We all enjoyed the running of the gift and joined in congratulating Tom Burbidge on his spectacular win. We took the opportunity to congratulate and thank the committee and the many volunteers who make the event possible.

The Victorian government has been a strong supporter of the Stawell Gift, having earlier this year committed \$310 000 to secure its future at Stawell for the next

three years. This is on top of recent support of \$250 000 for the Stawell Gift Hall of Fame, \$195 000 to upgrade the historic no. 1 grandstand and financial support for the Stawell Women's Gift. This is great support for what is truly a great event. As the Premier said on the day, the Stawell Gift began in Stawell, it belongs in Stawell and it will stay in Stawell. I did notice, however, that in the week leading up to the gift the Leader of the Opposition announced the coalition would come in and save the Stawell Gift and secure its future — something we had already announced some months ago.

### **Australian Synchrotron: future**

**Mr KOTSIRAS** (Bulleen) — The Australian synchrotron is facing many Labor self-made challenges. This vital and important infrastructure is in danger of becoming a \$20 million white elephant due to the failure and inaction of the Minister for Innovation, who has no interest in and no understanding of the value and importance of this scientific machine. According to an email I received, some are questioning where the government is going to find the additional funding the synchrotron urgently requires. They have said:

Board and governance still remain the biggest problems and the main impediments hindering future, long-term funding from the commonwealth. The synchrotron continues to cost Victorian taxpayers through the hiring of lawyers, consultants, PR hatchet people and spin doctors. This plus the wastage in employing two co secs (due to Goulding's WorkCover harassment win) makes us wonder where the additional funds are coming from.

In a letter to the board of directors, the staff of the synchrotron said:

Many of the problems still remain, such as low staff morale across the organisation, low confidence in the board, damaged external perceptions of the facility, eroded management capacity, breakdown in the distinction between operational management and oversight responsibilities, and a facility without a suitably qualified director. The morale of all staff has been under immense pressure and we remain at risk of losing critical expertise, attracted and repatriated from both across the country and around the world, which is unusually difficult to replace. This challenge remains widespread in beam lines, accelerators and across the rest of the facility.

### **Alex Popescu**

**Mr CRUTCHFIELD** (South Barwon) — As I am sure many within this house are aware, on 1 April at St Mary's Church the Geelong community farewelled a true sporting, business and community champion in Geelong Football Club great Alex Popescu, aged 93. He was also a loving man and a very proud father and

grandfather. He is survived by his loving wife, Helen, and a daughter, Christine.

The Belmont Timber owner was a major Geelong Football Club benefactor, contributing time, energy and significant money to his beloved Cats. If the Cats needed assistance in any way, Alex was usually first in line with his hand in the air asking to assist, and he asked for nothing in return. A life member of the club, Alex assisted the Cats on numerous occasions, even paying staff salaries when the club hit troubled waters in earlier years.

Such was his contribution to the Cats that he was honoured by the club in 1981 when the official function room at Kardinia stadium was named after him. Many in Geelong would argue — and Brian Cook did in a very moving speech at the funeral — that if it were not for Alex's personal and financial sacrifices for the Cats, the club may have fallen in the same way as South Melbourne or Fitzroy.

I sincerely thank Alex Popescu for his contribution not only to the Cats but also to the local sporting and charity groups in Geelong that he assisted over many years. His contributions have made a world of difference to so many. It was very fitting that at his funeral the 2009 premiership flag was draped over his coffin and he was led out through a guard of honour formed by his beloved Geelong Football Club players.

The official unfurling of the flag and the opening of the new stand will occur on Sunday. I am certain Alex will be there looking down at his beloved Cats. Alex will be remembered as a true community champion. Rest in peace, Alex.

### **Schools: literacy and numeracy**

**Mr DIXON** (Nepean) — As part of the Brumby government's ongoing handover of education to the federal government, the Minister for Education has signed up for the 'My school' website. Members should be aware that the minister did not sign up for 'My school' for some altruistic educational reason; it was only for the bucket of federal money that came with it.

As part of the deal all children in years 3, 5, 7 and 9 must sit the National Assessment Program — Literacy and Numeracy test in May. These test results will then make up an important part of the website, giving parents a better understanding of how their child is progressing and how their school compares to others. The minister must come out and assure parents that Victorian children will sit the tests and that the tests will be administered by their child's teacher, not some

stranger, not in a hall with hundreds of other students and not by parents. It is time for the minister to stand up and be counted. The federal Minister for Education, Julia Gillard, cannot solve this problem.

### **Parks: entry fees**

**Mr DIXON** — On another matter, while it is good that our national parks will not have any entry fees, this week's announcement has serious implications for two important tourist destinations in my electorate. They are the Cape Schanck lighthouse precinct and Point Nepean. Both are managed by private operators that do a great job of managing and maintaining their sites as well as providing important face-to-face visitor services, which very few parks offer.

As both rely substantially on park entry fees for their income, I call on the government to guarantee that neither will lose revenue and that they will be compensated for any loss of revenue. It is a pity too that both operators were notified only after they read about it in the papers. It makes a mockery of the government's claim of openness and love of community consultation.

### **Don Ingram**

**Ms MUNT** (Mordialloc) — On 16 March I attended the funeral at St Andrews Church, Brighton, of Don Ingram, former headmaster of the Mentone Grammar junior school. Don was headmaster for over 20 years but was also a former student and teacher at the school. He was in fact the longest serving teacher at Mentone Grammar, with 41 years of service. His was a lifetime commitment to teaching and leading young students. He was also a keen community contributor through his church and Rotary Mordialloc. Don was acknowledged for his outstanding contribution to the community with the Order of Australia. The naming of the Mentone Grammar junior school after its rebuilding as the Don Ingram Centre gave him much pleasure.

Moving family, personal and professional tributes conveyed the depth of the affection felt for this man. A former principal, Neville Clark, gave a wonderful eulogy to Don. He talked about the joyous recognition in the faces of the students when Don's name was mentioned. He said of Don that he never talked down to students, that he gave dignity to boyhood and the progression to manhood, that he would be at the forefront of the education revolution, that he gave leadership in learning, and that he was an honourable teacher and schoolmaster. He also noted that the federal Minister for Education, Julia Gillard, would have loved Don's adherence to the basics. Neville finished off by

saying, 'Goodbye, old friend, enfolded into the care of God'.

My sincere condolences to Don's family. I hope his family finds comfort in the knowledge of his exemplary life. Rest in peace, Don.

### **Police: protective vests tender**

**Mr JASPER** (Murray Valley) — I call on the Premier of Victoria to immediately direct that a full inquiry be conducted into the contract for safety vests for Victoria Police. Bruck Textiles, a leading textile industry based at Wangaratta, had tendered for the provision of materials for those vests in conjunction with Melbourne manufacturer, Hellweg International. The tender process stretched over almost two years, with tenderers required to supply their product for full testing. Unfortunately the tender was finally let to an American-based company. Despite stringent efforts by Hellweg and Bruck Textiles, these Victorian companies believe the debriefing did not fully account for where the vests were being made and did not give adequate consideration to their tender. My representations have been to the Minister for Police and Emergency Services, the Minister for Industry and Trade and even the Premier, but I have not received appropriate responses.

My concern is threefold. Firstly, the government's 2009 Victorian industry participation policy did not assist these Victorian companies in the tender process. Secondly, Bruck Textiles is a recognised producer of high-quality protective materials for a range of defence and local emergency services. Thirdly, materials for our defence force and police and emergency services organisations should be produced in Australia, and Bruck Textiles is a leader in this field. Importantly, it is an industry for Wangaratta and Bruck Textiles is an important employer within that city and country Victoria.

I call on the Premier to investigate this matter immediately and to take appropriate account of Victorian manufacturers in this process for the important materials used in the vests for Victoria Police.

### **Watsonia Primary School: student leadership**

**Mr BROOKS** (Bundoora) — I rise today to congratulate the recently announced school captains of Watsonia Primary School. On Monday, 15 March I had the privilege of handing out the badges to those outstanding children who have been elected to represent this school in various capacities. It was announced that

the two school captains are Leni Law-Davies and Fernando Martinez-Devora. The school also appoints student activity managers, who head up various activities within the school, such as sporting activities. The four student activity managers appointed are Danielle Williams, Shanaye Doorbar, Michael Chen and Brad Harper.

Watsonia Primary School is a great school with dedicated staff, parents and volunteers. I could see how proud all those students were to be selected to represent this school. Once again, I extend my congratulations to all those students. I wish them every success in their endeavours.

### **Greensborough Historical Society: establishment**

**Mr BROOKS** — On Friday, 19 March I was delighted to attend the establishment meeting of the Greensborough Historical Society at the Diamond Valley Learning Centre. The establishment of this society is an exciting development and is long overdue in the Greensborough area. This fact was evidenced by the number of people who packed into the meeting room, with a number of attendees having travelled from afar to attend.

Particular mention should be made of Noel Withers and Dennis Ward, who have both worked hard to build interest in the history of the Greensborough area over previous years. Both have developed a guided history walk through central Greensborough and along the nearby Plenty River, taking in significant sites in the area's history and providing people with an insight into the region's fascinating past. I commend both Mr Withers and Mr Ward and wish the Greensborough Historical Society a long and successful future.

### **Employment: government performance**

**Mr R. SMITH** (Warrandyte) — While the Premier and his out-of-touch ministers are patting themselves on the back over the latest state unemployment figures, I ask the house to take a moment to think about the many thousands of families in metropolitan and regional areas who are suffering from joblessness under this uncaring Brumby government.

All over Victoria people are struggling to find work as local unemployment rates increase dramatically above the national average of 5.3 per cent. As the opposition's spokesman on manufacturing, I was appalled to see that people who live in areas with a traditionally strong manufacturing base are amongst those most affected by unemployment. The figures in the latest federal

government report for December 2009 entitled *Small Area Labour Markets — Australia* show us that in Corio unemployment levels are at 10.2 per cent, and parts of Ballarat are suffering from joblessness at the rate of 7.8 per cent. In metropolitan Melbourne, Dandenong is experiencing a rate of unemployment at 13.3 per cent. In the Premier's own electorate of Broadmeadows unemployment is at a whopping 13.5 per cent. This has risen from 10.5 per cent in just one year. Altona has an unemployment rate of 7.9 per cent; Sunshine, 12.1 per cent; Maribyrnong, 8.8 per cent; and Melton is peaking at 9.6 per cent. Labor appears to have forgotten the residents in western Melbourne. It has already forgotten the message that the voters in Altona sent it at the recent by-election.

These numbers represent the thousands of people who are experiencing the anguish of unemployment under the Brumby government. These numbers represent hundreds of families who are fighting to pay the bills and make ends meet. How much of the millions of taxpayer dollars this government has spent on self-promotion could have been used to reskill and support these thousands of unemployed Victorians? It is time this Labor government stopped the arrogant self-congratulatory behaviour and addressed the concerning and increasingly high levels of unemployment throughout Victoria.

### **Glen Huntly reservoir site: heritage overlay**

**Mr HUDSON** (Bentleigh) — Last night the member for Caulfield got up during the adjournment debate and criticised the state government and me for the time it has taken to have the decommissioned Booran Road reservoir site transferred to the Glen Eira City Council for public open space. What the member for Caulfield failed to point out is that the reservoir site is in her electorate, that it has been decommissioned for more than 30 years and that in the 14 years she has been the member for that area she has failed to do anything about it.

It is only because I initiated discussions with the Minister for Environment and Climate Change, with the support of the Glen Eira City Council, that it was agreed by the minister that the reservoir site should be handed over without cost to the council to manage as public open space.

I did that because the city of Glen Eira has the second-lowest level of public open space per capita in the whole of metropolitan Melbourne. I acted to get the Booran Road Reservoir site made available for that purpose, even though it is not in my electorate, because I recognised that all residents of the city would benefit

from having the 1.6-hectare site available for sporting and recreational purposes.

Melbourne Water then decided to investigate the heritage value of the reservoir and last month identified it as being of potential state significance. This was a completely independent process. Ms Huppert, a member for Southern Metropolitan Region in the other place, and I have written to Heritage Victoria opposing this listing on the heritage register on the grounds that the site is not safe, cannot be viewed or accessed by the public to appreciate its historical value and would be better used as public open space. A recommendation will be made to the Heritage Council on 23 April. Meanwhile the member for Caulfield has done nothing about it and has been asleep at the wheel.

### **Planning: Mount Eliza land**

**Mr MORRIS** (Mornington) — The Mount Eliza green wedge is once again under threat because of the inadequate, ineffective and dangerous planning laws put in place by the Bracks and Brumby governments. These laws purport to protect sensitive areas of Melbourne's hinterland but in reality they are doing nothing to stop the headlong rush to destruction.

In July last year I raised the issue of an application for a caravan park contiguous with the urban growth boundary in Mount Eliza. The application is nothing more than low-cost housing dressed up as a holiday village. Despite my warning, the minister declined to act and the matter is soon to go before the Victorian Civil and Administrative Tribunal (VCAT). Too late the minister exhibited an interim control which will prevent any further applications.

The minister must intervene in this hearing to ensure VCAT is aware of his new, belated policy position that such parks are not permitted to be built less than 2 kilometres from the urban growth boundary and must have a minimum lot size of 40 hectares. It is not good enough for the minister to say, 'Oh, well, we tried'. He must well and truly slam the stable door before this horse can find its way out of the stall.

### **Rail: Frankston line**

**Mr MORRIS** — On another matter, commuters on the Frankston line continue to suffer one of the worst performing services in the state, with a further decline in the month of February. One in four services failed to meet the already low benchmark of running within 5 minutes of the advertised time. The chance of a train on this line running at all remains one of the lowest in the state.

Minister Pakula, the Minister for Public Transport, needs to get out of his comfortable office, get on a Frankston line train and find out what is happening in the real world.

### **Community Bank: East Ivanhoe and Heidelberg**

**Mr LANGDON** (Ivanhoe) — Today I pay tribute to the East Ivanhoe and Heidelberg Community Bank branches for putting over \$1 million back into the local community in the Ivanhoe and surrounding electorates. Following the contribution of a further \$76 000 to local community groups at the 2009 grants, outlined in the February edition of the Bendigo Bank's community newsletter, the bank's contribution to the local community has exceeded \$1 million. Some of the community groups that have benefited from this display of generosity from the Bendigo Bank are the Children's Protection Society, the Banksia Palliative Care Service, Olympic Adult Education, the Heidelberg Historical Society, the Banyule Housing Support Group and many more.

Last October the bank hosted a grants event which was attended by various shareholders, local community business leaders and local councillors. The grant recipients were thrilled to receive their cheques and to share stories of their exciting and worthy projects. The efforts of Noel Donnelly, senior manager; Sam Pearce, Heidelberg branch manager; and Greg Arnott, East Ivanhoe branch manager, deserve a special mention. Their continued commitment towards the bank's grant program has been a benefit to the whole community.

### **Nan Caple**

**Mr LANGDON** — I pay tribute to Nan Caple, chair of Heidelberg District Community Enterprise Limited. Nan Caple was recently recognised with a Jagajaga Community Australia Day award. Nan has been a very effective member of the East Ivanhoe Traders Association for 20 years. She has worked tirelessly to promote the shopping strip and has been heavily involved in local community activities. These include her position as chair of the board of Heidelberg District Community Enterprise Ltd — in other words, the Bendigo Bank. I congratulate Nan on her tremendous achievement and look forward to her continued work within the local community.

### **Motor vehicles: registration**

**Mr WAKELING** (Ferntree Gully) — I would like to register my support for VicRoads' recent policy change in relation to the way hail-damaged cars can be

registered. Since Melbourne's disastrous storms of 7 March 2010 a number of constituents have contacted me expressing anger that their functioning motor vehicles were being taken off the road due to cosmetic hail damage. Further, constituents who purchased hail-damaged cars were shocked to find that they would have to spend two to three times the purchase price of the cars on cosmetic improvements before they could re-register the vehicles. The changes that VicRoads has made will ensure that thousands of cars are not wasted due to the expense involved in repairing cosmetic damage.

### **Stud Road: bus lanes**

**Mr WAKELING** — I would like to add to previous comments made by my colleagues in this house the members for Scoresby and Bayswater regarding additional bus lanes on Stud Road. I too have been contacted by residents who have been forced to battle with a huge increase in traffic due to the conversion of one lane of traffic on Stud Road between Kelletts Road and Ferntree Gully Road into a bus-only lane. This is in clear breach of the promise made by former Premier Bracks regarding the construction of the Scoresby freeway when he said that the government would not be closing or narrowing roads and that people would have the choice of using existing roads or the freeways. The conversion of a lane on Stud Road to a bus lane has clearly increased traffic congestion, and I join the members for Scoresby and Bayswater in requesting that this decision be reviewed and a proper consultation process be undertaken.

### **John Kerin**

**Mr WAKELING** — I would like to commend to the house the work of a constituent, John Kerin. Mr Kerin has recently launched an educational board game called MOTUS, which aims to help children improve their language skills in a fun environment. I congratulate Mr Kerin for his hard work and persistence in inventing this board game.

### **Indian Senior Citizens Association of Victoria: activities**

**Ms MORAND** (Minister for Children and Early Childhood Development) — Recently I had the opportunity of visiting the new home of the Federation of Indian Associations of Victoria, which has relocated from Prahran to Foster Street, Dandenong. I was welcomed there by Vasana Srinivasan and many members of the Indian Senior Citizens Association of Victoria.

I have had a longstanding and very positive relationship with the Indian Senior Citizens Association, which does a great job in supporting many seniors in our community. Next month I look forward to attending the association's Basant festival, which will be held in Mount Waverley.

I would like to acknowledge the great work of the volunteer committee members of the Indian Senior Citizens Association, including the energetic and passionate Krishna Arora, past president Prem Phakey, and current president Suresh Sharma.

This weekend I will be attending the Unity in Diversity Integrated Indian Festival of Australia to be held at Sandown Racecourse, sponsored by the Victorian Multicultural Commission, the City of Dandenong, Victoria Police and VicUrban. I really look forward to enjoying a great day when we can celebrate our wonderful multicultural diversity and in particular members of our significant and growing Indian community who bring so much to our community in Victoria and Australia.

### **Seniors: home and community care**

**Ms MORAND** — I also thank the Minister for Senior Victorians for visiting Glen Waverley last week to announce the significant boost of \$18.5 million in the home and community care funding for Victorian seniors from the commonwealth and state governments. The minister made the announcement at the Monash Volunteer Resource Centre, which is doing a great job.

### **West Gippsland Healthcare Group: palliative care**

**Mr BLACKWOOD** (Narracan) — I take this opportunity to thank the nursing staff and volunteers of the West Gippsland Healthcare Group who deliver such an outstanding palliative care service to the terminally ill in our community.

In particular I commend them and sincerely thank them for the assistance they provided to my father-in-law, Howard Bloye, and his family prior to and following his death on 26 March this year. Howard served his country in World War II and was awarded a life governorship of the West Gippsland hospital; much of his life was dominated by service to his community.

While this is certainly an opportunity to pay tribute to Howard Bloye for his life of service, his humility and concern for others would dictate that I honour his legacy by calling on this government to account for

another of its failings in health service provision in the electorate of Narracan.

As a subregional hospital, the West Gippsland hospital should by definition have available a level 2 palliative care unit. The quality of the palliative care service currently provided is certainly absolutely beyond reproach. However it lacks the support and access to aspects of palliative care that our community is entitled to expect from a subregional hospital under this Labor government's own guidelines.

A level 2 palliative care unit would provide access to a palliative care medical specialist and offer options for inpatient and community-based care over and above what is currently available. On behalf of the late Howard Bloye and our community I call on the Minister for Health to immediately upgrade the palliative care service at West Gippsland hospital to a level 2 palliative care unit.

### **William Crofts, OAM**

**Ms HENNESSY** (Altona) — I rise to pay tribute to Mr William Crofts, OAM, who passed away last week. Les, as he was affectionately known, was seen by the local community as the father of local government in Altona. He was also seen as a community icon in Melbourne's western suburbs.

Les Crofts served his community with unswerving resolve and commitment. He served an outstanding total of 26 years as councillor and shire president of the former Shire of Altona and was instrumental in that shire becoming the City of Altona, in which he served four terms as mayor.

Les was awarded the Order of Australia medal for his service to the local community and was a volunteer service award recipient. Les had many passions. He was a keen lawn bowler and past president of the Altona Bowling Club, and spent 21 years as charter president of Altona City Rotary Club. The Altona City Rotary Club has recently renamed its excellence award the Les Crofts excellence award in honour of Les's outstanding service to Rotary in Altona.

Les was a justice of the peace and was a past president of the Altona Youth Club in the 1970s. Les will be sadly missed by our community, but especially by his loving family. May he rest in peace.

### **Bayswater Secondary College: funding**

**Mrs VICTORIA** (Bayswater) — The Brumby Labor government needs to honour the 2006 commitment to build stage 2 at Bayswater Secondary

College. The Premier should not let our children down; they deserve the best learning environment. Stage 1 has been a great progress for our school, stage 2 was committed and recommitted to, and now we are waiting for funding in the state budget. I hope the Premier is going to fulfil the promise that he made.

## **MATTER OF PUBLIC IMPORTANCE**

### **Police: resources**

**The DEPUTY SPEAKER** — Order! The Speaker has accepted a statement from the member for Gippsland South proposing the following matter of public importance for discussion:

That this house congratulates the opposition for its commitment to recruit and train 1600 additional front-line operational police within its first term on assuming government in November 2010 and condemns the Brumby government for its failure to adequately resource Victoria Police thereby leaving Victorians dangerously exposed to the impact of escalating violent crime which in the last 10 years has seen crimes against the person (CAP) increase by 40 per cent and assaults increase by 70 per cent.

**Mr RYAN** (Leader of The Nationals) — It is with great pride that I rise today to speak on this matter of public importance because it is an issue that touches upon the lives, both now and in times to come, of all Victorians. As referred to in the wording of this matter of public importance, we are going to fix up yet another Labor mess. The problem at the moment in Victoria is that the police simply do not have enough resourcing. There are not enough police out there on the beat, and this government has not done enough over the past years to increase the resourcing available to our police officers.

As I have done before, I begin this process by saying I have great regard for Victoria Police. They do a wonderful job with what they have available to them to protect the citizens of Victoria. We are very proud of our police force in this state.

Unfortunately, though the police have done what they can do and continue to do so with the limited resources available, Labor has left our police in circumstances where they simply do not have enough resources available. Labor has left Victorians dangerously exposed to the ongoing impact and growth of crime in Victoria. In practical terms, Labor is doing next to nothing about it. We are going to fix the mess.

At the current point in time Victoria has the lowest number of operational police per capita of all the Australian states. We spend the lowest amount of

money per capita on police resourcing of all Australian states. In the last five years we have had the lowest budget increases in relation to police resourcing of all the Australian states. It is an appallingly lamentable record. Those who are now paying the price are Victorians at large and by extension our police officers, who are battling this situation and doing the best they can with what they have available. In an across-the-state sense in the last 10 years we have seen an increase of about 70 per cent in the number of crimes against the person; we have seen an increase of about 40 per cent in assaults. It is a disgrace and we are going to fix it. You only need look at the front page of the *Herald Sun* today to see that each of the 10 individual stories referred to is an absolutely tragic story. These are stories that we see all too often throughout Victoria.

On Monday this week in Bendigo — and I was there only a few days ago in company with Damian Drum, one of the members for Northern Victoria Region in the Council — in the centre of the city at about 2 o'clock in the afternoon a young lady was assaulted as she was taking money out of an automatic teller machine. This happened in the main street near the mall in Bendigo!

Over the course of the last month in Ballarat we have seen on the front pages of the paper stories replete with the problems that face that great city. I have the clippings with me as I speak. I have the front page of today's *Courier*, and its banner headline says 'It's not safe'. The Ballarat *Courier* is running a campaign under the banner of 'Had enough?' and the people in Ballarat and other centres around Victoria have had enough. It is an issue to be laid directly at the feet of this Labor government.

The stories that are told in these matters I have specifically mentioned today are reflected right across rural and regional Victoria. Wherever we might live in this great state, we are all faced with the sorts of problems to which these stories refer. As I roam around the state, and I roam around as much as or more than most members, one of the constant themes in what I hear from police is that they just do not have enough troops. There are not enough police available to do the important job which police are sworn to do. We need more police out there on the beat. We need more police out there on the front line.

This government has failed miserably in its responsibility to ensure that Victorians are properly protected from the ongoing development of crime in our state. It has failed miserably in ensuring that we have the proper number of police and that they are properly resourced. The Liberal and Nationals coalition is going to fix this problem in government. It will be yet

another mess we have been left with after Labor departs the scene.

We accept that this is a multifaceted issue. We accept that there are many contributing factors in the growth of crime in Victoria, but we also accept the patently obvious fact that Labor has done precious little about addressing it. We accept that policing is a pivotal aspect of dealing with many of these issues. We only need to look at the New York experience back in the 1990s and at our own experience in Victoria to see that there have been situations where we have gathered together more police in one place at one time in task forces to address the issues of the day. Invariably we find that policing improves and that criminal activity in a given area which is subjected to a task force approach is better able to be brought under control. The flaw in all this is that police are constantly having to rob Peter to pay Paul. We have to establish task forces all the time to do what ought to be done. Having the police numbers available would ensure we had police in situ all the time rather than having to operate on a stopgap basis, which now tends to be the case.

Under the program we have announced that \$344 million will be dedicated to this task, and by the time our first term in government is completed another 1600 police officers will have been recruited and trained on the front line in an operational sense to look after the interests of Victorians. We are going to put another \$65 million of capital towards this initiative. Included in that figure is \$8 million for extra resourcing at the police academy should it be needed to make certain we can train the officers to whom I refer. We are going to recruit and train 300 police in our first year in government. We will see them spread across the state on a needs basis as dictated by police command, and we will ensure therefore that our communities are able to have the protection to which they are entitled. We will begin to address an issue which this government has turned its back on over the past 10 years. I repeat: this is another Labor mess we are going to fix. We are going to make Victoria safe again.

The allocation model used by Victoria Police at the moment extends across the 56 police service areas throughout Victoria. In essence, police are allocated according to about a dozen criteria. Those criteria are, broadly: the total persons in a given area, including the total resident population; minorities, which is a reference to the number of people who speak a language other than English at home; persons aged 15 to 30 years; retail within a given area, which comprises the number of persons employed in the retail area; family violence reports, which come from any given police service area; the number of liquor licences held

by hotels and restaurants in any one of those areas; the total number of households; the number of black spot intersections; the custody requirements; the court requirements; and the point of presence service considerations, which means how many and what type of police stations are needed within a given police service area to do what is required. Whether they need to be 24, 16 or 8-hour police stations or whatever it might be, those are the criteria applied under point of presence service considerations. The final criterion is the number of major events which may be conducted in any given police service area.

By examining all of those issues and applying the formula which has been developed around them under what is known as the people allocation model, police command is able to determine where police need to be allocated and is able to distribute police accordingly. That decision will be made by police command. But the great thing is that there will be another 1600 police available for this purpose. Without being specific, at the moment we have around 10 500 front-line police in Victoria. We are going to add another 1600 to that number — an increase of the order of 15 per cent. That will be a wonderful initiative for the people of Victoria. We would expect therefore that this would be welcomed by the government, as has happened in a variety of areas across the state and in so many instances across our different communities.

This increase of course does not meet our requirements as a state. The Police Association has calculated under the National Institute of Economic and Industry Research formula that we need something of the order of 2800 to 3000 police. Could we do that? We would love to be able to, but the practical fact is that there are constraints around funding and there is a capacity issue in relation to training — there are various mechanisms which preclude our being able to do all that. By the same token, we will add 1600 officers to the front-line operational responsibility, and that will make a substantial inroad into the deficiency which now exists under this government. This program is affordable, it is timely and it is urgently needed. As the incoming minister, I would have the responsibility in the first instance of delivering it, and I say to the house: I will see the job done; it will be delivered.

What is the sort of response we are getting from the Labor Party? It takes the usual form. The first thing to be said about this government is that issues around truth are just a casualty of the political battle. The question in this government's eyes as to whether statements are true or not is irrelevant. The government's view is that if it will be accepted in the public arena, then say it and say it again. No matter how extreme the statement may

be, no matter how factually wrong it is, this government believes that if you say it often enough, people will believe it. The government's response is coloured by that principal factor. So it is that we hear a range of commentary from the government. It wants to throw back to the last century and talk about what happened then.

It is interesting to reflect on what is actually happening in Ballarat. In the draft of the roster for Ballarat for the fortnight commencing 28 March, 23 senior constables and constables were allocated as being available for general policing duties. This is to be compared with the figures of 1999, when there were 44 available senior constables and constables in Ballarat. Today, 10 years on, we have 21 fewer police than we had in 1999 available on the roster in Ballarat to look after the citizens of that fair city. We should not let the government rewrite history about all this. The practical fact is that the reality is otherwise.

What does the government say next? It says, 'It is not needed'. That is the constant refrain, 'We do not need it'. Government members would be the only ones in the state of Victoria who believe that these extra police are not needed. It is absolute specious rubbish on the part of members of this government to say that these officers are not needed. They next say, 'We have delivered'. You hear that refrain constantly. I accept what government members say. They have delivered on what they have said they would. They have even done a little bit more. I accept all that, but therein they make our case. It is that precise problem, that is of their making, that is the foundation of the program we have now announced. Because this government has been so miserable in delivering for Victorians the appropriate police numbers and resourcing to meet our needs, we have exactly the problem to which I have now referred.

When government members say, 'We've delivered these additional numbers', I accept that they have; I have no challenge to that. The problem is, though, that the numbers self-evidently are not enough. They make our case themselves. They say we cannot pay for it. Now they are running out this business that we are supposed to be using the money obtained from cuts to advertising by this government to fund different programs. It is wrong; it is patently a lie; it is simply not the case.

When we made the announcements in relation to training protective services officers under our \$200 million program to bring safety to our transport system, no reference was made to funding being provided through cuts to government advertising, and yet this is the furphy which has no foundation that this

government has now produced. I challenge the government in the course of this debate to bring forth into this house anything which shows that we asserted at the time of announcing that program that we were going to use cuts in funding for advertising by this government as partial funding of that particular \$200 million program. That is what government members are now saying. It is a lie, they know it is a lie, and yet they continue to perpetuate it. I challenge them to bring it in here and tell us now where they get the foundation for that.

Government members say we are the safest state. We are not the safest state; the statistics tell us that is simply not the case. On top of all this is the overall commentary from this government which is reflective of being out of touch, in denial, lazy, indolent and lacking in planning — and the ones who are suffering from all this are Victorians at large. I invite members to have a look at the front page of today's *Herald Sun* and at the front page of the *Ballarat Courier*. Again, the headlines tell the story. This government's endeavours in relation to police and policing in this state in the last 10 years are an appalling disgrace. We are going to fix this mess that the Labor government has created in Victoria; we are going to make Victoria safe again. I will be at the helm of doing just that and, by hell, I am looking forward to doing it.

**Ms GREEN (Yan Yean)** — It is with great pleasure that I stand in this chamber to speak about the record of our government on policing and making Victoria the safest state. I am not at all surprised that the Leader of The Nationals in his contribution did not want to talk about what happened last time opposition members were in charge of the police portfolio, last time they sat on the government benches. He says, 'Let's not talk about what happened last century'. I do not underestimate at all the memory of Victorians, and particularly country Victorians. They have not forgotten what the Liberals and The Nationals said on coming to office. They said they would increase police resources and would look after this state, but in fact they cut police numbers. They did not increase police numbers; they cut police resources and they closed police stations. Their record from that time does not stand up to scrutiny, and this commitment of 1600 additional police should not be given any credibility. I am not surprised that they have raised their commitment as a matter of public importance. They made the announcement last week, they have tried to get it out there, but they have got hardly any coverage of it — because no-one believes them. They have not got the coverage that they wanted, because no-one believes them.

The member for Scoresby is sitting at the table. He is the Barnaby Joyce of the Victorian opposition; he cannot get his figures right in any way, yet he is going to be in charge of the Treasury! People know that he will not be able to even add up the numbers to actually deliver on the opposition's policy.

**Mr R. Smith** interjected.

**Ms GREEN** — The Leader of The Nationals issued a challenge before in terms of where this — —

**Mr Wells** interjected.

**The DEPUTY SPEAKER** — Order! I am sorry to interrupt the member for Yan Yean. The member for Scoresby is listed as having the call next and I will give him the call then. Until that time he should cease interjecting in such a loud manner. The member for Warrandyte should also cease interjecting in that manner. I will not tolerate such loud interjections.

**Ms GREEN** — At the outset, I said that I am very proud to get up in this house and talk about the government's record on delivering increased police numbers and police resources. We have funded Victoria Police with record resources of more than \$1.89 billion this year. That is a 77 per cent increase in this decade, since 1999. I am very pleased to compare that record with that of a decade ago.

Before the last election we delivered 1400 additional sworn police, and in this term we are delivering another 470 police. In the time that we have been in office 5000 recruits have gone through the Victoria Police Academy at Glen Waverley. We have more front-line police than ever before, and the opposition knows it. We are proud of the work of the men and women of Victoria Police because they are keeping our streets safe. Their work, with record resourcing from this government, has reduced the crime rate by 25.5 per cent. When the Liberal Party was in office it slashed police numbers by 800 and there was an increase in crime of 10 per cent. If you actually spend money and resource police, the crime rate does go down.

Opposition members would like to have a reign of fear operating throughout this state and like to talk down the state. That is their form; they talk down our state. They talked down our public transport system as well and tried to say to Victorians that it is not safe to travel on public transport. Victoria Police was so concerned about what the opposition had been saying and about it scaring Victorians that in September last year it issued a statement to correct the record. On 10 September 2009 Victoria Police took the unusual step of issuing a

statement refuting the claims of the opposition. The statement said:

Victoria Police would like to reassure the community that travelling on public transport is not as dangerous as media reports sensationally claimed this week.

...

There's a perception that travelling on trains, especially outside peak time, is a dangerous thing to do. That's simply not true ...

There is no doubt crime is declining and police are working harder than ever to stamp out bad behaviour ... We have to take into account that 518 million trips were taken on public transport by Victorian commuters in 2008–09, up from 475 million in 2007–08. This statistic cannot be ignored and provides a reason to release statistics based on per million trips.

Victoria Police had to come out and refute the fear campaign of the opposition around the time that the opposition came out with its claim that it would add 950 protective services officers to work on the transport system.

Three different funding positions have been adopted on that promise. The shadow minister, who began the debate this morning, actually said to Kathy Bedford on ABC's *Statewide* program on 9 November 2009 that the promise would be funded out of the transport budget not out of the police budget. If that is true — and we have seen how often the opposition is loose with the truth — I challenge the opposition to tell the community during this debate what transport projects are going to be cut to fund the promise. Will it be the extension to South Morang? Are they going to start pulling out the stakes that are in the ground as part of the process of bringing passenger rail services back to Maryborough? You cannot trust this lot.

When the opposition was in charge it said it would increase police numbers but instead cut them; that is unlike what we have done, which is to increase police numbers and give police the resources they need to do their job. We have a proud record on police numbers. In 1999 we promised we would deliver 800, and we delivered 800. In 2002 we promised 600, and we delivered 600. In 2006 we promised 350, and we are delivering 470 in this term. There are now more police in Victoria than ever before, and we are absolutely determined to protect the independence of Victoria Police in allocating where these resources go, unlike the opposition, which is on both sides of the fence on this.

The shadow parliamentary secretary for police and emergency services, the member for Benambra, says, 'Yes, yes, Wodonga will get 14 extra police', but at the same time he says, 'But the police commissioner will

allocate these resources'. In his contribution the Leader of The Nationals said he had been wandering around the state and talking to people and that people in every community he goes to alluded to getting more police. At another time he will say, 'But the police commissioner will allocate resources'. He tries to say he represents the voice of country Victoria, yet he says that additional police will go to metropolitan areas first. Members of the community can trace the steps of the Leader of The Nationals and look at his statements, and when they do they will see that they are inconsistent. Wherever he is he will say what he thinks the audience wants to hear, but he cannot be trusted. The previous Nationals leader was responsible for a cut when he was police minister, and we would expect that the current Leader of The Nationals would be no different.

We have also been committed, through the increased budget, not only to providing more police on the beat but also to undertaking a huge capital program of building new police stations across the state, particularly in regional Victoria. When those opposite were in charge they closed police stations and slashed police numbers, but along with achieving significant falls in crime we have been building police stations across the state.

At Cranbourne we built a new \$6.2 million police station. In my own area of Diamond Creek we built a police and emergency services complex, which is a magnificent building, with record resources provided for its operation. We built a new police station at Hurstbridge at a cost of \$930 000 and a new police station at Warrandyte, as the member for Warrandyte well knows because he was at the opening.

At Endeavour Hills there is a new police station. At Yarra Junction there is a new \$1.3 million police station. We have built new police stations at Fawkner, Wyndham North and Springvale, and at Pakenham there is a \$12.5 million emergency services complex, with police, Country Fire Authority and State Emergency Services all on one site to meet the demand from the growing population in that area. We are building new facilities in other outer growth areas. New stations at Carrum Downs and Lilydale will be opened next month; we are dedicated to increasing police resources in these growth areas with these new police stations.

As well as the capital works program, additional resources have been provided to assist police to do their job, and this has helped in the reduction of crime. I will turn to some of the areas which have seen the most significant reductions from the start of this decade until now. In Bass Coast there has been a decline in crime of

20.5 per cent; in Bayside, 36 per cent, in Boroondara, 35.8 per cent; in the Central Goldfields, 33.3 per cent; in Dandenong, 25.5 per cent; in Darebin, 30.9 per cent; in Geelong, 28 per cent; in Knox, 26 per cent; in the Macedon Ranges, 36.9 per cent; in Manningham and Nillumbik, 27.5 per cent; in Melton, 34.6 per cent — —

**Mr Nardella** — Hear, hear!

**Ms GREEN** — I know the member for Melton welcomes that. There has been a reduction in crime in Shepparton of 20.9 per cent; in Stonnington, 42.4 per cent and in Wellington, 19.5 per cent. If you resource police and increase police numbers, the crime rates go down.

We are absolutely proud of this record. We will continue to resource policing and will continue to keep this state safe. When we say that we are going to increase police resources, we actually do that, unlike those opposite. The community will not forget. It understands that leopards do not change their spots. The Victorian community will not forget what happened under the Liberal-Nationals coalition when the Leader of the Opposition was the president of the Liberal Party and the then Leader of the National Party was in charge of the police portfolio. It promised an increase of police and an increase in resources, but in fact it cut police numbers and closed police stations, and the crime rate went up. The Victorian community will not forget this record.

I am proud that when the Labor Party says it is going to provide increased police numbers and resources, it does that. Our record shows that. The community will see this for what it is. I will be interested to see whether the Barnaby Joyce of the opposition is able to get his numbers right, and I look forward to hearing his contribution next. We have a proud record on policing and community safety in this state. We will continue that, and we will continue to support the great work of the men and women of the Victoria Police Force and protect their independence, unlike those opposite.

**Mr WELLS** (Scoresby) — I join this debate on the matter of public importance, and I congratulate the member for Gippsland South for introducing this very important matter. What an embarrassing contribution we have heard over the last 15 minutes with the government's lead speaker, the member for Yan Yean, and her repetitive waffle. What facts did she put forward? It was absolutely embarrassing. What we want to know is where is the Minister for Police and Emergency Services? If the police numbers are so fantastic and brilliant, if the state is so safe, if we have so many police out on the beat and if we feel safe in this

state, why is the minister not here to defend the government's record, instead of bringing out the member for Yan Yean? For goodness sake, for 15 minutes we heard nothing but irrelevant waffle, and it was embarrassing. I cannot wait to hear who the second government speaker is.

**Mr Nardella** interjected.

**Mr WELLS** — I'll bet it's you!

**Ms Beattie** interjected.

**Mr WELLS** — I'll bet it is you — the member for Meltdown — and you are going to be just as bad!

**The DEPUTY SPEAKER** — Order! I caution the member for Yuroke. Also, when the member for Scoresby uses the word 'you' he is referring to the Chair. I will not be the next speaker. The member for Scoresby, through the Chair.

**Mr WELLS** — I should have said 'you lot'. What we have to do is to make Victoria safe again. As a parent of three kids I dread every time the boys say, 'Dad, we're going into the city to a nightclub'. I hate it when they catch public transport at night. I hate it when they go into a nightclub. I hate it because there is a lack of police in the CBD. I detest it. This state has been let down by the Brumby Labor government because it has not kept pace with population growth. It has not kept the number of police up to date at any time.

The Premier and the police minister have failed Victoria. On 27 November Victorians will have a clear choice of who they would like to govern this state: a Liberal-Nationals coalition led by the Leader of the Opposition and the Leader of The Nationals which will deliver on the appointment of 1600 additional police, or the rhetoric, spin, lies, media campaigns and other gumpf of the government which tries to convince Victorians that they are safe. Victorians are smarter than that. They know the truth: we do not feel safe on our streets. After 10 long dark and tired years we are now seeing the results.

No-one on the government's side takes responsibility for policing matters. Not once has the Premier or the Minister for Police and Emergency Services stood up here and said, 'I take responsibility. I am the man who is in charge. I will take responsibility for what is happening. I will take responsibility for the increase in crime. I will take responsibility for the control of violent crime in this state. I will take responsibility for the cut in operational police in this state'. Not once have we heard anyone stand up and take responsibility.

Let us look at the benchmarks. The Liberal and National parties have promised 1600 police. Compare that to what Labor has delivered. Let us look at the crime statistics. In 2002–03 there were 35 719 incidents of violent crime in the state. In 2008 there were 42 949 incidents of violent crime, and it is increasing. What has the government done to address the violence in the state? It has not done anything. It fills the mushrooms on the government benches with all the facts and figures in regard to what it needs to do to spin itself out of this problem.

We have even had the Minister for Police and Emergency Services come before the Public Accounts and Estimates Committee, and when we asked him, ‘How can you say Victoria is the safest state? On what are you basing it? On what basis are you saying Victoria is the safest state?’, we found that the government uses Australian Bureau of Statistics data which includes a victimisation study survey. The government is not even using Victoria Police statistics; it is using an ABS victimisation survey. The survey says you cannot compare this report with other reports. The ABS says it was a sample victimisation survey which specifies that the information should not be compared to that of other states. The government is using a sample which it cannot use to compare with other states.

When we asked the Minister for Police and Emergency Services to explain it he got himself into such a knot that he had to get the then Chief Commissioner of Police to explain what the survey meant. This is what she said:

There are two major sources of data. One is the study conducted across Australia by the Australian Bureau of Statistics, and it is a victimisation study. It is a sample, but it is a statistically significant sample. It is done on a range of households across Australia ...

The government is not even using its own police data because if it did it would find that violent crime in this state has increased significantly under its governance. It is an embarrassment.

We have said quite clearly that one of the concerns we have is about the number of operational police in the state. The government keeps talking about the number of operational police. The Leader of The Nationals made it very clear today that when we promise 1600 police it will be 1600 front-line police. When you compare the number of police operational staff as a percentage to the numbers in every other state, Victoria is down to about 80 per cent. It is the lowest number of any state when it comes to operational police.

Let us look at another benchmark, which is the issue of the amount of money that Victoria spends on police — the expenditure on police service per person — being the lowest of any state. We spend the least amount of money on police when compared to every other state. When we talk about the crime statistics and about the chief commissioner and the Minister for Police and Emergency Services talking about the Australian Bureau of Statistics and violence, the Ombudsman’s report makes it very clear that it does not trust the crime statistics. The Ombudsman has concluded that crime statistics in Victoria were distorted by the underreporting of serious crimes, particularly assaults. The Ombudsman, who is the independent umpire, came in and said quite clearly, ‘We do not believe Victorian crime statistics. They are wrong. They are being manipulated’.

The Ombudsman also found that some members of Victoria Police had falsely boosted crime clearance rates casting doubts on the accuracy of crime data. Let us have a look at this. The Ombudsman said — —

**Mr Nardella** interjected.

**The DEPUTY SPEAKER** — Order! The member for Melton!

**Mr WELLS** — The Ombudsman said, ‘I do not trust you. You manipulate crime data so we cannot believe it. We do not believe the Minister for Police and Emergency Services’. The police minister said he relied on a survey and on a sample. He does not get it right. We do not believe the government when it says, ‘We have more police out on the beat’. The Australian Bureau of Statistics data says quite clearly that is not the case. As a percentage we have fewer police on the beat. The government does not spend the amount of money we require it to spend on Victoria Police.

That is why on 27 November Victorians will have a very clear choice. A vote for the Liberal-Nationals coalition will be a vote for 1600 police on the front line. It is for parents like me who have three kids and who are sick and tired of the fear and who want to know that when our kids go into the central business district at night they are going to be safe because of the number of police we will put on the front line.

**Mr NARDELLA** (Melton) — What we have today are the Pinocchios of the opposition. These people come in here and want to spin the tale that they are going to save Victoria. They say, ‘We are going to cut the crime rate. We are going to put 1600 more officers on the beat’. The noses of these Pinocchios keep on growing and growing. They come in here and spin, but

the reality is they never deliver. The reality is that what they say now will not be put in place or funded when they are put into office. Do members think it is just me saying this off the top of my head? The answer is no because the reality is that whenever the Liberal Party with the former National Party come to office they cut police numbers. In 1990 and 1996 they promised to boost police numbers by 1000, but what did they do? They did not boost police numbers by even one; they cut police numbers by 800.

Now we have a situation where former Premier Jeff Kennett is in dispute with a former Chief Commissioner of Police, Neil Comrie. In a paper he has said it was all Mr Comrie's fault. The member for Scoresby said it was all Mr Comrie's fault and that he had cut police numbers because of a budget decision he had to implement. The opposition comes in here and says, 'We are going to give you 1600 more police' but the Pinocchios know they will never do it.

A challenge was put out by the Leader of The Nationals in regard to double dipping. These Pinocchios say anything, anywhere, to anyone — to whoever is listening. The Leader of The Nationals came in here and said, 'I want to give you a challenge. How are you going to fund the protective services officers (PSOs)? We did not say we would fund extra PSOs on railway stations via cuts in advertising'. He said that in the Parliament just 15 minutes ago. He said, 'Prove to me where the opposition has said that, because this is a new policy'. These Pinocchios come in here and say it is a new policy for the 1600 police officers. They say, 'We are going to fund it from cuts to advertising that we have not promised before'. Let us go through it.

On 10 November 2009 in *MX* a headline states, 'Query on opposition rail plan'. It says:

Slashing government advertising would free money for platform patrols ...

The Leader of the Opposition said he was going to do that. He said:

Our transport security plan will be funded out of the state budget and there will be no cuts to services ...

But cuts to advertising were being flagged in *MX* back on 10 November 2009.

On 6 April this year we saw a commitment to reducing spending on advertising. The opposition promised that \$35 million per year, or \$140 million over the next four years, will be cut from the advertising budget to fund front-line police. Here they are, the Pinocchios of the world — the Pinocchios of the Liberal Party and The Nationals. They say, 'We throw out the challenge. The

challenge has been thrown out', and they have been double dipping. They think you can have what Norman Lindsay called a magic pudding, that you can have a pie and as soon as you take out a bit of the pie it magically grows back again. The \$35 million will magically come out to fund not only the PSOs but also the extra 1600 police officers. And I am sure it is going to be used to fund more promises as these Pinocchios of the world go out there and promise more and more rubbish to the people of Victoria.

What is all this about? This is about scaring people. This is about putting down Victoria. That is the only thing these people across the table today care or know about. They think if you scare enough older people, if you scare enough younger people, if you scare enough people who use public transport, if you scare the people who use our entertainment and sporting venues, they are going to vote for you. They think those people are going to listen to the rubbish that comes out of their mouths and are going to support them.

It does not work that way. It does not work that way when we have, time and again, promise after promise after promise, delivered on police numbers. When we promised 800 in 1999, we delivered 800 in 1999. When we promised 600 in 2002, we delivered 600 in 2002. When we promised an amount at the last election, we not only delivered that amount but have delivered 450 extra police officers in this term. We said to the police commissioner, 'It is up to you where those allocations should go'.

But what do the Pinocchios of the world do? The Pinocchios of the world go out there and say one thing to one audience in the bush. I was up at Wodonga just last week and the member for Benambra was out there saying, 'Wodonga is going to get 14 police officers, because I am going to allocate them to Wodonga'. That is what he was saying. But the Leader of The Nationals then said, 'No, that is not going to happen. That decision has to be made by the police commissioner'.

Members opposite, these Pinocchios of the world, are out there saying one thing to their constituents — and the member for Shepparton did the same thing — but will not deliver what they say. The worst of it is they go out there and they say, 'Look, it is terrible in the country. We need more police officers in the country', but then you have the Leader of The Nationals on the front page of the Bendigo *Advertiser* of 7 April. What was the headline on the front page? It was 'But first, metro cops'. These National Party/Country Party people are supposedly going to put all the police officers in the metropolitan area and then they are going

to look at what they are going to do in country and rural Victoria.

We govern for all the state. Where the police resources need to go — the extra person power, the extra police cars — those things are based on the needs of all Victorians, not the spin. Members of the opposition have been talking about spin. The promise of 1600 police officers from this mob — these Pinocchios across the way — is all about spin, because their record is abysmal.

When the Leader of The Nationals was in government, when he was a senior backbencher, when he was a committee chair, he was there urging on the then Premier, Mr Kennett. He was there saying to Mr Kennett, 'Yes, mate, I support you. I support you cutting 800 police officers'. And yet he came in here just before and said, 'I will deliver. I will put 1600 extra police in place. I will do that'. I raise the challenge for the Leader of The Nationals, who is not even here for this debate on his matter of public importance. He put the matter of public importance before the house, and he is not even here at the table.

**Mr K. Smith** — He is in his office

**Mr NARDELLA** — Yes, he is in his office. He is probably in his office having a smoke or doing whatever he does in his office, but he is not here. The challenge is that he should be here to listen to this debate today. The Nationals and the Liberal Party cannot be trusted to deliver one extra police officer anywhere in Victoria. The statistics bear out the fact that we had to come in and fix up their mess in 1999. That is why there has been a 25 per cent reduction in crime. We do not attack the police. We do not attack the statistics. We do not attack the Australian Bureau of Statistics. We do not attack the law enforcement assistance program. We have done the work to reduce crime in the state because the opposition parties cut 800 officers. We put in 800 officers to cut crime. We have the record; they have the scare campaign. If they think they are going to win on the scare campaign, they have another think coming to them.

**Ms Green** — On a point of order, Deputy Speaker, the member for Melton referred to a document and I would ask whether he would table it. He referred to a press clipping from *MX*.

**The DEPUTY SPEAKER** — Order! The member for Melton will make it available.

**Mr McINTOSH (Kew)** — It is regrettable to follow a contribution from the member for Melton because it is mere rhetoric — a lot of hot air, a lot of noise but little

substance. And, most importantly, if he is concerned about the Leader of The Nationals, I note that the Minister for Police and Emergency Services — who apparently should be able to answer the suggestion in this matter of public importance — is not in the chamber and has not participated in this debate thus far. Certainly the challenge ought to be for the Minister for Police and Emergency Services to come in and tell the people of Victoria what he proposes to do in relation to police numbers.

Public safety is a matter of profound concern. The member for Melton may refuse to consult with people in his community or elsewhere, but the reality is that many, if not all, opposition members are concerned about public safety. Their constituents and people around this state repeatedly say there is a problem with violent crime and public safety. You have only to talk to the victims, the people who have been bashed and slashed; you have only to talk to the families of loved ones who have been bashed and slashed in this state.

Recently I spoke to a parent of a young man who had been seriously injured as a result of gatecrashers coming in and then mugging him just because he said, 'I think you should leave'. It left him permanently scarred and in danger of losing his life. He spent a great deal of time in a hospital being sewn back together by hospital workers, nurses and doctors working assiduously to try to save his life. Luckily his life was saved. I have also met many other victims of crime and their parents. Some of them have been permanently disabled and some will spend the rest of lives suffering from acquired brain injuries.

I have spoken to neurosurgeons, who will tell you that their concern used to be just about road trauma victims. A bipartisan approach in dealing with road safety has brought the number down. But apparently we cannot do the same for the similar critical problem of violent crime. As I said, I have spoken to neurosurgeons about this matter, and they have said they now have to deal with — and I do not have any statistical data; this is anecdotal evidence — as many victims of crime with acquired brain injury as road trauma victims. The consequence for us as a community as a whole in relation to the ongoing care of these victims is a profound matter.

We have in this state a problem with violent crime. We can talk about the statistics but the reality is that we have a problem with violent crime. The police statistics will tell you that violent crime has grown by almost 40 per cent since this government came to power. Those same police statistics will tell you that assaults in this state have grown by almost 70 per cent. We also

know that weapons offences have gone up. The consequence of that is what I described. Most importantly, we have a problem, and we have to do something about that problem urgently.

The approach of this government was manifested by the member for Melton, whom I notice has now fled from the chamber. In his windbag approach to debate he said that everything is okay, everything is normal. The reality is that we have a problem, and we need to deal with that problem. The essence of that is the lack of police resources. We now know that we have the lowest number of front-line police per capita of anywhere in this country. We have the lowest funding of a police force per capita of anywhere in this country. We know we have the lowest number of police per capita of anywhere in this country. That is not just a novel thing; that has been building over a number of years. Indeed for the last three years we have had that record in this country.

The most important thing is that we have to deal with this situation. Yes, there is a panoply of solutions to this problem, but the no. 1 issue is the lack of front-line police officers. Until we address that particular matter we will never be able to look victims in the eye, we will never be able to look at the families of victims nor the other people who are involved when talking about the issue of revenue and say we are going to do something seriously to address that issue.

I note that the member for Yan Yean mentioned the Hurstbridge police station. I note also from the official police rosters that Hurstbridge station is now down by 20 per cent on its front-line police numbers. Warrandyte station numbers are down by 25 per cent, Yarra Junction station numbers are down by 20 per cent and Fawkner numbers have gone down by a massive 30 per cent under this government since it built the Fawkner police station. This is going on right around this state. There is hardly a single police station in the state that has the numbers necessary to deal with crime, particularly violent crime on our streets. I have said on a number of occasions in this chamber that that has come about because the establishment strength is being diluted by long-term absences. The same number of police appear on the rosters at police stations but officers are absent because they have been seconded, are on long service leave, are on WorkCover or are on maternity leave.

The most important thing is that although the government says we have a full complement and a sufficient number of police, station after station after station reports a lack of police to deal with the necessary front-line services they must deliver. The

front-line services may dictate that 40 front-line police officers need to be stationed at a police station, but the number of police at many stations is down by 10 per cent or 20 per cent. I have certainly seen police stations with numbers down by 30 per cent. I have seen one or two police stations at which the number of front-line police officers is down by 40 per cent because of this government's policies. As a result we have seen daily reports of knifings, glassings, bashings, thuggish behaviour, maimings and even death.

We have a problem, and that is something this government blithely dismisses and says, 'We have the safest state in the country'. As the member for Scoresby has clearly demonstrated, that is based on a survey that is unreliable for comparison. We do not get the Minister for Police and Emergency Services or the Premier coming into this house and dealing with violent crime such as assaults in this state. The number of knifings is a problem that we need to deal with. The opposition has a concrete proposal. It has a well-articulated and funded policy to provide 16 extra police in the next four-year term of a Baillieu government. As the shadow minister for crime prevention and as a former shadow minister for police I have been intimately involved in that policy development. I can assure the house that it is a concrete proposal.

We want to do something about violent crime. There are a range of things we can do, but at the end of the day we must put on more police. What we do not need is more of the same. We do not need these statistics swept under the carpet and no acknowledgement that we have a problem. The government is blaming everybody but itself. We have a problem in this state, and we need to do something about it urgently. The only way this state will get an urgent solution to this problem is by people voting for a Liberal-National coalition at the next election. We must deliver more front-line police. We need to build up the Hurstbridge police station by increasing the number of front-line police by another 20 per cent. We need to build up the Warrandyte police station by increasing the number of front-line police by another 25 per cent. We need to build up the Yarra Junction station by increasing the number of front-line police by an extra 20 per cent.

We certainly need to build up the Fawkner police station by increasing the number of front-line police by an extra 30 per cent over the next four years. If we do not, we will utterly betray the trust of Victorians. It just does not end there; as I said, over 300 police stations around this state will report that they are deficient in front-line police. As I said, some are down on numbers by 5 per cent, some are down by 10 per cent, some are down by 20 per cent and some are even down by 30 per

cent. In a couple of cases I have seen they are down up to 40 per cent. It is outrageous that this government is blaming everybody else and refusing to accept responsibility. The minister is not in the house. The Premier is not in the house. The government wheels out the member for Melton to deal with the matter, but the decision-makers are the ministers who are responsible, and they are not in the house to deal with this matter.

We need to do something urgently. A panoply of solutions includes increasing police numbers. It is not just the opposition that is saying that; I note that the Police Association has said that we have a deficiency of almost 3000 in the number of front-line police officers. It is a problem that this state faces. Unless we do something about it we will not solve that problem and there will be a continuation of victims and their families suffering from the trauma of violent crimes.

**Ms CAMPBELL** (Pascoe Vale) — I take this opportunity to congratulate Victorian police officers on the great work that they have done. The fact that there are so many more of them under a Labor government than there were under a previous regime is something of which I am particularly proud. I am also particularly proud of the fact that this state is Australia's safest state. When the opposition gets up and bleats about it not being the safest state it is failing to look at the facts that are before it.

I abhor all violence; I do not think there would be a person in this house who does not abhor violence. Lives are torn apart when someone is the victim of violent crime. Victims of violent crime had their lives torn apart in the 1970s, 1980s and 1990s, and victims are still having their lives torn apart. I particularly want to make a point about the increase in the great work that has been done on family violence and the fact that more crime is being reported under the family violence statistics than ever before.

Previously when a woman was bashed it was considered a domestic incident. Under our government, our strong family violence project and the proactive work of Victoria Police, when a woman is subjected to family violence now it is considered a crime. It was a crime in the past, it is a crime now and it should always be considered a crime. The difference is that the government, with police and domestic violence workers, has attacked the cause of family violence and brought the perpetrators before the courts. Of course to do that you have to have it reported as a crime and you have to have the police take a proactive stance.

The code of practice for the investigation of family violence was introduced in August 2004. It reflected the government's strong view, and Victoria Police's commitment, that family violence is a serious crime and should be handled accordingly by police. Police, particularly those who have worked and continue to work with children who witness family violence, are pleased about and proud of the fact that the government, together with police, has addressed this problem. Of course as a result there is greater reporting and greater investigation of family violence matters. Police are required to take action on all reports when previously they would not have got involved and would have called it a domestic incident.

I have a lot of time for the member for Benambra, and I must admit that when he got up yesterday and talked about the increase in crime statistics I kept interjecting and yelling out across the chamber — I am sure the Speaker did not hear me, or I would have been pulled up — about the fact that the increase in the reporting of some violent crime is because of the government's family violence strategy. It is because we as a community are saying, 'Violence is wrong. It is wrong no matter whether it occurs within the family home or outside it'.

I turn now to the Auditor-General's report entitled *Implementing Victoria Police's Code of Practice for the Investigation of Family Violence*. All of the Auditor-General's reports are very good, but I particularly recommend this report to the member for Benambra and those who wish to paint an inaccurate picture regarding increased rates of violence against the person, and painting an inaccurate picture comes with failing to recognise that family violence statistics are now factored into those rates.

The conclusions of the Auditor-General highlight the fact that, and I quote from page 2:

Police are responding to all family violence reports as specified under the code.

The report goes on to point out that:

Within 18 months of its —

the code's —

introduction, Victoria Police had trained 6500 operational police and employed 10 regional family violence advisers and a designated family violence liaison officer for every 24-hour police station.

The statistics are appalling, but this Parliament and the media need to look at them to get a full picture of why there has been an increase in reports of violence against

the person — one of the only crime statistics that is increasing. Under the heading, 'Activity' the report says of the code:

Since its introduction there has been a marked increase in police response activity, including a 14.5 per cent increase in the number of family violence incidents attended between 2003–04 and 2007–08.

Police spent much more time attending family violence incidents —

compared with previously. This represents a 202 per cent increase.

The report then goes into costs. Costs can be financial, but more importantly they are human.

The report summarises the outcomes achieved by Victoria Police's approach, highlighting the fact that the number of family violence-related charges for crimes against the person has risen and saying on page 3:

This shows that police have been actively prosecuting offenders, and reflects the more thorough level of investigation applied under the code resulting in the identification of crimes associated with family violence that were previously not reported.

And if they were reported, they were dismissed as just domestic incidents.

I resent the inferences of the previous speaker, the member for Kew, who suggested that members on this side are not concerned about crime. We are concerned about crime; we were so concerned that when it came to family violence crime we put in place a proactive strategy in conjunction with Victoria Police. As a result women are safer, children are safer and some husbands and partners say that even some men are safer, because not every violent crime against a partner is perpetrated by a male, although the vast majority of such crimes are committed by male offenders.

The other point I want to make is that the opposition's claim that from this side it is purely rhetoric, spin and lies that Victoria is the safest state is in fact misleading the Parliament. Victoria is the safest state. As a result of the work of the men and women of Victoria Police there has been a reduction in the crime rate of 25.5 per cent under our government.

The fact is that when we promised extra police, we delivered them. At every single election when we promised police, we delivered. In 1999 we promised 800; we delivered 800. In 2002 we promised 600 and we delivered 600. In 2006 we promised 350 and we will deliver over 470. That is a sensational result: we

now have over 5000 recruit graduates through the police academy since we came to government.

It is a nonsense to suggest that this government is not supportive of police and of increasing police numbers. Last year the government announced a \$47 million boost to provide an extra 120 police officers over and above the previous number, and that was delivered. It is up and running, and as a result people know and see that there are police available to help them.

The last point I would like to make in relation to the claim of 1600 additional police — front-line police — is that quite frankly again the Leader of The Nationals could not seriously believe he would be in a position to deliver on where police would be allocated. Even in 20 years, when the opposition might have some fighting chance of thinking it could deliver good government in this country, if the Leader of The Nationals still happened to be here and were still available to speak about police, he knows from his legal background that it is unrealistic and misleading to suggest he could deliver police at certain stations.

**Mr TILLEY** (Benambra) — As I said in this place yesterday, when it comes to crime in Victoria, the facts simply do not lie. It is a sad fact that since the election of Labor, the total incidence of violent crime against the person has risen 40 per cent. That is correct: using the government's own figures, under Labor the rate of crime against the person has risen 40 per cent. Under Labor, the rate of assaults in Victoria has risen 70 per cent.

In regard to the last contribution from the member for Pascoe Vale, who was talking about domestic violence, it is quite offensive to suggest that the rise in violent crime is attributed to simply domestic violence. This is an age-old problem; it has been going on for many decades in the community right across Victoria. The member for Pascoe Vale suggested that the police are abrogating their responsibility in investigating domestic violence. Having served as a member of the Victoria Police force for around 12 years I find it quite offensive that someone would suggest Victoria Police have not made inroads into the issues relating to domestic violence.

The simple matter is that violence in Victoria has risen 70 per cent, and that is across the board, including incidents of domestic violence. Although I appreciate that in her contribution the member for Pascoe Vale was attempting to be the voice of reason on this issue, we are still having glassings, stabbings, muggings and bashings on our streets throughout the whole of Victoria. But under Labor there has been an increase

also of around 32 per cent in the incidence of rape. Under Labor the number of weapons and explosives offences has increased 57 per cent. Stated simply, under Labor Victorians are not safe.

Victorian families are absolutely sick and tired of waking up on Monday mornings only to hear the litany of crimes, bashings, hospitalisations and deaths caused by alcohol-fuelled violence, and about the inability of Victoria Police to proactively police, simply because there are not enough officers on the beat. Victorian families are sick of getting on the trains, buses and trams with drunken louts who do not have the slightest regard for anyone and who bash and abuse at will, knowing there will be no-one there to stop them.

Victorian families are sick and tired of waiting for police to respond to calls for help or assistance because they have been robbed or assaulted or had their home vandalised. The simple fact is that these hardworking men and women of Victoria Police are under the pump and are having to carry the burden of a severely underresourced police force. They now drive out of the gates of a police station with 10 to 15 or 20 jobs already on their plate — handovers from the previous shift. They simply cannot serve our community across the state of Victoria; they are under the pump. The coalition will certainly seek to address that matter after November this year.

I have never met a member of Victoria Police — a former colleague or anyone whatsoever — not willing to answer the call for help. The police officers are absolutely committed to the task set before them. They swear an oath to protect this community and to uphold the rights of Victorians. But they can only do so much with the resources available to them. If the calls for help exceed the capacity of police to respond, victims slip through the cracks, and that is unfortunate at this point in time. As I said, we will seek to address that in the future. It is no wonder that we are continually hearing complaints from Victorian families that they have simply had enough.

Let me say again that Victorian families have had enough. They want their streets and their communities back. They want to see the end of drunken, violent louts who are left to rule simply because Labor does not care. I have been in this place for only a short period and I can say without hesitation that opposition is hard work. We are chipping away daily at the coalface, meeting with community members and hearing constantly of their frustrations that an arrogant and ignorant government will not address their concerns. But as I have learnt throughout my life, hard work pays off.

In the last term of this government the coalition has been working extremely hard to come up with a policy that will address the problems this government has wiped its hands of, the resourcing and the issues in relation to protecting Victorian communities when it comes to law and order. The coalition has put in the hard yards, and the policies we have will revolutionise policing and public safety in Victoria. I am particularly proud to stand with Ted Baillieu and his coalition team because I know that all his hard work and the hard work of the team on this side of the house will see an additional 1600 police put on the beat in the first term of a Baillieu government.

The Leader of the Opposition and the next Premier of Victoria, Ted Baillieu, and his \$344 million Making Our Streets Safer game plan will end the chronic statewide policing shortages and restore public safety in metropolitan and regional communities by putting 1600 new police on the beat. Obviously this means there will be more police on their feet and on the beat all the way across Victoria, from Mallacoota to Mildura, from Wodonga to Werribee and right across the length and breadth of this state. It needs to be highlighted that it will be the largest single recruitment of police officers over one term of government in Victoria's history. It is something which has been keenly welcomed by many in the community. Many emails and letters of support have been received from across Victoria. You see daily in the various media outlets that we are being strongly supported in our position on this matter.

A visible police presence is a key driver in preventing crime from taking place in the first instance, and filling the shortfall left by Labor means more police will be able to protect more Victorians. Once again, having had the experience of serving the Victorian community as a member of the police force, I know that when you do a patrol, when you walk the beat and when you go out and talk to the community, simply by officers waving the flag people will certainly look over their shoulder and thus any inappropriate actions will be curtailed. We will need foot soldiers; we need police on the beat in the community. Once we get this policy up and once we form a government we will be able to deliver on it.

Senior Sergeant Greg Davies, secretary of the Police Association, said in this month's *Police Association Journal*:

There are crimes that simply cannot be brought under control without a visible police presence as an ongoing deterrent.

That is very clear. It comes from an experienced former colleague who has worked in the community. It is not rocket science. It is simple. You need a clear and visible

police presence in the community throughout the state. We need to see our police officers being able to get into the community and proactively police this great state of Victoria. Victoria Police was once this nation's premier police force; it was the best police force in the nation. Every other agency in Australia came to Victoria and asked for advice on policy. Victoria was the premier police agency in this nation, and once the coalition forms government it will return Victoria Police to being this nation's premier police force because it will be adequately resourced. It will be able to concentrate and support its community.

The coalition believes, and I certainly believe, that Victoria Police is the nation's best police force, but it is a responsibility of government to protect its citizens, and the Premier and Labor have demonstrated by their inaction on law and order that this is not an area of high priority for them. This is certainly apparent in the figures from the Productivity Commission which show Victoria has the lowest number of police per capita in Australia. It has been shown Victoria has only 206 unsworn and sworn operational officers for every 100 000 people, unlike South Australia which has 303 per 100 000, New South Wales with 237 and Queensland with 265. This demonstrates an appalling lack of support by this Labor government. It is simply not good enough. Only the coalition has the policies on the table today to cut crime and make our streets safe again. Labor has continued to fail Victorian families when it comes to keeping them safe on our streets.

I now wish to briefly address something I think is important — that is, that you simply cannot trust the word of those opposite. It has not been a particularly good year for the Minister for Consumer Affairs, what with his botched liquor licensing regime. Certainly there was a rush of blood to his head last week when he was the acting Minister for Police and Emergency Services and came out and suggested things in response to a headline in the *Border Mail* which in no way reflected what I told the reporter or the position of myself or the coalition. This was perpetuated today by the members for Melton and Yan Yean. It was like a scene from *Dumb and Dumber*. There is a whole cast of *Dumb and Dumber*. You could now fill a movie with about 80 dumb and dumber; they all copy one another.

As I said in the article, I am hopeful that the coalition's policy of 1600 new police will be delivered and we will see a safer Victoria.

**Mr HARDMAN** (Seymour) — Fancy congratulating yourself for promising something! It is the height of pomposity and self-indulgence. Every part of this matter of public importance reeks of it. The first

principle is to judge people by what they do, not by what they say. I can smell the arrogance of the Kennett Liberal-National coalition government coming back to the other side of this house. There is a whiff in the air, a parade of stuck-up noses with a born-to-rule attitude, but it is sadly lacking any potency.

People in the Victorian electorate are far too smart to be duped by hollow unrealistic promises that are not funded or put together properly. The reality is that to make large commitments you have to make hard decisions. You cannot use the same \$35 million to pay for more than one thing.

The Leader of The Nationals asked government members to provide evidence that a promise to slash advertising spending to pay for more police was actually made by the opposition. An article in the *Great Southern Star* of 7 April 2010 is headed 'Ryan pledges cops'. At the bottom of the first column it says:

Mr Ryan said part of the money for extra police would be found by slashing government advertising when the coalition was in power.

So there is the evidence — I would love to table that evidence — for people to see.

The promise to fund this by cutting government advertising and from budget surpluses is all well and good, but the electorate will rightly ask, 'Does the opposition have the same commitment as a government to returning a current account that is in surplus? Is the current account going to remain in surplus under the opposition?'. The opposition cannot be trusted with the books. In the end the Victorian people will reject the opposition because they will look to its total policies this coming election and ask themselves, 'Can we trust the Liberal and National parties to deliver on their promises?'

The Liberal-Nationals coalition has also promised 940 PSOs (protective services officers) for public transport. That is nice. Somewhere along the line they said they would fund this the same way — by slashing government advertising. My question is: what services, perhaps to rural and regional Victoria, will be cut to pay for these promises? What projects in the Seymour electorate will be cut to pay for these promises, if indeed they are delivered by a future coalition government?

The Leader of The Nationals said that the funding for the protective services officers would come from the transport budget, not just from advertising, which probably means that the hundreds of extra bus and train services that have been added in the Seymour electorate

will be at risk when a coalition government has to slash and burn the transport budget to pay for a very city-centric promise — 940 PSOs operating in Melbourne railway stations, not in country Victoria. In country Victoria we are very privileged because on V/Line services we have conductors, and that is a really big bonus for our travellers, who respect it and really love their services.

Over the life of the Kennett government police numbers were slashed by 800, despite a coalition promise in 1992 to deliver an extra 1000 police. That is what the Liberal Party and The Nationals' history is in this state. Over the life of the Bracks and Brumby governments we have promised 1750 new police officers, and by the end of this term we will have delivered 1870 new police officers. These officers are not sitting behind desks, as accused by those opposite: 97 per cent are in operational roles. The 55 others are working in education roles and recruiting new police. Since we came to government we have put 5000 recruits through training.

The opposition says its policy is to poach police from interstate to make up numbers. One assumes it will have to do this through advertising. That means the opposition will have to break its promise and increase the advertising budget in order to advertise interstate for more new police so it can fulfil this promise, if indeed it intends to do so. The coalition did not intend to do it in 1992 when it last came to government in Victoria.

Under Labor the Victorian police budget has increased by 77 per cent. It is up from \$1.07 billion in 1999–2000 to \$1.89 billion this year. We have now looked at the opposition policy and we can compare that with Labor's record, which is compelling. On a statewide basis we have increased police numbers by 1870; those opposite decreased police numbers by 800.

We have undertaken an unprecedented police station building program, and 81 per cent of these new police stations were built in rural and regional areas. This is a far cry from the running down of state government infrastructure right across rural and regional Victoria under the last Liberal-Nationals coalition government. We have put \$450 million into rebuilding and refurbishing more than 160 stations.

Under Labor police have been provided with the resources and worked hard to reduce Victoria's crime rate; the police have done a marvellous job. Our overall crime rate has reduced by 25.5 per cent. This makes Victoria the safest place in Australia. The crime rate has decreased every year for the last seven years. In contrast, the Victorian crime rate under the Liberal-

Nationals coalition increased by 10 per cent between 1994 and 1999–2000. The facts are there for everyone to see: Victoria is the safest state in Australia and we are very proud of that. We are very proud of our police force members who go out there and protect our state every day, and I know that is a bipartisan point of view despite interjections from the opposition.

We have respected the independence of the Chief Commissioner of Police while opposition members have flipped and flopped over who will direct the allocation of police resources. Members of the Liberal Party and The Nationals, probably to try to promote their hollow promise, have gone into their local areas and suggested that perhaps those communities are going to get an extra 14 police at Wodonga and an extra 50 police in other parts of the state; their media releases show that. But when questioned they still say, 'Yes, but decisions like where police go will be up to the police commissioner' — and rightly so. From collecting statistics on crime rates and population growth police command knows where it needs to put police resources. What the opposition's policy is going to be in this regard is very unclear, and I hope it does not try to confuse the electorate coming up to the election later this year.

The argument that the number of police in Victoria is the lowest per capita of all of the states is an interesting one. As the principal of a primary school I sat through Kennett government briefing — or propaganda — sessions where PowerPoint presentations showed, for example, how Victoria had too many teachers per head of population and how we needed to reduce the number of teachers we had to the lowest common denominator. The reasoning was partly right in the sense that we can be much more efficient in Victoria because we have a state in which the population lives closer together; there is not the same remoteness in our communities as in larger states, and we do not have the same issues to deal with as other states.

The Liberals also claim that the number of police per capita has reduced during Labor's term in office. Again, that claim is incorrect. The fact is that we have increased the ratio of police per head of population. Police numbers between 1999 and the end of this government's term will have grown by 22 per cent, outstripping the population growth by 16 per cent.

**Mr R. Smith** interjected.

**Mr HARDMAN** — Sixteen per cent. We have outstripped the growth of population. This brings me back to the point that you cannot trust anything that members of the Liberal Party and The Nationals say.

They even try to rewrite history. There was a classic example of that in the *Sunday Herald Sun* on 14 April 2002 when the opposition tried to blame the Chief Commissioner of Police of the day, Neil Comrie, for cutting police numbers by 800, quite a scurrilous thing to do. As Mr Comrie said at the time:

Mr Wells was not involved at the time and he shouldn't be attempting to rewrite history now.

He also said:

For Mr Wells, or anyone else, to suggest we did that voluntarily —

that is, cut police numbers —

is outrageous.

The bottom line is, we didn't have the money in our budget to employ extra police and the cuts were the direct result of government policy.

That statement goes back to Liberal and National Party days.

In the Mitchell police area we have increased police numbers by 56.5 per cent; we have put a brand-new police station in Kinglake, which did not have one before; we have put brand-new 24-hour police stations in Wallan and Kilmore; we have replaced the 24-hour station in Seymour; we have built new police stations in Yea and Broadford and we are building a new one in Pyalong.

**Mr NORTHE** (Morwell) — It gives me great pleasure to support this very important matter of public importance (MPI) proposed by the member for Gippsland South. From the outset can I say that government members have failed to recognise or make any meaningful contributions to the debate that speak about what this government has done to eradicate violent crime in this state. This MPI relates to the coalition's commitment to recruit and train an additional 1600 front-line operational police within the first term of assuming government in November 2010. As we know, Victoria has experienced an escalation in serious and violent crime over the last 10 years. In particular, crimes against the person have increased dramatically — some 40 per cent — and assaults by up to 70 per cent. These are appalling statistics that need to be addressed, and this government has failed to do so. Other speakers have referred to articles in today's *Herald Sun* on the appalling state of affairs in this state. The paper featured the life stories of 10 victims of crime. We are not just talking about statistics: a victim of an assault can suffer lifelong injuries, both physically and mentally. The perpetrators of these serious crimes need to be condemned. They are nothing but appalling

cowards and the community as a whole would condemn their actions.

The coalition has adopted and put forward a range of policies that seek to make a real impact on the escalating crime rates in this state. Whilst other members have spoken more broadly on this magnificent MPI, I want to speak to the Morwell electorate and outline how additional police numbers will positively impact on our community. As other speakers have indicated, police officers do a wonderful job, and that is indicative of our police members in Gippsland and the Latrobe Valley. I know many of them personally and I know the challenges they confront on a daily basis, and I am sure all members of this house would agree that, on the whole, our police do a wonderful job.

I also want to make the point that this MPI is not just about community safety; it is also about supporting our local police, who do a wonderful job. They are under enormous stress and strain in the vocation they undertake and it is important that they are appropriately resourced to get on with the job they want to do. My fear, when I talk to some members of the force, is that they are at their wits' end and are contemplating leaving the force, and that is the last thing we want to see. We need to bulk up their numbers, so this MPI is not just about community safety; it is about providing appropriate resources for our existing police members.

One only has to view the crime statistics for the Latrobe Valley or Latrobe city to understand not only the great work that the police officers do in my region but also some of the challenges they face. I want to talk about crimes against the person. The state average for assaults is 627.6 per 100 000 population. If you compare that with the average number of assaults in Latrobe city, which is 1336.8 per 100 000 population, that is just an appalling statistic, at more than twice the state average. I take the point made by the member for Pascoe Vale, who said that family violence can make up a proportion of those numbers. I heed that advice, but that is still an appalling statistic. It is imperative that we ensure that we have an appropriate number of police resources in our region. If you look at other crimes against the person, such as rape and non-rape sex, again figures in Latrobe city are quite damning compared to the state average.

That goes to my next point, which is about police numbers. Some time ago I viewed a police roster which showed the capacities of each of the stations throughout Victoria and also the number of missing police officers in relation to that. Those absences were caused by issues along the lines of WorkCover matters, long

service leave, secondments and vacancies. If you analyse the figures of the major police stations in my electorate, at Morwell and Traralgon, you find that the Morwell police station has a capacity of 65, but when these figures were collected, 19 were missing. In Traralgon there was a total potential capacity of 43 police and 9 were missing.

My office is visited often by members of the public who relay their experiences in reporting a crime and the subsequent time delay in a police response. I do not blame the police at all for that. It is just that they are not appropriately resourced to undertake their duties. This has a flow-on effect to the community when its members report crime. In particular, Churchill and district has a population of approximately 5000 people. It has a police station, but it is not manned 24/7. Police officers I speak with and members of the community in general are very keen to see that resourced more appropriately in the future. At the moment if someone from Churchill reports a crime, they may very well have to wait for police officers to come from Traralgon or Morwell. Untimely delays in response are an aspect of unmanned, underresourced police stations in our region.

An injection of additional front-line police officers will make a real difference, not only to my community but right across the state. Interestingly, some time ago I undertook a community survey to get the views of the community on a range of issues. The amount of feedback that I got was enormous, and I appreciate people in the community having been involved. I asked a couple of questions relating to police numbers in our region. Question 1 was 'Do you think police numbers in our region are adequate?'. Only 7 per cent of respondents indicated that they thought that there were adequate police numbers in our region.

The second question in relation to community safety was 'Do you believe having more police officers patrolling our streets and roads would deter antisocial behaviour in our community?'. On this very important point, 92 per cent of people surveyed said yes, and 3 per cent were unsure — that is, the community overwhelmingly believes that a police presence makes a huge difference to deterring crime. That is reflected not only in my community but across the state.

A number of police officers in my region tell me of situations where police officers have been taken from regional areas for operational purposes in the metropolitan areas of Melbourne. That is all well and good, but it leaves regional police stations undermanned and underresourced when those police may well be needed. This is just another example

proving the fact that our police resources are undermanned. The coalition's policy promising 1600 additional front-line police officers has been well received not only by the community but also by police officers themselves.

I have quite a bit of involvement in the Traralgon CBD Safety Committee and also the Morwell CBD Safety Group. Various community groups, businesses and local police are involved in those groups. I want to relay a quick story to members. Over a period of time the Traralgon entertainment precinct has suffered its fair share of antisocial behaviour and assaults. On a particular weekend preceding one of the committee meetings, the police conducted a very strong blitz in the Traralgon entertainment precinct. At the meeting I asked a police officer, 'How did you go over the weekend? What was the feedback? Did it make a difference?'. Categorically he said to me, 'Having the blitz on the weekend we did not have one ounce of trouble, because our police numbers were strong. We patrolled the streets, we made sure that people knew we were there, and we had not one incident'. That proves to me that additional police numbers do make a difference, whether that be on our streets or our roads, so it is imperative that they are adequately resourced.

I want to make a quick point, which was raised by the Leader of The Nationals. It is not that the Brumby government has not delivered on the commitment on the number of police it had promised — we understand that — but the government just does not get that there are not enough police on our streets. The 1600 additional front-line police officers that the coalition has committed to recruiting will make a real difference. It is all right making promises and committing to them, but the government does not understand the issue. The 1600 additional police officers across Victoria will make a real commitment to community safety and stop the violence in this state.

**Ms BEATTIE (Yuroke)** — It gives me great pleasure to rise to speak on this matter of public importance, which states:

That this house congratulates the opposition for its commitment to recruit and train 1600 additional front-line operational police within its first term ...

It goes on. When I first read it I thought it was a bit self-congratulatory, but what are the odds? That is what opposition members like to do: they like to beat their chests and be self-congratulatory, so we will just let that go.

On reading it again, though, I find it really confusing. I have heard speaker after speaker say that they think

Victoria Police does a wonderful job and then go on to denigrate the fine work that Victoria Police does. That is a terrible thing.

Front-line operational police — what does that mean? I hear about more police on the beat —

**Mr R. Smith** — The member for Benambra doesn't understand the police? A former policeman of 12 years doesn't understand what police do?

**Ms BEATTIE** — Does your leader know your name yet?

Front-line operational police — what does that mean? Members have talked about crimes against the person increasing by 70 per cent. The member for Pascoe Vale mentioned the domestic violence campaigns. We now acknowledge that domestic violence is a crime against the person, and that that has led to a large increase in crime against the person being reported. That is a good thing. Domestic violence is not to be tolerated in any society and I hope that in that I have the support of the opposition. Police going into a situation of domestic violence is as important as police being on the corner of a street — there is no denying that.

I want to go into some local matters. I preface my remarks by congratulating Inspector Tony Ryan and Senior Sergeant Mick Frewen on the fine work they do in region 3.

Again, what does having front-line operational police mean? I have heard people, including the member for Benambra, say that they are 'foot soldiers'. I think police are smarter than just foot soldiers. I think a large part of the work that police do is in preventing crime. Their work is not just about being like Mr Plod, walking up and down the streets; it is about being out there, preventing crime. I have been involved with a local group whose members are talking about preventing crime — that is, drunk and disorderly behaviour — at local football matches, but the opposition does not see those sorts of things as worthwhile. It only sees more police on the beat as a worthwhile thing, and I condemn the opposition for that.

I want to talk about what Labor has promised, because Labor delivers what it promises and only promises what it can deliver. In 1999 we promised 800 police, and we delivered 800 police. In 2002 we promised another 600, and we delivered another 600, as you well know, Acting Speaker. In 2006 we promised 350 but we will be delivering over 470, so that is a great thing. Over 5000 recruits have graduated through the police academy since we came to government.

Where are these 1600 so-called front-line operational police going to come from? We have heard that part of the money to fund these police will come from slashing advertising campaigns. How does the opposition plan to advertise for 1600 new recruits if it slashes advertising? That is one thing I would like to know. It is not going to advertise. These people are going to magically appear out of some sort of cloud saying, 'We want to be police'. We all know that you cannot just have an advertising campaign, that it takes a special type of person to be a police officer. The member for Benambra said opposition is hard work — and he expected me to feel sorry for him about that — but I can tell him that being a police person is hard work too; I think he knows that.

We cannot just go out on the street and pick up 1600 people because we are not going to advertise for them. We need people who are the right sort of people for the job, who really want to make a career out of being in the police force, not just foot soldiers. They really have to want to go into other areas of crime. Certainly other members have mentioned terrorism and specialist units. We need those people too, and we need that constant training. Is the opposition always going to keep its promised 1600 recruits as operational front-line foot soldiers, as police on the beat, Mr Plod types? Is it never going to allow these fictitious people to further their careers in preventing crime, bringing the latest methods of crime prevention into Victoria? Members opposite have not mentioned that at all.

Talking about the latest policing methods, I want to mention the new operational response unit, which the Liberal Party has said it is going to slash. The Liberal Party has said it is going to slash the operational response unit. Last year the Brumby government announced a \$47 million boost to provide an extra 120 police officers — that was over and above the previous commitments — so that the Chief Commissioner of Police, Simon Overland, could establish a new operational response unit. In keeping with our track record of delivering, that unit is up and running.

I talked about training. This is a specialist unit of highly trained Victoria Police officers that will take to the streets carrying out targeted operations. Some articles in the papers recently have talked about targeted operations at community festivals where people like to gather and maybe have a few drinks and cause a bit of trouble. I have seen firsthand what a unit like this can do, because members of one were at the local community festival, walking around preventing crime — not responding to crime but preventing crime. The unit is made up of police officers specifically

recruited and trained to undertake targeted law enforcement operations. The unit has the capacity to crack down on the use of weapons and alcohol-related street crime; I certainly saw that in action. But of course this effort is going to be slashed by a Liberal government, along with that unit, which is supported by 50 vehicles, two mini brawler vans and the latest operational equipment, with access to resources such as mobile command facilities for major operations.

At first blush 1600 additional police looks to be a good thing, but the Liberals do not say where the money is coming from. We know about the slash-and-burn activities of those on the other side of the house. How many hospitals are they going to close? How many nurses are they going to sack? How many schools are they going to close to keep one promise? Opposition members are all over the shop in their promises. We have heard the member for Benambra say there will be more police in Wodonga. We have heard the member for Shepparton say there will be more police in Shepparton. But what do opposition members want to do? Do they want to completely disempower police command and make political decisions about where the police should be? What an outrageous suggestion — politicians fiddling in the operations of the police force! Labor promises; Labor delivers. The Liberals have a slash-and-burn policy. Heaven help us if they are elected in November, but I think the people of Victoria are too smart for that.

**Mr BURGESS** (Hastings) — Before I begin I would like to pick up the member for Yuroke on a point she made. The member for Yuroke suggested that the member for Benambra would not understand how hard a local police officer works. The member for Yuroke was clearly overlooking the fact that the member for Benambra was a front-line police officer for 12 years.

I speak on this particular matter of public importance with mixed feelings. I feel deep regret for the many thousands of Victorians who have undergone trauma, suffered fear or even death because of the inability or unwillingness of this government to implement effective law and order policies. I feel anger towards a government that puts its political points and interests in front of the safety of Victorians. But I also feel a great deal of optimism and determination, knowing that the Liberal-National coalition has policies to support our police and allow them to get back to doing what they signed on for — that is, to protect the people of Victoria.

It is opportune that we are having this debate today, because last night I attended a farewell for a very well-known former police officer, District Inspector Gordon

Charteris. The story of Gordon Charteris is a perfect example of how this government governs this state. Gordon Charteris was a police officer for 36 years in a variety of roles. He held a variety of ranks through various governments and through good and bad economic times. For 34 of those 36 years District Inspector Gordon Charteris never found it necessary to speak out against anything that a government or the force was doing.

Two years ago things had got so bad Gordon Charteris felt he needed to speak out. He is not the kind of man to go to the *Herald Sun* or the *Age*. Instead he spoke to the police force's internal magazine, the *Police Association Journal*, where he said plainly and simply, 'I do not have enough police to do my job. We are unable to protect the citizens of Victoria with the police that I have'. He had spent 36 years in the police force but within three weeks District Inspector Gordon Charteris had been bullied out of his position and onto sick leave. That is an absolute disgrace. A 36-year veteran of the police force, who had never had to speak out before, said something which this Labor government did not like and the message came from on high to silence him. It tried. It can bully him, it can hurt him, it can end his career, but it will not silence him. He will continue to speak. There will be plenty of time for him to speak, and he will do so.

Further on the Brumby government's resourcing policies, the Productivity Commission's *Report on Government Services 2010* shows that Victoria, regardless of what members on the other side say, has fewer operational police per capita than any other state in Australia. The number of police per capita in Victoria has been decreasing since 2006–07. This is also the lowest spending state in Australia on policing. This government has overseen a reduction in front-line police patrols from 1.9 million hours to 1.5 million hours.

What would you expect the results of those sorts of cuts to be? I can tell the house what they were. Since 1999 total violent crime against the person is up 40.2 per cent, assault is up 69.6 per cent, rape is up 31.9 per cent, weapons and explosives offences are up 56.8 per cent, and property damage is up 41.1 per cent. Regardless of what members on the other side have to say, regardless of the arguments the government tries to manufacture, these are the figures that matter. That is the true stuff; that is the stuff affecting the community right here and right now.

In my local area we have a wonderful, hardworking police force, but it is stretched past its breaking point. This government has reduced front-line policing hours

in my local area by 9500 hours, or 18 per cent, since 2002. The results of that are a 48 per cent increase in violent crime, just in my area. On top of that, this government has had the temerity to try to force the 24-hour police station at Hastings to close overnight. The community fought back over that. Rallies were held and there were street marches, and the government backed down. But that push is still on. As recently as last night I was told the government is still trying to close that 24-hour police station. I can tell the government that is not going to happen.

While we are talking about police stations, prior to the last election the government advertised that it would implement a Langwarrin police station when in fact it never, ever intended that that would be the case. It intended to build one in North Frankston but advertised it as the Langwarrin-Carrum Downs police station. It also claimed it would be a 24-hour station when it will actually be a 16-hour station. What is more, the troops to man that station are going to come from surrounding stations. That is the way this government operates.

On the subject of public transport, commuters are fearful of using public transport after dark. In my community locals tell me regularly that they are not game to go on public transport after dark. It is a disgraceful situation when people are put in a position where they are not game enough to use the services they pay for.

However, there is a solution. The Liberal-National coalition has announced that upon election it will put two Victorian protective services officers (PSOs) at every railway station in the metropolitan area and major regional centres from 6.00 p.m. until after the last train 365 days a year. Those protective services officers will be trained and armed. I am pleased to say that all of the train stations in my area — the Stony Point, Crib Point, Morradoo, Bittern, Hastings, Tyabb, Somerville, Baxter and Leawarra stations — will have that policy applied to them. The PSOs will be trained properly — they will not be diverted elsewhere — and they will be authorised to arrest, remove or impede any offenders or threatening individuals, unlike the people who are at the stations at the moment who are ordered not to get involved; in effect leaving Victorians alone to fend for themselves. This policy does not affect only train travellers either, because anyone in the vicinity of a train station will be able to go to that station to gain the protection of the protective services officers.

Across the wider community the coalition has plans for a dedicated \$344 million fund for an additional 1600 police officers, along with an investment — and this is very important — of \$65 million in operational

equipment to go with those new officers. Victorian families have a right to feel safe and secure in their homes and on the streets, but under this government they do not feel that.

These are just two of the most recent policies the coalition has announced to help Victorians feel safe again. Some of the others include abolishing suspended sentences, introducing tough new anti-hoon laws, including the crushing of offenders' cars, banning violent drunks from licensed premises, banning the sale of knives to minors and conducting a shake-up of liquor licensing laws.

## STATEMENTS ON REPORTS

### Environment and Natural Resources Committee: Melbourne's future water supply

**Ms ASHER** (Brighton) — I wish to make a few comments again on the Environment and Natural Resources Committee's report dated June 2009 on its inquiry into Melbourne's future water supply. I would like to start at page 69 of the report, which looks at permanent water savings rules, which the committee recommended be strengthened. At page 69 the committee makes the observation that permanent water savings rules were in place in Melbourne from 1 March 2005 to 1 September 2006, and obviously that is factually correct. I make the observation that the Minister for Water was extremely tardy in responding to the report. Had the minister read it he would not have made such a goose of himself by going on radio to say that Melbourne had never experienced permanent water savings rules. Had the minister also read the government's response to that report, which presumably was drafted for him, he would know that at page 14 the response states that permanent water savings rules were in place for 18 months before we moved onto other restrictions.

I simply make the observation, and I know the minister prides himself dearly on his command of detail in his portfolio, that he made a major gaffe on radio 3AW on the Mitchell show some time ago. Had he used the committee's report and the material available to him he may not have made such a fool of himself.

Secondly, I want to refer to the extension of the rebate scheme at recommendation 3.13 at page 90 of the committee's report. I imagine a number of people may have thought that recommendation was a good one. I note that at page 16 of the government's response it indicates that it does not support that recommendation. The government response goes on to explain that there

are two different systems, but the committee was well aware of that, and in fact I thought it made a good recommendation.

The committee also made a very good recommendation at recommendation 3.24, which appears on page 102 of the report. In essence, the committee recommends an extension of the eligibility for various rebates to non-residential water users. I make the assumption that the committee wanted to allow small businesses to have access to the rebate scheme. Again, I was disappointed by the minister's tardy response to the recommendation. That has also been rejected by the government.

However, the most disappointing area for me — I suspect it may be the case for members of the committee but I cannot speak on their behalf — is the government's rejection of recommendations in relation to stormwater and recycling. In particular, recommendation 4.5 at page 148 of the report, which is a very interesting recommendation, recommends that targets for stormwater harvesting be introduced in certain circumstances. I turn to the government's response at page 29 where it indicates that it does not support that recommendation. Again, I imagine there will be a lot of people, particularly those interested in the environmental consequences of water use, who will be disappointed with that rejection of the recommendation of the committee's work.

I also turn to recommendation 5.1 at page 173 of the committee's report, which relates to water recycling. The recommendation reads:

The Victorian government set enforceable water recycling and reuse targets. The primary focus should be to replace the demand for current potable water use.

Again, the government's response to that recommendation states that the government does not support that recommendation, and then goes on to spell out why.

We see here that the government's response to one of the most significant parliamentary reports — while there were two minority reports associated with it, there was agreement on most of the recommendations — contains the rejection by the government of key recommendations, and I think that is particularly disappointing.

### **Public Accounts and Estimates Committee: budget estimates 2009–10 (parts 1 and 2)**

**Mr FOLEY** (Albert Park) — I rise to make a few brief comments in regard to two Public Accounts and

Estimates Committee reports, the first being the report on the 2009–10 budget estimates (part 2) and, immediately preceding that by a number of months, part 1 of the same estimates report. I do so with a view to drawing together a bit of a theme which is coming from the PAEC reports, particularly in regard to investment in health, which is a very topical issue.

The first of the reports, the June 2009 report, includes chapter 5, which is headed 'COAG reform agenda and productivity in Victoria'. Pages 71 and 72 show a series of findings and observations regarding the increase in health expenditure by this government at that time in partnership with the commonwealth government. For instance, at page 72 the report states:

While Victoria's share of commonwealth funding is in the process of being determined, the creation of the five new national SPPs included total funding in 2009–10 of \$24.3 billion ...

It goes on to list them. One was \$11.2 billion for national healthcare SPPs — special purpose payments.

Later in part 2 of the report, which was released in October 2009, section 4.4 deals with the health portfolio. The committee goes out of its way to acknowledge a series of investments the Minister for Health had reported on, for instance, in the improvements of governance and workforce development of the health portfolio and in areas such as the HealthSMART program, workforce development and increasing the recruitment and retention of health professionals. The report goes on to list a series of major infrastructure investments including the comprehensive cancer centre at Parkville, the Bendigo hospital redevelopment, the Box Hill Hospital redevelopment and the Royal Children's Hospital redevelopment. It also lists both health protection and prevention measures; health programs, services and initiatives; increased investment in ambulance services; increased investment in maternity services; and a particular focus on performance measures, governance and improving productivity in the sector, to all of which I draw the attention of the house. These measures reflect the reality that this government has over the term of its office increased health funding in the state by over 130 per cent as outlined most recently in the PAEC report.

What PAEC points to, and what the committee generally knows, is that we have a good health system in the state but that it can and should be made better. That is why the thinking in the Public Accounts and Estimates Committee's report and the detailed description of the investments in many ways reflects and is cited in the health plan document called *Putting*

*Patients First — Working in Partnership to Deliver a Better Australian Health System* that the Premier and the Minister for Health released last week as a mechanism to stimulate debate and bring some consensus to the looming Council of Australian Governments discussion in this area.

That report, underpinned by the PAEC report, has generated wide public debate. It shows that this government is determined to make our health system even better in order to make sure that all Victorian families have access to the very best health service, regardless of where they live. This seems to have been picked up and widely reflected across a number of areas of the Australian community. For instance, the federal Leader of the Opposition, Tony Abbott, was quoted in March as saying:

Victoria is the large eastern state with by far the best public hospital system ...

And Pat McNamara, a former member of this place, was quoted as saying on ABC Ballarat in March:

I can understand Victoria's position. You know, we have the best run system.

We have what a member of the federal Liberal opposition said, Joe Hockey, the shadow Treasurer, said on the ABC *Insiders* program recently, and I quote him directly:

... some states are much better than others ...

Victoria runs the best hospital system in the country ...

**The ACTING SPEAKER (Mrs Fyffe)** — Order! The member's time has expired.

### **Rural and Regional Committee: regional centres of the future**

**Mr NORTHE** (Morwell) — I wish to speak on the inquiry into regional centres of the future by the Rural and Regional Committee, of which I am a member. This inquiry speaks about the role regional Victoria will play as Victoria's population grows into the future. We know that a high percentage of our future population growth will settle in metropolitan areas of Melbourne, particularly if the current trends continue. This places enormous stress upon our city, and we know the challenges around health, transport and our water needs. The inquiry looked at what the government can do to ensure that regional Victoria is afforded the opportunity to grow and prosper and that our populace sees the regions as attractive and viable places to settle.

I wish to focus on recommendation 1 in the committee's report about the establishment of regional

development commissions for each region of Victoria. It talks about the roles and responsibilities of these commissions, including advocacy, advice, watchdog role and implementation. Specifically I want to refer to the committee's recommendation regarding the watchdog element. It states that a commission's watchdog role would be 'to act as a watchdog with regard to the impact of government policy on rural and regional Victoria'.

As noted in section 5.71 of the report, the committee found that rural proofing policies exist in other jurisdictions such as New Zealand and the UK. I will just refer to section 5.72 regarding rural proofing in New Zealand. It states:

The New Zealand rural proofing policy document ... is designed as a 'best practice guide' for government policy advisers. Rural proofing is a process for taking into account the circumstances and needs of the rural community (rural people and rural businesses) when developing and implementing policy.

When you consider the regional implications of introducing or amending legislation and policy you only have to look at a couple of issues that are prominent at the moment.

One of these is the youth allowance, where I believe legislation was introduced without the real impacts upon regional students being considered. I see some real merit in ensuring that legislation is monitored independently, as occurs in the UK, so that these types of issues and how they impact upon regional Victoria are looked at.

The other implication is the liquor licensing regulations within Victoria. Again if we apply a blanket policy across the whole of Victoria, sometimes implications for regional Victoria get lost within that. There are a couple of good examples there that we can certainly follow.

Section 5.80 of the committee's report speaks about the Commission for Rural Communities in the UK. It essentially provides independent advice to government to ensure that policies reflect the real needs and circumstances of people living and working in regional areas of the UK. This is another example of making sure that policy is scrutinised and the needs of regional people are listened to and understood. I implore the government to ensure that it looks at those particular aspects of the report very seriously when it finally presents its response on this committee report to Parliament.

I want quickly to touch on recommendation 22 of the committee's report, which is that:

... the Victorian government commission research into the potential impacts of climate change and climate change mitigation policies, including the proposed carbon pollution reduction scheme, on business and industry in regional Victoria.

This is a major interest of mine, given that the Latrobe Valley in the electorate I represent has electricity producers. It is important that we get some clarity about the Victorian government's view on this. There is a lot of research and information around at the moment, but I firmly believe a plan needs to be developed and put in place to ensure that there is some certainty around climate change and where the carbon pollution reduction scheme will lead us in the future.

In closing I call upon the government, in its response to this committee report, to give due consideration to the 24 recommendations made by the committee.

### **Environment and Natural Resources Committee: approvals process for renewable energy projects in Victoria**

**Ms DUNCAN** (Macedon) — I rise to speak on a newly tabled report of the Environment and Natural Resources Committee, of which the Acting Speaker is a member. This report, which was completed in February, concerns an inquiry into the approvals process for renewable energy projects in Victoria.

Before I speak to the report I would like to acknowledge the work of the committee members including the Acting Speaker and the committee chair, the member for Dandenong. I would also like to acknowledge the secretariat of the committee, particularly Dr Caroline Williams, Derek Benjamin, Tess Burton, Tom Holden and the office manager, Karen Taylor, for all the work they do in organising site visits and putting together what is often a huge amount of disparate information. They try to make our jobs a little easier by getting through all that information, getting something down in a coherent manner and making some good recommendations that we hope will be useful for governments of the future.

The terms of reference for the inquiry asked the committee to look at, among other things 'opportunities to reduce red tape associated with the approvals process for renewable energy projects in Victoria'. In particular the committee was asked to consider major obstacles facing investors in large-scale renewable energy projects in Victoria, including environmental planning and other regulations.

The committee was also asked to look at how Victoria compares to other Australian jurisdictions with regard to relevant approvals for energy projects, in particular wind farms, which are the most common form. The committee found that most renewable energy projects are wind related. Wind is the next cheapest form of energy, and it was the one that we heard most evidence about.

We were also looking at opportunities to reduce risk and delays for investors through streamlining regulatory processes and appeals processes and thereby reducing other costs and risks associated with those. We also looked at the likely future drivers of renewable energy in Victoria, particularly in the context of the carbon pollution reduction scheme and the expanding federal renewable energy target. We were also asked to look at any reviews and inquiries covering similar issues, including the Australian Energy Market Commission's review of energy market frameworks in light of climate change policies and the Environment Protection and Heritage Council report on impediments to environmentally and socially responsible wind farm development.

We did a number of site visits, as we usually do. We try to cover the length and breadth of the state, and we often do that. In Melbourne we were given briefings by the Department of Sustainability and Environment, the Department of Planning and Community Development and the Department of Primary Industries. We had site visits to the Ararat area. We looked at the Chalicum Hills development out there and spoke to some land-holders. We also spoke to the New South Wales Department of Planning and undertook site inspections of wind farms at Yambuk, Cape Bridgewater and Cape Sir William Grant in south-west Victoria. We also looked at an engineering plant in Portland.

We received written submissions, had public hearings and heard presentations by representatives of a range of different groups, such as the Clean Energy Council, individual wind technology companies, groups from the Northern Alliance for Greenhouse Action, Pacific Hydro, Citipower, Powercor and a number of other companies. We spoke to people about ceramic fuel cells. We spoke to individuals as well as to organisations such as alternative technology associations. We spoke to greenhouse action groups. We spoke to councils and businesses across the state.

We heard a lot of different views from lots of different groups. Particularly active are the Australian Landscape Guardians across the state, who raised with us a range of issues about health. We spoke with energy companies as well. Our inquiries demonstrated to us the

differing views, particularly concerning wind turbines. We have a renewable energy target we need to meet. This report will help governments of the future determine how best to tackle these issues.

**Environment and Natural Resources  
Committee: approvals process for renewable  
energy projects in Victoria**

**Mr MORRIS** (Mornington) — I also wish to make some comments on the Environment and Natural Resources Committee report on its recent inquiry into the approvals process for renewable energy projects in Victoria. The coalition is ably represented on that committee by you, Acting Speaker, by the member for Swan Hill and by Mrs Petrovich, a member for Northern Victoria Region in the other place. I want to commend the committee in its entirety for its report. While I disagree with at least one of its recommendations, I think it is a valuable body of work.

The issue of energy, particularly renewable energy, will be one of the great challenges of the 21st century, if it is not already such a challenge. Along with water it is one of those things we simply cannot do without. I have a strong personal interest in the issue, but I also have a portfolio interest through my responsibility for the environment and local government. The environment, energy and planning will go hand in hand.

Renewable energy is an important part of any sustainability strategy, particularly in the context of an expected low-carbon economy. It is important that as a state — and I mean all Victorians, not simply the government or the opposition or any particular group — we have a consistent strategic approach. We want to know where we want to be in 10 years, where we want to be in 20 years, where we want to be mid-century and how we want to get there. Unfortunately I have seen little or no evidence of effort by the government to bring the community along with it on the journey — to bring the community in and develop a whole-of-state approach.

The strategy has been developed in Spring Street or in the adjacent ministerial bunkers. It has been developed in a classic top-down approach. This committee reference might be an opportunity to change that a bit, but unfortunately the emphasis in the terms of reference — the member for Macedon went through them in some detail — was on things like reducing red tape, the major obstacles facing investors and how Victoria compares to other jurisdictions with regard to relevant approvals. Quite frankly, comparing Victoria to other jurisdictions is not going to achieve much because we have a long record of successful interaction

with the community and a comprehensive development approach, unlike many of the other states around the nation.

In relation to opportunities to reduce risks and delays for investors, in the detail the emphasis is on imposing the government's view rather than bringing the community along. There has been no effort to engage the community. There has been no effort to develop a shared vision. Quite frankly it is the Brumby jackboot at its best. The ultimate insult is the recommendation that the responsible authority for the planning approval process become the now thoroughly discredited Minister for Planning. I was pleased to see the minority report by you, Acting Speaker, Mr Walsh and Mrs Petrovich, particularly the recommendation that local councils be the planning authorities for all wind power plants.

In your minority report, Acting Speaker, you rightly identified that the need for renewable energy will continue to grow and that the need for community engagement will therefore continue to grow. Some communities have certainly welcomed the opportunity to be involved and some have not, but it is essential that local knowledge of the topography, the environment, the flora and fauna and the local conditions be taken into account. I also note the concern expressed about the limited environment effects statement process. You simply cannot say that we must have renewable energy regardless of the environmental cost. I am not suggesting that that is what the committee is recommending, but we need to bear that in mind. We need to be careful to avoid that situation.

I strongly support the minority report, because not only do local councils have local knowledge of the physical and social conditions and the likely impact on flora and fauna but they are also community leaders. They are in a position to develop a shared vision, and there is the potential for huge dividends in a shared vision for a responsible, sustainable energy network for our state. I urge the government to reject the committee's recommendation with regard to the approvals process and to build a truly collaborative approvals process so that we can together develop this emerging industry.

**Electoral Matters Committee: conduct of 2006  
Victorian state election**

**Ms CAMPBELL** (Pascoe Vale) — I rise to speak on the Electoral Matters Committee's inquiry into the conduct of the 2006 Victorian state election. I particularly want to take this time to refer to some of the responses to that committee report. There are fewer than 200 days until the next state election. It is

important that action be taken on the recommendations made of the Electoral Matters Committee on the 2006 election and the response from the Victorian Electoral Commission.

I want to go to a number of the recommendations and the electoral commission's responses to those. In an area like my area of Moreland, where we have a vast array of cultures and languages, it is important that as part of the Victorian Electoral Commission's recruitment and training strategy it recruits people from the different cultures and who speak the languages that reflect our community. This has practical benefits, not only because this will assist more people to cast a valid vote, should they ask questions, but also because it is important that electoral officials understand how to accurately enter votes.

I highlight a particular example of where, if electoral commission staff are not appropriately trained, the accuracy of the vote result will be in jeopardy. In my electorate there are a lot of people who write '7' quite differently to the way in which people with an Anglo background and an Australian education write that numeral. When scrutineering in a local government election, I witnessed many people entering into the computer system numbers that they were not all that certain of.

They were pulled up by scrutineers, who said, 'That is not an invalid vote; that is the number 7' or 'That is the number 1'. I mention this because not only is it important to recruit electoral officials for polling day but also to ensure they are well trained when it comes to entering into the databases the votes that have been cast.

I also highlight the committee's recommendation that the Victorian Electoral Commission (VEC) consider advertising electoral education material on youth radio stations. The committee's report stressed the fact that there is a disproportionate number of young people who are either not enrolled, do not vote or do not understand the electoral system. It is therefore important that in order to increase enrolment, active participation in parliamentary democracy and the validity of the vote cast, the VEC has as part of its media buy a focus on where young people get their information. That is recommendation 3.5.

I also highlight issues of accessibility. It is on the public record that I have taken up this issue at the Electoral Matters Committee. It is not uncommon for polling booths to be inaccessible for people with mobility issues, whether it is someone who has just injured their Achilles tendon, who has twisted their ankle, who is in

a wheelchair or who is permanently incapacitated. Hopefully, as a result of so much of the state government's funding of new classrooms since the last election, more schools will be accessible to all. However, I emphasise the need for prepolls to be accessible as well.

## EDUCATION AND TRAINING REFORM FURTHER AMENDMENT BILL

### *Second reading*

**Debate resumed from 25 March; motion of Ms PIKE (Minister for Education).**

**Opposition amendments circulated by Mr DIXON (Nepean) pursuant to standing orders.**

**Mr DIXON (Nepean)** — Before I make my contribution I should declare my interest in this bill as a paid-up member of the Victorian Institute of Teaching. I am a member in a non-teaching capacity, but a member nonetheless, so I think I need to put that on the table.

The opposition will not be opposing this bill, although we have amendments which will be addressed during my contribution and that of the member for Mildura especially. I thank the Minister for Education for her briefing, especially given that it was in the busy time before Easter.

The bill amends the Education and Training Reform Act 2006, particularly in regard to a number of Victorian Institute of Teaching issues. It re-enacts the Mildura College Lands Act 1916 in the Education and Training Reform Act 2006 and repeals the Mildura College Lands Act 1916, the Mildura College Land (Ranfurly) Act 1992, the Mildura College Lands (Amendment) Act 1995 and the Institute of Educational Administration (Repeal) Act 1993.

About a month ago this house amended aspects of the Education and Training Reform Act and also debated matters relating to the VIT. That amending bill is still in the other place; it has not yet passed through the Parliament. I reiterate the comments I made last time the legislation was before the house: the opposition has concerns about the role and function of the VIT. A lot has been done to address some of those concerns, but my primary concern with VIT is that it is too close to government. It is seen as an arm of government, it is partially funded by the government, the Governor in Council has the say over its members, and there is a representative of the minister on the VIT council.

If it is a truly representative body of the teaching profession, it should have nothing to do with the government; it should be divorced from the government. With that in the background, I will look at what is happening with VIT through this bill.

Firstly, the bill will allow ongoing police record checks on all teachers. That is a good thing. It will provide better protection for students in our schools and give parents and the community greater confidence in our school system and our teachers. Hopefully this will result in fewer delays. One of the issues I often come across, especially at the start of the school year and even into the school year, is that teachers experience delays in their registration because of delays in their police checks. In some cases teachers have not been able to start their employment because of that delay, and they have suffered financially because of that. In fact I had a rash of such situations earlier this year, and hopefully the ongoing nature of the provision will alleviate that to some degree.

The bill also provides for the public register of teachers to now include any adverse outcomes of disciplinary action that has been taken against teachers. Again I think that is a good thing. It is far more transparent. Prospective employers or anybody in the community can access the register of teachers and see if there have been any adverse results of disciplinary findings against that teacher. Once again I think this gives students and the community, and especially parents, more confidence in the profession.

However, it is interesting that changes will mean that the only thing shown against the teacher's name will be the registration status that has been affected by disciplinary action. For example, it might say 'Registration cancelled' or 'Registration suspended', and that is all that will be there. I wonder whether more detail should be put there, such as the nature of the disciplinary action and the reasons for that action, which may perhaps better inform a prospective employer. But that remains to be seen; I think the jury is out on that one.

The bill also adds a new function of developing standards for high levels of professional practice. The reason for that given in the second-reading speech is so that the Victorian Institute of Teaching and the government can better respond to national teacher quality initiatives. The national teacher quality initiative is another interesting step towards nationalisation of education. We have seen in this place a drip-feed, which is building up, where a number of education practices, policies and processes in this state have been handed over to the federal government. We have

Building the Education Revolution, the national assessment plan — literacy and numeracy, known as NAPLAN, My School, national literacy and numeracy initiatives, and national intervention in all sorts of aspects of education.

**Ms Pike** interjected.

**Mr DIXON** — The minister asks by interjection, 'Don't you want the money?'. As she says, that is what it is all about. It is all about money. It is not about the management of education; it is the strings that attach to the bucket of money. The federal government says, 'You can have some money, but you have to do this'. The state ministers, including the Minister for Education who is at the table, have said, 'Yes, I will sign up to that because I want the bucket of money. I will abrogate my responsibility to manage education in this state. I will hand it to the gurus in Canberra who are so far removed from what is happening in our schools and classrooms here in Victoria. We will sign up because there is a bucket of money attached'.

The bill will also streamline requirements for non-practising teachers wishing to return to teaching. I hope I am never in that category and that the member for Bulleen is never in that category, but I think this is a good thing, because we should be encouraging those who left the profession — perhaps they went on to do something else — and who now wish to return to teaching. We should make it as easy as possible for them to come back because we have shortages of teachers in some geographical areas and also in some subject areas. I think it is very important that that happens. I welcome that.

Under this bill VIT must also notify the director of public transport regarding teachers who have been disciplined who are employed as school bus drivers. Again that is just a small but important loophole that has been closed through this measure.

The Victorian student number (VSN) is a number that is given to every child in Victoria from prep age to 25-year-olds. That is in the process of being rolled out at the moment. The bill extends access to that number to Skills Victoria, the Adult Community and Further Education Board and the Catholic Education Commission of Victoria. Obviously because each of their students actually has one of these numbers, these organisations need to have access to the Victorian student numbers and their implications. I am not sure why they were not included when we first introduced the VSN in the first place. Obviously it was an oversight, so those groups will now have that access, and again I think it is a useful inclusion.

It is interesting to note that there is even talk about moving to having an Australian student number. That is another of those steps towards the nationalisation of education, and it may have some implications for what we are talking about here today. One of the main reasons for the Victorian student number — which the opposition agreed with; even though there were some concerns, including some privacy concerns, on balance we thought it was a good thing — was that some students fall through the cracks, and there are students we lose track of and need to pick up. In the case of older students it is harder to pick them up, and we need to make the best effort to do that.

It is interesting and relevant to note that the Victorian department's statistics on education have just been released. I got hold of them yesterday. I note that it is the government's goal to have a 90 per cent year 12 completion rate at the end of this term of government. It is currently sitting at 80 per cent — and it is fairly static, even if it has increased a little bit from last year — so I doubt whether that goal will be reached. The coalition does approve of and support the VSN. These measures will make it more usable by a wider group, and that is a good thing.

There are other minor amendments regarding the minister's powers to appoint members to statutory boards. That will include the Victorian Curriculum and Assessment Authority, which I think is also important.

I will briefly refer to the Mildura college lands and the issues surrounding them. My colleague the member for Mildura will be talking on that subject later because of his obvious expertise, being the member for Mildura, and I thank him for his wise counsel on this bill too. By way of background, the Chaffey brothers, who basically founded Mildura, endowed 10 per cent of the land to various educational pursuits for students in the Mildura area. Basically any proceeds from the rents of those lands are then handed out to the students of that area. In fact 30 schools benefit from the rents and proceeds of the Mildura lands, which works out to \$90 a student, which is a good amount of money for any school or any educational institution. That is a far-reaching legacy of the Chaffey brothers. The way it works is encapsulated in the old 1916 act, which is soon to be repealed. It is being re-enacted inside the Education and Training Reform Act, which is the act through which Education Victoria is administered. The re-enactment updates and modifies the language and will make for the smoother running of the Mildura college lands. We think it will go a long way to achieving that objective.

The amendment the opposition will move deals with a school that is not among those 30 schools. We seek to expand the catchment of the Mildura lands area to include the Nangiloc Colignan and District Primary School. When the boundaries were last reviewed two separate schools were in the throes of merging and could not decide how they would do it or what they would call themselves, so they basically missed out on that opportunity to be part of the Mildura lands. Now they have merged, they have a name and things have settled down.

The new merged school is not far from the current boundaries. I do not think it establishes a bad precedent, because the next nearest school is 80 kilometres away, and I do not think that school would have any claim to be part of the lands. There would be a minor — in fact, in a matter of cents — reduction in the amount of income this year, if it happened straightaway, to all the schools in the area. The value of the land is increasing. The number of school-aged students in the Mildura area is decreasing, so it is not going to have any real effect on the value to each student in each school that is involved at the moment. That goes to the heart of our amendment. I will leave the rest of the details regarding the land. It is quite a unique educational oddity in Victoria, but one that is very positive for the people of Mildura.

In conclusion, the opposition will be moving this amendment. We do not oppose the bill. I will just reiterate my two main points. We still do not think that the Victorian Institute of Teaching should be as closely attached to the government as it is. It should be an autonomous, independent body.

I also raise my concern once again about so much control over education in Victoria having been handed to the federal government, because there is a bucket of money involved. The handover has not been for real reasons — that is, the good of the children, the good of the teachers or the good of our communities — but for money. There has been a removal of autonomy from our schools and from Victoria. The policies are not coming from our local communities, but are centralised policies, coming from Canberra. I love the money from Canberra, but we should be leaving it to the schools to decide, within certain parameters, the best way to spend that money within their communities.

**Mr HERBERT** (Eltham) — It is a pleasure to speak on the Education and Training Reform Further Amendment Bill 2010. I was very pleased to hear the opposition spokesperson once again outline the raft of initiatives that have been brought in by this government since we have been in office. I know that some of his

predecessors cynically criticised them at the time of their introduction. It is good to hear that finally they have seen the light on the whole range of regulatory and legislative reforms that have been brought in. I also note that quite surprisingly the opposition spokesperson seems to be indicating that a state Liberal government — —

**Mr Kotsiras** interjected.

**The ACTING SPEAKER (Mrs Fyffe)** — Order! Without assistance!

**Mr HERBERT** — He seems to be indicating that a state Liberal government would not seek federal funding for education. I am not quite sure whether the shadow Treasurer is in line with that policy position that the shadow Minister for Education has just outlined.

This proposed legislation continues the government's agenda of modernising and reforming the legislative provisions for education in this state. In particular, it builds on the massive amount of work that was done a few years ago in rewriting all education legislation. Things have changed in education — schools are different and the provision of education is far more diverse — and we need to make sure that our legislative framework keeps up to date with those changes.

I was commenting just before that over recent times we have had a number of bills amending the act. There has been a bit of a transformation of education through things happening in this chamber. Once, under the previous Kennett government, you would hardly ever hear of any education legislation being brought to this chamber, but it now seems to be one of the most prolific subjects of legislation and its introduction is a regular occurrence in the chamber. This is good, because it means we are keeping up to date with what is happening in our schools.

The bill we have before us today does a number of things. It improves the Victorian Institute of Teaching in the way it operates and how it handles teacher registration in particular. The bill makes some changes to the highly successful provision for the Victorian student number, which was introduced by this government, the first state government in the nation to do so. That initiative is showing great results in enabling us to track and assist those few students who fall through the cracks in education so that they do not have a life of lost opportunity because sufficient effort has not been made to get them back on track with education and training.

As the previous speaker indicated, the bill also updates the Mildura College Lands Act of 1916. We expect the member for Mildura to speak prolifically on that act. I know that he is quite passionate about it, as he is about all the irrigated lands. It is an unusual act and one that needs to be updated.

They are the basic provisions of this bill. I will not speak on every aspect of it, but I would like to talk a little bit firstly about the VSN (Victorian student number), which was introduced in 2008. As I said, it has worked incredibly successfully. Under the VSN system, a number is allocated for a student as they travel through from prep to about the age of 25. It is a useful tool in providing education and training for students, particularly, as I said, in identifying those who drop out.

**Sitting suspended 1.00 p.m. until 2.04 p.m.**

**Business interrupted pursuant to standing orders.**

### ABSENCE OF PREMIER

**The SPEAKER** — Order! Before calling questions I advise the house that the Premier is absent from question time today. Any questions for the Premier will be answered by the Deputy Premier.

### QUESTIONS WITHOUT NOTICE

#### Former Chief Commissioner of Police: Black Saturday

**Mr BAILLIEU** (Leader of the Opposition) — My question is to the Minister for Police and Emergency Services. When did the minister first become aware that the former Chief Commissioner of Police and the minister's deputy coordinator-in-chief of emergency management left the emergency control centre at about 6.00 p.m. on 7 February at the height of the tragic Black Saturday bushfire crisis and did not return that day?

**Mr CAMERON** (Minister for Police and Emergency Services) — During the course of Black Saturday I received regular updates from the Office of the Emergency Services Commissioner. While I do not recollect the full details, I spoke to the chief commissioner. I was not aware of where the chief commissioner was. I spoke to her at around 6 o'clock, apparently. She has given evidence about that today, and I accept that, but certainly I was unaware that she went out to dinner.

**Mr Baillieu** — On a point of order, Speaker, the minister is debating the question. The question was a clear — —

*Honourable members interjecting.*

**The SPEAKER** — Order! Government members will come to order.

**Mr Baillieu** — This was a clear question about when the minister first became aware. This was a question asked of the Premier yesterday, and he answered it clearly. The minister has an obligation to answer the question about when he first became aware of the circumstances.

**The SPEAKER** — Order! I do not uphold the point of order. The chair cannot direct a minister as to how they will answer a question, and as long as the minister is being relevant to the question as asked, I will hear him.

**Mr CAMERON** — Last week, when I was on holidays, I read in the paper that the chief commissioner went to dinner, and that is when I became aware.

### **Health: federal government plan**

**Ms MUNT** (Mordialloc) — My question is to the Deputy Premier. I refer to the Brumby Labor government's commitment to make Victoria the best place to live, work and raise a family, and I ask: can the Deputy Premier outline to the house what steps the government is taking to provide a constructive and comprehensive plan for health services in Victoria?

**Mr HULLS** (Deputy Premier) — I thank the honourable member for her question, and I place on the record the strong commitment she has to the health system in Victoria. There can be no greater issue for Victorian families than health care, and access to the best possible health care goes to the heart of the survival and quality of life of Australian people.

This government takes health care very seriously. While it may not agree with the Prime Minister on the model for health reform, our government and the commonwealth government are determined to deliver better health care for patients in Australian and Victorian hospitals. That is why the Premier and the Minister for Health put forward Victoria's very positive reform plan Putting Patients First.

Putting Patients First is about real accountability and making state governments fully responsible for the performance of hospitals. It is about straightforward financing, including a 50-50 pool of equal

commonwealth and state funding for public hospitals, with the commonwealth lifting its efforts to match ours. It is about more funding now to deliver better hospital care in the immediate term.

Our Australian health pact clearly sets out the standards and performance Australians should expect from their hospitals. It is about taking decisive action to keep people healthy and well by investing in prevention and primary and aged care — to prevent illness rather than treat it. It is also about achieving greater efficiency through workforce improvements, new technology and innovation.

Our government is providing very strong leadership in health reform. Despite the assertions from some, including the opposition health spokesperson, we note that former Premier Jeff Kennett himself agrees that putting our case in Canberra today is the right thing to do. Central to our plan is a funding arrangement that delivers the new investment that is really needed to improve our hospitals: a 50-50 funding pool, made up of commonwealth and state contributions, which would in Victoria deliver \$1.2 billion in additional funding for our hospitals right now, when it is needed.

After a decade of the commonwealth reducing its percentage share of health funding and a decade of our government's massive investment in health services, the partnership between the two levels of government has slipped dramatically from what it was meant to be, which was 50-50. Those opposite stood by as the Howard government cut funding. There was not one word from them; not once did they stand up for Victorian patients. They just took their instructions from Drs Abbott and Costello. It was a bitter pill that Victorians were forced to swallow.

Many commentators have said that Victoria runs the best and most efficient hospital system in Australia, but we know that Victorian hospitals are not perfect. Quite simply, we believe patients want the big decisions on health made closer to home rather than in Canberra. Right at this very moment we have a great opportunity to make our hospitals much, much better for this generation of Australians and for generations to follow.

### **Former Chief Commissioner of Police: Black Saturday**

**Mr RYAN** (Leader of The Nationals) — My question is to the Minister for Police and Emergency Services. Given that the declaration of a state of disaster under section 23(1) of the Emergency Management Act is to be considered only in circumstances described in that act as constituting or 'likely to constitute a

significant and widespread danger to life or property in Victoria', I ask: on Black Saturday, did the minister in his role as coordinator-in-chief of emergency management discuss the possibility of such a declaration with the deputy coordinator-in-chief of emergency management, Christine Nixon, as required? If so, when; and if not, why not?

**Mr CAMERON** (Minister for Police and Emergency Services) — I am very well aware of the state-of-disaster provisions in the act. What the act says is that you call a state of disaster where you need to commandeer property or override the laws that normally apply in a particular area. As a result of my obligations under the act, I am always conscious that if ever I were to receive a briefing that we needed to commandeer property or we needed to suspend the law, then that is what would need to be discussed.

I am actually particularly aware of this matter because some years ago in a previous term when I was Acting Minister for Energy Industries on one occasion, we had to commandeer all the brown coal briquettes in the state. We looked at all the various provisions, including that provision, and what we decided to use was some fuel-related act or the like.

### Health: federal government plan

**Mr LUPTON** (Prahran) — My question is to the Minister for Health. I refer to the Brumby Labor government's commitment to make Victoria the best place to live, work and raise a family, and I ask: can the minister inform the house about responses to the commonwealth government's proposals for national health reform?

**Mr ANDREWS** (Minister for Health) — I thank the member for Prahran for his question and for his longstanding interest in improved health service provision in his local community.

I will start by mentioning an important announcement at and visit to the Alfred elective surgery centre at Alfred Health yesterday. The member for Prahran is a very strong friend of Alfred Health and supports it in all the work it does. He and I and the Premier saw firsthand the benefits of the investment that has been made there — involving very substantial sums of money — to build one of the largest elective surgery centres anywhere across Australia. It is doing fine work in treating more patients and treating them faster under a new model of care which we are very proud of and which has been singled out for praise by commentators in the national health reform debate we are having at the moment.

The reason we were there was to announce a further \$45 million to treat 9000 patients and to treat those patients faster — \$45 million that is flowing out there right now for the booking of theatre sessions and the performing of operations right now. It is money that has no strings attached to it, money that will treat more patients and treat them faster, money that is not conditional upon signing up to a plan that does not benefit Victorian patients and money that is not conditional on fundamental rearrangements of the GST and other health policy matters that constitute change but do not constitute reform. We made that very clear yesterday.

The most recent responses to the proposals put forward by the commonwealth government have focused on the notion that unless states sign up to the plan put forward by the Prime Minister, then the additional money announced most recently will not flow to those states. What I say to all Victorians, including all members of this place, and most importantly to the Prime Minister, is that if there is more money to provide more care, then it should flow to Victoria now. This is not a matter of holding states to ransom; it is a matter of holding patients to ransom. That is wrong. It is unacceptable and it is rejected by me, by our government and I think by all Victorians.

We all want and need to work hard to improve our health system, to deliver better outcomes for patients today and to set the foundations for better health care in the years to come. Action on elective surgery is a great example of what can be achieved when governments work together in agreement to, as I said, treat more patients and treat them faster. Recently a \$60 million elective surgery blitz — the biggest blitz our state has ever seen in a partnership between Canberra and our government — saw us target 9400 additional episodes of elective surgery and in fact deliver 13 478 extra episodes of elective surgery — 4000 more than the target and the most of any state across Australia.

What I would say is that the notion that more money can flow only if reform is agreed to has been disproved by that experience in recent times. I think it is very clear that we can deliver when agreements are reached — and we will deliver when agreements are reached — but patients should not be asked to wait for that funding. If it is available, then it should be made available now.

We will continue to work with the commonwealth government to reach agreement. These matters are not about politics. In many respects these matters are not even about policy. These matters are about patients, and

the only way you can treat more patients and treat them faster is with more real money from Canberra today.

I conclude by saying that the position of the Victorian government on the commonwealth plan is very clear, the position of the Victorian government in relation to our alternative is very clear and the position of the commonwealth government is equally clear. What is less certain, what has been a veritable revolving door of indifference and ineptitude, is that there have been many different and contradictory — —

**Mr Ryan** — Statements?

**Mr ANDREWS** — Statements, positions.

*Honourable members interjecting.*

**Mr ANDREWS** — I have tried to avoid the word ‘policy’ because it is a policy-free zone — the many conflicting positions of the policy-free zone opposite.

**The SPEAKER** — Order! Before calling the Leader of the Opposition I ask for some cooperation from members for the smooth running of question time, particularly the members for South-West Coast and Bass.

### **Bushfires: emergency services communications**

**Mr BAILLIEU** (Leader of the Opposition) — My question is to the Minister for Police and Emergency Services. I refer to the fact that following the April 2008 wind event the government was warned by the emergency services commissioner of significant failures in the emergency paging system arising from the minister’s decision to cut back the system to just 20 per cent of its maximum design capacity, and I ask: why then did the government not act to fix these problems prior to Black Saturday, when the same failures left the lives of so many Victorians at risk?

**Mr CAMERON** (Minister for Police and Emergency Services) — I thank the Leader of the Opposition for his question. I start by rejecting the assertion that I cut this back to 20 per cent. I think it is important that we go over the history of the matter in relation to pagers. Firstly, immediately after the windstorm event the Emergency Services Telecommunications Authority (ESTA) and the State Emergency Service Authority worked through some arrangements to make improvements, so any assertion that nothing happened is not correct.

I will go to the pager system more generally. When we came to government, Speaker, as you will know, we had the second-lowest funded fire services in Australia.

In recent years we have actually become the highest spending state when it comes to fire services on a per person basis. The emergency alerting system is a dedicated pager system. It is used by the Country Fire Authority (CFA), it is used by the State Emergency Service and it is used by parts of Ambulance Victoria. That has been in full operation since 2006.

The system is the largest communications system across the entire state, capturing 97 per cent of the geographical area of the state. Its coverage is greater than the 3G network coverage. That compares to a coverage of only 25 per cent of the geographical area of the state by the system that was in place previously, so this was in fact a very positive advance. The primary critical function of delivering emergency messages was the reason this system was established. In establishing the system the critical issues for emergency services, including the CFA, were reliability and coverage of the network to ensure that emergency messages were received. That is particularly important in remote areas. Where people are living out on farms, for example, it is very important that we are able to get messages to them. We want to make sure that critical emergency messages can actually get through.

Speaker, you will be aware that the bushfires royal commission has heard that 93 per cent of emergency messages were received within 30 seconds during the course of Black Saturday, but what has also been heard in the commission is that there were delays in the non-emergency and administrative message systems. You may be aware that since that time work on the systems has been under way. As a consequence of modifications in the last year, when it came to the hailstorm event of 6 and 7 March — which was the third-largest paging event ESTA had had — the longest delivery time on the non-emergency line was 4 minutes and 22 seconds.

I will go back to the history. In 2004 a contract was entered into for the new system. What it was going to have — and this is technical — was so many towers and a very high baud rate. When that was ultimately tested there were large black spot areas across the state and variability in the coverage, so we knew there had to be much greater coverage and reliability. As a consequence of that, a baud rate of 512 was established and additional towers were put in place to make sure we had the coverage. I will go back to the very start of this: we fully funded this system to make sure that we had the coverage. That is what the government did, and in 2006 it was rolled out. On Black Saturday we saw an unprecedented event, and as a consequence of that event there have been changes.

**Mental health: government initiatives**

**Mr PANDAZOPOULOS** (Dandenong) — My question is to the Minister for Mental Health. I refer to the Brumby Labor government’s commitment to make Victoria the best place to live, work and raise a family, and I ask: can the minister inform the house of what steps the government is taking to deliver additional services to Victorians living with a mental health illness?

**Ms NEVILLE** (Minister for Mental Health) — I thank the member for Dandenong for his question. I was very pleased to join with him this morning to turn the first sod of the mental health redevelopment at the Dandenong Hospital. With the Brumby government’s investment of \$69 million this project, which was promised at the last election, is the biggest single mental health development in Victoria in over 50 years — the biggest since the investments made by John Cain, Sr, in 1953.

It is a project that will deliver over 150 new acute mental health beds and will deliver over 290 jobs during the construction phase alone. Of course those 290 construction jobs, as well as the additional clinical jobs that we are creating, contrast sharply with the 12 000 jobs which were cut from the health and human services sector under the last government of those opposite.

The Dandenong redevelopment is in addition to the 25 beds delivered by Labor at the Casey Hospital, the 50 new mental health beds at the Maroondah Hospital and the 50 new mental health beds being delivered at the Northern Hospital. Since coming to office Labor has commissioned over 350 additional mental health beds, including 100 subacute prevention and recovery care (PARC) beds, a model pioneered by Labor here in Victoria and now being rolled out across other states. There is more to come in terms of PARC beds: we have PARC beds coming in Bendigo, in Broadmeadows, in Clayton, in Frankston, in Preston and in Ringwood, and an additional eight mental health beds in Geelong. This is in stark contrast to the staggering 832 public hospital mental health beds that were cut and closed in the 1990s by the Liberal-Nationals coalition.

In response, we have been building more acute beds and community beds and providing more community services and support. We have been building more public mental health beds, whereas others, when they were in government, closed them. We are also spearheading the biggest mental health reform in Victoria’s history, which is focused on prevention, early intervention and recovery — a mental health

reform agenda that has overwhelming support from the mental health sector, including from the Australian of the Year, Professor Patrick McGorry, but which those opposite refused to back or fund.

The Brumby government is doing the work to deliver once-in-a-generation capital works projects that deliver vital new services and jobs and doing the work to partner with clinicians, carers and consumers to develop and deliver a nation-leading policy, ensuring that Victoria continues to lead the way in mental health.

We have continued to treat an additional 9000 patients in our mental health system every year since 1999. While we do the work, others diddle, dither and peddle misinformation to hide the fact that after more than a decade those opposite have had no ideas. It is time they stopped spreading rumours and started writing policies. Vulnerable Victorians deserve better.

**Bushfires: emergency services communications**

**Mr RYAN** (Leader of The Nationals) — My question is to the Minister for Police and Emergency Services. I refer to the significant failures of the Country Fire Authority category of the emergency paging system on Black Saturday, and I ask: why has the government withheld details about these failures from the royal commission?

**Mr CAMERON** (Minister for Police and Emergency Services) — The bushfires royal commission is still going. We provide the royal commission with the material that it needs. In addition, my understanding is that in the coming weeks of telecommunications issues will be examined.

*Honourable members interjecting.*

**The SPEAKER** — Order! I ask government members to come to order.

**Community development: government initiatives**

**Mr CARLI** (Brunswick) — My question is to the Minister for Community Development. I refer to the Brumby Labor government’s commitment to make Victoria the best place to live, work and raise a family, and I ask: can the minister update the house on the government’s commitment to strengthening Victoria’s communities?

**Ms D’AMBROSIO** (Minister for Community Development) — I thank the member for Brunswick for his question. The Brumby government is committed to making Victoria’s communities stronger, fairer and

more resilient. It is part of our pledge to make Victoria not only the best place to live, work and raise a family but also the fairest place to do so.

We have a very strong record of supporting our communities with concrete actions that deliver real concrete outcomes. We have done it firstly by establishing the Department for Victorian Communities and later by linking its functions with planning to streamline the creation of strong and well-planned communities. We are also helping to build strong, active and inclusive communities. It is not just about meeting infrastructure demands; it is also about tackling disadvantage and ensuring that no-one is left behind, especially those who are doing it tough. We make no apology whatsoever for that.

The Brumby government has been supporting our communities through programs like community renewal, community building initiatives, the Victorian community support grants program, our volunteering strategy and of course A Fairer Victoria. The same cannot be said of our shadow minister, who has not so much as mentioned community development in this Parliament in over 300 days.

*Honourable members interjecting.*

**The SPEAKER** — Order! I remind members of the opposition that a minister will not be shouted down. I warn the member for Kew that I will not have that level of interjection. I ask the Minister for Community Development not to debate the question.

*Honourable members interjecting.*

**The SPEAKER** — Order! I ask government members for some cooperation, particularly the member for Narre Warren North.

**Ms D'AMBROSIO** — I am happy to report that in those 300 days alone the Brumby Labor government has provided an extra \$600 000 for the Moe Southside community hub, committed \$767 000 for a new community space in Waurm Ponds, opened the \$5.6 million Point Cook community centre, announced over \$1 million in funding to rebuild the Euroa library, and announced funding of \$1 million for the Arndell Park community centre and sports pavilion, 132 volunteer small grants and much, much more.

No matter where people live in Victoria and no matter what their background, this government is working with communities to deliver the services and infrastructure they need. The Brumby government's record in the area of community strengthening is well recognised. Just last December an independent report

prepared by the Melbourne Institute showed that Victoria has the lowest rate of social exclusion of any state in the country. The Brumby government is standing up for Victorian communities. We are standing up for Victorian families. Unlike some others, the Brumby government is not silent when it comes to building strong communities.

Why is there silence from the opposition? Maybe it is because it intends to carry out its policy of the last election to remove all funding from the portfolio. A commitment by the shadow minister in 2007 — —

*Honourable members interjecting.*

**The SPEAKER** — Order! I ask the minister not to debate the question. If she continues to do so, I will cease to hear her.

**Ms D'AMBROSIO** — Unlike the opposition, we care about Victoria's communities, and we are the only party — —

**The SPEAKER** — Order! The minister has concluded her answer.

**Mr Eren** interjected.

**The SPEAKER** — Order! The member for Lara is warned! I will not have that behaviour in the chamber.

**Ms Allan** interjected.

**The SPEAKER** — Order! I ask for some cooperation from the Minister for Regional and Rural Development.

### **Bushfires: emergency services communications**

**Mr BAILLIEU** (Leader of the Opposition) — My question is to the Minister for Police and Emergency Services. Given that the decision of the minister to dramatically cut back funding for the emergency paging system resulted — —

*Honourable members interjecting.*

**The SPEAKER** — Order! Government members will come to order.

**Ms Marshall** interjected.

**The SPEAKER** — Order! I warn the member for Forest Hill.

**Mr BAILLIEU** — Given that the decision of the minister to dramatically cut back funding for the emergency paging system resulted on Black Saturday

in Country Fire Authority volunteers receiving life and death messages several hours late, will the minister now advise the house of what percentage of messages in the CFA category of the emergency paging system were delivered on that tragic day within the targeted time?

**Mr CAMERON** (Minister for Police and Emergency Services) — Again, I reject the basis of this question. What had to occur was that the issues of reliability had to be taken into account. That decision was made and the rollout occurred during the course of 2006.

**Mr Baillieu** — On a point of order, Speaker, the minister is debating the question. In a previous answer he gave an explicit percentage for one category. We are inviting the minister to provide an explicit percentage for the CFA category.

**The SPEAKER** — Order! I do not uphold the point of order. The Minister for Police and Emergency Services has concluded his answer.

*Honourable members interjecting.*

**The SPEAKER** — Order! Opposition members will come to order.

### **Sport and recreation: government initiatives**

**Mr HUDSON** (Bentleigh) — My question is to the Minister for Sport, Recreation and Youth Affairs. I refer to the Brumby government's commitment to make Victoria the best place to live, work and raise a family, and I ask: can the minister update the house on the benefit to Victoria of the Brumby government's investment in major sports infrastructure, and is the minister aware of any challenges?

**Mr MERLINO** (Minister for Sport, Recreation and Youth Affairs) — I thank the member for Bentleigh for his question. Melbourne is the undisputed sports capital of the world. This is no accident. It is an outcome built on the back of the Brumby government's investment in major events and our major sports infrastructure. Victorians love participating in sport and they attend events in record numbers, and sport delivers enormous economic benefits to our state.

In recent years the Brumby government has invested close to \$1 billion in our major sports infrastructure. Close to \$1 billion worth of work has been undertaken and thousands and thousands of jobs have been created. Work will commence shortly on the \$363 million redevelopment of Melbourne Park, which will transform our Australian Open tennis precinct and secure that great event until at least 2036. It is an

enormous investment, but there has been not a word from those opposite.

**Mr Ryan** — John O'Neill's on the phone, mate. He wants to talk to you.

**Mr MERLINO** — I will get to John O'Neill. Work is about to begin on the new state athletics centre and a new world-class home for the Victorian Institute of Sport at Albert Park. Despite heralding a new era for our Olympic sports, this project has not attracted a word of support from those opposite.

The Brumby government is contributing \$30 million towards the Great Southern Stand upgrade at the MCG. We will also save Yarra Park with a \$22 million water project. Many Australian Football League and Victorian Football League training ground upgrades are nearing completion, with the work being worth over \$100 million in total. These are great projects, but again there is silence from those opposite.

Most excitingly, an enormous and until now missing jewel in Melbourne's sports crown will open in just over three weeks. AAMI Park will be a revelation for sport in Melbourne. Fans will never have experienced anything like it. It will be the new home of Melbourne Storm, Melbourne Victory, the Melbourne Heart and our Super 15 Rugby side, the Melbourne Rebels.

I was asked about challenges. If ever there was a project that provided a massive boost to sport in our state it is this one, but again there is only silence from those opposite. It is because those opposite do not believe in it. These are the most important sports infrastructure projects we have seen for generations. To be silent time after time is sending a message to the millions of fans and to our important sports and major events industry that the opposition does not care — and that is the challenge.

The great sport of Rugby is one of the sports that will be on show at AAMI Park, yet some people choose to deride it. If I could quote one such person:

... all this stuff about Rugby, this push-and-sniff stuff. Heavens above! Do you mind?

Who said that?

**Mr Ryan** — I said it.

**Mr MERLINO** — John O'Neill's best friend, the very same person who only last week was pretending to be the best friend of the Australian Rugby Union, the Leader of The Nationals, said it. The challenge for sport is ignorance and indifference. Only the Brumby

government can be trusted to secure our sports industry and our status as the world's sporting capital.

## EDUCATION AND TRAINING REFORM FURTHER AMENDMENT BILL

*Second reading*

### Debate resumed.

**Mr HERBERT** (Eltham) — It is a pleasure to continue my contribution to debate on the Education and Training Reform Further Amendment Bill. I was talking before the lunch break about the fantastic advantages the VSN (Victorian student number) has provided to the government in making sure that people do not drop through the cracks and as part of our campaign to ensure that 90 per cent of all young people complete year 12 or its equivalent. The changes to the VSN in the bill improve the management of that and give other organisations such as Skills Victoria, the Adult, Community and Further Education Board, the Catholic Education Commission and large educational providers the authority to access and utilise the VSN in order to ensure that their systems — and the systems across all education sectors, not just state education — operate effectively. Of course, as has been mentioned earlier, the safeguards that were put in place when the VSN was introduced in 2008 will continue and the privacy of students will be maintained following this amendment.

Another aspect of the bill I wish to comment on is the major reforms in terms of continuous improvements to the Victorian Institute of Teaching (VIT) and the way it operates. This has been a major initiative of the government in regulating and legislating teacher qualifications in this state, and an important part of that legislative responsibility is to ensure that only people with the best morals and without criminal records are in front of our classrooms. We can ensure that parents have that assurance. The VIT gets regular updates on police records, but there is often a lag in the institute getting that information from the police if a teacher is involved in a criminal prosecution. This bill takes account of new technology in the form of data matching systems, and there will be a continuous data stream going from the police to VIT to ensure that if a teacher does do something that is illegal and not appropriate for the teaching profession, the institute can pick up on that virtually instantaneously and can take appropriate action to protect children.

Another aspect concerning VIT is that the changes will also make it easier for former teachers to re-enter the

teaching workforce by streamlining current qualifications and administrative requirements. As the opposition spokesperson said, there are a few teachers in this house who may wish to go back to teaching one day and who will probably look at these changes with some enthusiasm.

Another important change to VIT concerns the recording and acknowledgement of professional development that teachers take part in after gaining their initial teaching qualifications. It is currently a requirement that teachers have to have continuous professional development as part of the re-registration process. This amendment has regard to what is happening with national teaching qualifications and what is happening in the teaching profession, recognising that education requires people to have good leadership qualities and a whole heap of other capacities as well as being good teachers. What the bill will do is give VIT the power not only to better regulate but also to ensure there is recognition of higher levels of practice by teachers.

This means that teachers who want to be principals or executive principals or want to take on a substantive leadership position, might do a masters in education or a Bastow course. Teachers might do a range of specific courses that update their qualifications to lift them above and beyond what we would expect from a teacher, and that is to be recognised. I think that is a terrific thing.

In regard to the changes to the Mildura schools land, which the member for Mildura will speak on, but particularly in regard to the Chaffey land, this is a great legacy left by the Chaffey family. They were irrigators and farmers in the 1880s who left property to benefit those in the Mildura area with respect to education. The board of trustees has expanded the number of schools that benefit, and whereas originally 1 school was intended to benefit, today about 30 schools benefit from the land.

Currently there is about \$1 million in the trust. It is a great benefit to Mildura's schools, but the trust is long overdue for some administrative reform. In terms of that administrative reform, there is no intention to change the basic element of the way the trust operates, but the bill will improve its efficiency and bring it into line with modern provisions by amending a range of provisions in the act. I know the member for Mildura has been involved in extensive consultations. He has asked a number of questions, and some detailed responses have been provided to him. I am sure he will go into some of the aspects of this part of the legislation in his contribution.

Put simply, this legislation improves a range of educational opportunities and services in the state of Victoria. It is part of our continuous process of updating and modernising the legislative provisions that enable our schools to operate effectively. I commend the bill to the house.

**Mr CRISP** (Mildura) — I rise to speak on the Education and Training Reform Further Amendment Bill 2010. The purpose of the bill is to amend the Education and Training Reform Act 2006 and to re-enact the Mildura College Lands Act 1916 in the Education and Training Reform Act 2006. It also repeals the Mildura College Lands Act 1916, the Mildura College Land (Ranfurlly) Act 1992, the Institute of Educational Administration (Repeal) Act 1993 and the Mildura College Lands (Amendment) Act 1995.

At this stage I am supporting the amendments proposed by the opposition. In fact I will speak entirely on the amendments in my contribution. I would like to thank the shadow Minister for Education for his assistance in preparing these amendments and for his cooperation in putting these amendments forward.

In relation to the purpose of the bill in respect of the college lease, I will outline the history. George and William Chaffey, who established the settlement of Mildura, set aside approximately 10 per cent of the land to form an endowment trust in 1887. That land was set aside to fund an agricultural college. The college was never built, and the rental income from the land is distributed to local primary and secondary schools. There are about 30 schools that benefit from this income. Recently the value of the trust was around \$90 per student per annum, and the bill seeks to update and consolidate that college lease legislation.

The amendments will mean that the land will be shown in survey maps instead of being listed in the act to allow for simpler sales without having to amend the act, and they will be recorded by the Governor in Council. It will also mean that a list of beneficiary schools will be included in an order in council to allow mergers, renamings and additions and to enable the system to be more simply managed. Any changes must be tabled in Parliament.

This is where we have an issue, which has led to the proposed amendment. There is one primary school in the horticultural region that is excluded from being a beneficiary by the definition of 'beneficiary school region' in new section 5.7A.2 inserted by clause 17. The Nangiloc Colignan and District Primary School has been lobbying for years to have the definition changed

to remove the discrimination based on an out-of-date definition of the irrigated areas.

The trust has an income of around \$1.25 million per annum, which, as I said earlier, is around \$90 per student. This is an incredibly valuable legacy to Mildura. The original boundaries for this legacy were the same as those of the first Chaffey settlement, which is better known as the First Mildura Irrigation Trust area. The boundaries were expanded post-World War II to cover an increased horticultural region. No more land was set aside; it was just expanded to include the Red Cliffs and Merbein irrigation areas and the beneficiary schools that then fell within that region.

There is a school that sits outside that beneficiary region — it is the Nangiloc Colignan and District Primary School, which sits in a horticultural region and is active in horticultural issues. The school uses local oranges to make iceblocks for its canteen and undertakes visits to look at the value adding and processing of horticultural products. It is very much in touch with the industry that surrounds it. Most of the families of the children who attend the school are involved in horticulture. There is no better example of that than a number of things that have been done in the last 12 months.

The Nangiloc Colignan and District Primary School's enterprise learning program has been highlighted as a model for the Schools First award program, which is made under a partnership that has been developed between the school and the Murray Valley Citrus Board, which is one of the peak horticultural industry bodies.

I will quote a news report on this from the board's newsletter:

On 2 July, 2009, Nangiloc Colignan primary school featured in a live weather cross on the channel 7 breakfast show. Participation in the program was an ideal opportunity to promote the NAB program and to give due recognition to the widely acknowledged achievements of the school. To date, the enterprise learning program has been featured on *Sunrise*, *ABC National Radio*, *Queensland and Bush Telegraph*, *Victoria* and in the *Age* newspaper.

Last year the children were involved in the Journey of the Orange program. A great many citrus trees surround the Nangiloc Colignan and District Primary School. The children picked, bagged, delivered and marketed oranges to raise money for their school. The school principal, Eric Wright, said there was a huge community response that enabled the district to celebrate its achievement in getting to the NAB awards as well as being on channel 7 and provided an

opportunity to showcase the region's importance as the home of the quality citrus industry.

There are numerous other examples of how the Nangiloc Colignan and District Primary School is connected. It is involved in a partnership with the Murray Valley Citrus Board, and the primary school gained an expanded profile when the students from the school made a presentation to the Citrus Australia national conference held in Mildura in November 2009. It was working up its programs, which again were following value adding, which was part of the school's agricultural and horticultural program. The school formed its business, Fundzinc, which was used to promote that program, and it has been very successful.

The Nangiloc Colignan and District Primary School has a horticultural heritage and a history of participation in horticulture that in my view meets the beneficiary criteria laid out by the Chaffeys. The school and the community have previously sought to be involved in the trust, and this bill creates that opportunity. The bill includes a definition of 'beneficiary schools', but we need to amend the definition in proposed new section 5.7A.2 to allow the opportunity for the Governor in Council to amend the order that collates the names of the beneficiary schools. It is a two-stage process. Firstly, we have to amend the boundaries to make it a beneficiary school, and, secondly, it has to be added to the list that the Governor in Council keeps.

We also need to consider the issue of the impact of including an additional school. The Nangiloc Colignan and District Primary School has about 60 students and the trust has an income of about \$1.25 million, which equates to \$90 per student. For an extra 60 students we are talking about \$5400 a year for the school. In a budget of \$1.25 million this is not a great deal. If you do some maths on those numbers, you come up with about 13 000 students who are beneficiaries of the trust. If that is the case, the impact is a little less than 40 cents on the overall return to each other student.

I am also informed that the student numbers in the Mildura area have declined slightly. The trust is performing well financially at the moment. The addition of one school and 60 students will have minimal impact on the returns to the other students. There is also a concern that we may be setting a precedent so that other schools may wish to join in this beneficiary arrangement. The nearest schools are a long way away and out of the horticultural zone. They are many kilometres away and in a different demographic area. The nearest schools are well established in the grain area.

The school has sought to be included, and I have been informed by Mr John Irwin, a Mildura lawyer, that he has working notes to show there has been correspondence in the past between the department and the school seeking participation in the beneficiary zone if and when the legislation is amended, and that is what is currently occurring. Because this goes back such a long time the correspondence has been washed away with time, but the school has sought to be involved in this, and I am prepared to take the lawyer at his word that his notes show that such correspondence has in fact occurred.

The community has lobbied me over this issue for some time, since I have been a member. A number of parents, who go all the way back to the early 1990s, have been anxious to remind me that this is a live issue. The inclusion of the Nangiloc Colignan and District Primary School will correct a minor anomaly at little cost and should not create a precedent. I urge members of the government to support the amendments before them. We now have a chance to correct this injustice with little impact on anyone.

The acts amended by the bill go back to 1916. Let us fix this now. Let us get it right now and have this inheritance justly distributed across all those who have a horticultural heritage in Mildura.

**Mr SCOTT** (Preston) — It gives me great pleasure to speak on the Education and Training Reform Further Amendment Bill 2010. This bill will amend the Education and Training Reform Act 2006, re-enact the Mildura College Lands Act 1916 in the Education and Training Reform Act 2006 and repeal the Mildura College Lands Act 1916, the Mildura College Land (Ranfurly) Act 1992, the Institute of Educational Administration (Repeal) Act 1993 and the Mildura College Lands (Amendment) Act 1995.

To start with I make a personal declaration. This bill is close to home for me, since my wife is a teacher — although she has not taught in Australia, she previously taught within the Chinese educational system at both a secondary and post-secondary level; my brother is a teacher in the Victorian educational system; and my father was a teacher in the Victorian educational system. The bill is close to my family and of some importance to them. Further, my great-grandfather was a teacher, as have been other members of my family.

*Honourable members interjecting.*

**Mr SCOTT** — I have been asked 'in which schools?'. I will return to that later in my contribution if

I have time. I welcome the interest of members in my family's activities.

The bill is important to me on a general and philosophical level, since I regard the development of free education in Victoria as one of the great achievements of our society. Education is one of the great drivers of equality of opportunity in our community. It allows persons to advance in our society, not on the basis of who their parents are but on the basis of what their talents and willingness to work will bring them in life. I particularly refer to persons from disadvantaged backgrounds or those who live in areas without access to educational facilities who are achieving an education. I return to my personal family history. My grandmother was able to become a nurse thanks to the dedicated efforts of a teacher in a one-teacher school in a regional and rural area.

**Mr Jasper** interjected.

**Mr SCOTT** — Near the Barmah forest.

Such people struggle away with limited resources. I know that since the establishment of free secular education in Victoria many teachers have worked in a dedicated manner under trying circumstances to provide opportunity to citizens of our society.

It is a fantastic thing that in our society people are accorded the opportunity to have a free secular education and to advance based on their capacities and willingness to work hard for their future development. Our society has been much greater for that development over time.

To return to the detail of the bill, its main purpose is to amend part 2.6 of the Education and Training Reform Act 2006 in relation to certain operations of the Victorian Institute of Teaching (VIT), which is referred to in the bill as 'the institute'. Those amendments include the introduction of powers enabling the institute to undertake police record checks on a continuous basis. As has been discussed by previous speakers, recent developments in information technology have allowed there to be a continuous process whereby police checks can be updated nearly instantaneously, thus allowing recent information to be provided and held in such a police record check.

The amendments also allow for the inclusion of adverse outcomes of disciplinary actions on the public register, the enlargement of the functions of VIT to include development standards for high levels of professional practice by teachers, the streamlining of the qualification requirements for non-practising teachers who wish to return to full registration and the

requirement on the institute to notify the director of public transport of certain determinations made by a formal hearing or panel relating to teachers. I will touch on a couple of those matters in my contribution.

Firstly, I think the second-reading speech touched upon drivers of school buses and the like. If there were an adverse finding relating to someone's activities as a teacher that related to working with children, it would certainly be appropriate for that information to be shared with the director of public transport.

The issue of non-practising teachers was raised by the member for Eltham. I know that many persons who were previously teachers have gone on to other forms of human endeavour — in fact I understand there are a number of such people in this house — but they may consider returning to teaching at a future point. I think we should encourage all persons who become qualified teachers and want to make a contribution to do so, whether it is through teaching at the secondary level or at universities or the like, as with some people I know, although this is not dealt with by the bill.

In my view persons who have had a broader life experience after leaving the teaching profession, in whatever field of human endeavour that may have been — certainly it goes beyond politics — should be encouraged, where possible, to bring those life experiences back to the classroom, where they can be of great benefit to students.

The bill makes amendments in relation to the operation of the Victorian student number (VSN). As was touched upon in earlier speeches, the amendments extend the authorised use of the VSN to organisations in Victorian government departments and the education and training sector such as Skills Victoria, the Adult and Community Further Education Board and the Catholic Education Commission of Victoria. Allowing such organisations to access the VSN will ensure that the system operates effectively by providing seamless access to those organisations that require it. That is a sensible change. I note that the opposition supported it, although it initially raised concerns about the VSN.

It is reasonable for a state to have a universal student identifier. I know there are always privacy concerns with universal identifiers, but people should be aware that there are a number of them — for example, the Victorian Electoral Commission has a universal identifier for all electors. So long as personal identifiers are being used for the purpose for which they were originally created — be that in the case of education here or in the case of the electoral roll to allow people to be tracked for a purpose which is legal — and it does

not involve an infringement of a person's rights, I think they are a reasonable mechanism to achieve efficiency within public administration. I am quite happy with that amendment.

One of the other issues the member for Mildura touched on relates to clause 17 of the bill, which will re-enact the provisions of the Mildura College Lands Act 1916 and make various improvements to their operation. I note an amendment has been circulated by the shadow Minister for Education. I understand that amendment is receiving due consideration. It was put to the government last night, and it is required to give due diligence to this matter. I am sure it is being given the appropriate consideration and that it will be treated fairly by the government.

I think it is an excellent bill overall. It will make changes which will improve the operation of education in our state. We should all consider the role that education plays in our society. I personally am a great supporter of public education and in fact all forms of education which provide the opportunity for persons to advance within our society and have their lives freed from the shackles of the traditions that were once imposed on people so they are free to make their way in our society and contribute as best they can based on their talents and capacities. I commend the bill to the house.

**Mr KOTSIRAS (Bulleen)** — It is a pleasure to rise to speak on the Education and Training Reform Further Amendment Bill. In speaking to the bill, I have to ask why the government has taken so long to bring in these amendments. In February 2010 we debated the Education and Training Reform Amendment Bill, and now we are debating a further amendment bill. If the government knew these changes had to be made, why did it not make them in the previous bill? Why did it wait a few months — until the minister woke up — to introduce these amendments? Some of these amendments are good, and as a former teacher I support them.

However, I am disappointed that the minister is very lazy. I think she has one eye on the election, because she fears she will lose her seat to the Greens, rather than dealing with matters pertaining to her portfolio. It is important that the minister's private office ensures she is up to date with all the amendments needed so they are introduced at the appropriate time rather than on an ad hoc basis with the government coming in every two months to make amendments to the principal act.

The provisions of the bill improve the function of the act. However, the improvements to the Victorian

Institute of Teaching seem to be ad hoc. I have concerns about VIT, as I outlined in my contribution to the debate on the previous bill. I raised those concerns then, and I have to raise them again now during this debate. I cannot understand how VIT can carry out its work when it is simply an appendage of the minister and the VIT board is simply a mouthpiece of this minister. Of all the members of the board I would say two are independent. The rest are appointed by the minister. How can they be truly independent? How can they represent the teachers, and how can they represent what is good for our students when they are simply the mouthpieces of this minister?

For example, in the newsletter that VIT produces — and I was told it costs \$10 a copy — it talks about how good the Education and Training Reform Amendment Bill was. If VIT were objective, it would not say this legislation introduced by this government is designed to improve the institute's efficiency and effectiveness, because there are teachers and others who do not agree that the VIT board is doing its job. They agree the VIT board is there simply to be the mouthpiece of this minister. The VIT board has to be very careful about how it carries out its duties.

As I said, there are some changes in this legislation which I support, especially the extra powers to monitor and report on teachers for the protection of our students. Our no. 1 priority is to make sure our children, our students, are looked after in a safe environment.

Some of the main provisions of the bill include enlarging the function of VIT to include professional practice for teachers. It is about time this was done. If people look back at the report of the Education and Training Committee tabled in the house in February 2009, they will see the committee spoke about linking teacher professional learning to standards. In fact recommendation 2.4 in that report states:

That the Victorian government develop advanced categories of teacher registration, incorporating:

standards for higher levels of teaching practice beyond full registration; and

opportunities for teachers to demonstrate the attainment of these standards through completion of ... professional learning programs and/or evidence of advanced teaching practice.

Why has it taken the government 12 months to implement such a policy? I would imagine this is due to pressure from the commonwealth, which thinks it is a good idea. This government simply follows the commonwealth.

Secondly, why does it refer only to higher levels of professional practice? It has two levels. It has levels of professional practice and higher levels of professional practice. Why is there not recognition of all levels of professional practice? And if a teacher undertakes professional development, will that be registered on that teacher's VIT registration? I have gone through the bill, and I cannot find anywhere in the bill that any practice, any professional development that a teacher undertakes, will be registered on their VIT registration. What is the point of doing it if it is not acknowledged? I ask the minister to clarify this point.

The bill provides for police checks on an ongoing basis. This is a good provision and I support it. The police checks will no longer be restricted but can occur at any time. As I said, parents want to feel sure and confident that their children are in safe hands in the classroom.

The bill streamlines the qualification requirements for non-practising teachers wishing to return to teaching, which is good, and it provides for the particulars of teacher sanctions to be contained on the register of teachers. It also requires VIT to notify the director of public transport regarding certain determinations of VIT panels. Again, as we know, many teachers have bus licences, as I did, and if the teacher does something wrong or there has been an adverse finding against the teacher, it is only appropriate that the director of public transport be notified.

The Education and Training Reform Act is being amended to allow certain bodies such as the Catholic Education Commission of Victoria and the Adult Community and Further Education Board to access the Victorian student number database. This is fair, and it makes sense. But, again, why was this not done in the previous bill? Why did the government wait for months before introducing these amendments? Having said that, I also say there is a danger, and we have to watch and be very careful to make sure that no data or information is abused or misused by anyone, so there have to be clear guidelines.

As I said from the start, I support the changes that this bill makes to the principal act. I am surprised it has taken the government so long. However, I am still concerned about VIT and the fact that it is not truly independent and therefore cannot represent teachers. I am still concerned VIT is just a mouthpiece of the minister of the day. Until VIT becomes independent of government and is not afraid of the minister or the government of the day, it cannot truly represent teachers and operate in the best interests of our students. Since the government seems to be happy with bringing in amendment bill after amendment bill, I

hope it will bring in some amendments to ensure that VIT becomes independent of the Minister for Education and is not just the minister's mouthpiece.

**Mr LANGUILLER** (Derrimut) — It gives me pleasure to make a contribution to the debate on the Education and Training Reform Further Amendment Bill 2010. A number of speakers have made contributions on the bill, some with more relevance than others.

**Mr Kotsiras** interjected.

**Mr LANGUILLER** — The member for Bulleen appears to be taking that personally; I actually did not say anything about him. But I do wish to make a number of personal comments about this matter.

The first is that I certainly benefited from a good education in Victoria. This is an opportunity for me to say thank you to my teachers over many years, particularly those who had the patience and extraordinary commitment to teach me in the late 1970s and 1980s, after I came to this country from Uruguay in Latin America as a refugee who spoke no English, as many members would know. I had the privilege of having access to a good education, and I want to say thank you to the Victorian governments of that time.

**Mr Wynne** — Where were you living?

**Mr LANGUILLER** — I was a resident, as the member for Richmond is fully and correctly aware, of a high-rise building in Flemington, in a wonderful unit that I remember very dearly: unit 67 at 120 — —

**Mr Wynne** — At 67/120 Racecourse Road!

**Mr LANGUILLER** — The minister at the table, the member for Richmond, was there many times. I must say that it is a wonderful privilege, unfortunately not one that everybody in the world can enjoy, to have access to a good education, to universal education and indeed, as the member for Preston correctly said, to public education.

This bill is good reform, taking education in the right direction. It confirms this government's commitment to providing the majority of students with the best education possible. The bill has a number of aims, and I wish to refer to them. The main purpose of the Education and Training Reform Further Amendment Bill 2010 is to amend the Education and Training Reform Act 2006 to enlarge the functions of the Victorian Institute of Teaching to include developing standards for higher levels of professional practice by teachers.

I refer to the contribution made by the member for Bulleen, because he advanced a range of criticisms and placed in doubt the credibility and bona fides of the institute. I would have thought, given he is an experienced member, that if he had any evidence or suggestions to make, he would have put them on the record. It is unfortunate that the credibility of this independent body be placed in question without any substantiating evidence.

The second important reform is the provision for police record checks to be carried out on teachers before and during registration. I am a parent of four children, and many of us in this chamber are parents. We should certainly welcome that reform. It is an outstanding reform, one that needed to be made, and it has been brought in by this government. I think members will find that parents across Victoria believe that it is important to be confident, to have the assurance, that for all teachers — and people working with children in other jurisdictions — it is on the public record if there is any adverse finding against them or any concern about them. It is another example of the benefits that new technologies provide, because now we are able to connect and synchronise with other jurisdictions and operate almost on real time. If there is a finding against a teacher or somebody working with a child in another jurisdiction, that can be streamlined, brought onto the public record, so the public is able to be confident in relation to those records. This is an important contribution made by the new technologies. It shows this government's commitment to transparency and accountability.

This is all about working towards the fundamental goal of this government, which is to educate or provide instruction to as many children and young people in Victoria as possible, and hopefully to meet that goal of ensuring that a very large number of students — in fact, of the order of 90 per cent or thereabouts, which I believe to be fantastic — finish the Victorian certificate of education or year 12. I was going to say HSC, the higher school certificate, which reminds me of old times. It is a fundamental goal, and it is one that we on this side of the house strongly support.

I was very impressed by a number of contributions, but the member for Preston in particular made a very important contribution. It could be said to be almost singular in the region and probably the world, the way that in this country — and indeed in Victoria, particularly over the last 10 years — people are given opportunities for education. An education can change people's lives. An education means — as it has for so many of us, and I must say looking across the chamber I know that for a fact — that people who come from

very humble beginnings are, luckily, because the government, the state and their families made a huge effort to educate them, able to aspire to important positions in the corporate sector, in the non-government sector and indeed in government. It is through education that that can happen in this country and fundamentally so. I think the member for Bulleen would certainly agree with me on that, because I believe him to be from a similar background.

The truth of the matter is that if we give children across the board and across the state the opportunity to have a good education, then extraordinary horizons will open to these young men and women who are the future of this country and of this state. This does not happen in every other country. I must say, very respectfully, particularly to those who are old-timers in this country, that they should not take that for granted. The fact of the matter is that the education provided in this nation gives people extraordinary opportunities — for them, for their families, for the future, and indeed for their communities.

I commend the amendments that this bill makes; they are important and really address some of the important issues to ensure that the system can be improved. Amongst other things, the bill provides for additional particulars relating to sanctions placed on teachers to be contained in the register of teachers, requires the Victorian Institute of Teaching to notify the director of public transport of certain determinations made by a formal hearing panel relating to teachers, and makes other consequential amendments.

Another important amendment with which I concur relates to something that did not exist when I was fortunate to have access to education. The bill amends the Education and Training Reform Act in relation to authorisation for the use of the Victorian student number, the VSN. As a parent of four and as somebody who has educated two different generations of children, one set aged 30 and 28 and another set aged 7 and 8, I think education is important. I have talked to friends, to parents and to staff in schools and, as I said, it is important that we have this number, providing it is properly and safely used for the purposes that have been outlined.

I also concur with the contribution to the debate made by members who highlighted that important point. The VSN is important because it allows teachers, parents and the state to identify potential anomalies or shortcomings in a student's life that may lead to them dropping out of school. It allows the identification of a student who may be facing problems, particularly when changing schools or moving interstate. That is good. It

gives the state education system, the nation and the family the opportunity to track down a child's education record and identify scientifically or empirically what may be happening with that student. The state, the teachers and the schools will then be able to intervene positively and constructively. These are good amendments, and they fulfil the Labor Party's commitment to providing good education.

**Debate interrupted.**

### DISTINGUISHED VISITOR

**The SPEAKER** — Order! I acknowledge in the gallery a former member for Dousta Galla Province in the Legislative Council, Tayfun Eren. Welcome, Tayfun.

## EDUCATION AND TRAINING REFORM FURTHER AMENDMENT BILL

*Second reading*

**Debate resumed.**

**Mr THOMPSON** (Sandringham) — I value the opportunity of contributing to the debate on education and training reform in the state of Victoria. A number of years ago I had the privilege of attending a Young Achiever Awards ceremony at a hotel not far from here. Among the young people who were the beneficiaries of a long education journey were award winners from across Victoria. One of them stated that every great task is a lot of small tasks done well and put together. Another student quoted the words of a French Nobel prizewinner, Jean-Marie Lehn who said words to the effect of 'Only those who can see the invisible can do the impossible'.

Today we are debating in part the legacy of the Chaffey brothers who brought settlement to the Mildura region and the legacy of the original settlement where there was a rental overflow from the leasing of land that was not used for its original intended purpose. This rental overflow benefited a number of local schools in the Mildura region.

It should be noted for the record that the opposition has proposed an amendment to this bill to bring under the definition of irrigation areas one more school which will benefit on a per capita basis by something like \$90 per student out of an aggregate quantum of about \$1.25 million, which I understand was the figure presented to the house by the member for Mildura in his wise contribution to this debate.

Like the member for Preston, in my own family there is a long tradition of teaching which goes back some four generations or more. An important aspect of teaching particularly relevant today is that the primary component is what transpires in the classroom. I refer to an email from a Sandringham electorate parent:

I appreciate that schooling is about what happens in the classroom, but a school that is well maintained and continually evolving helps children respect their school and gives them 'pride'. For children to see that the government is not interested, has no respect for, or pride in, is a very negative message.

In this particular case a local family is concerned about the lack of access to upgrade funding under the BER (Building the Education Revolution) initiative for a local school in the district and, more importantly, maintenance funding for their school as part of an aggregate master plan. The reason parents have stepped forward and written to me on an unsolicited basis was that they valued the state education system. They wanted to send their children to a good school for their secondary education but they had some difficulty with this because they felt they would be sending their children to a school that was neglected. They wanted to send their children to a school in which there was some level of pride. It has been established that there is a correlation between the built environment and student learning outcomes, and multiple studies reinforce this position.

In recent times there has been a significant level of investment in school building infrastructure. Some \$30 million has been marked for investment in my electorate. Local schools nevertheless are concerned about the lack of action on funding for schools that have been nominated and school sites prepared for access to the BER funding but are now at a standstill; they are now on hold. In one case six Bristol classrooms have been evacuated so that works can be undertaken but the work has not commenced. The closure of a number of important learning areas has placed the students in a disadvantaged position, and the press is descriptive of a number of flaws in the distribution of BER funding.

Another aspect of this bill is the enlargement of the function of the Victorian Institute of Teaching (VIT) to include professional practice for teachers and the provision for police checks on an ongoing basis. This is an important issue. A local constituent with a very keen interest in education and Victoria as a whole — he is a former Victorian of the Year — was concerned about decisions that were being made to allow teachers who had a number of offences recorded against them back into the classroom. This is a matter of major concern to

him in terms of student welfare. Fundamentally he was calling for more to be done.

This bill streamlines the qualification requirements for non-practising teachers wishing to return to teaching, provides for particulars of teacher sanctions to be contained on the register of teachers, requires VIT to notify the director of public transport regarding certain determinations of VIT panels and makes consequential amendments to the act.

The last time I was in Mildura was to attend the launch of a series of works by an indigenous artist, Lance Atkinson. Mildura is a very special part of Victoria, as I indicated earlier. It is a realisation of the vision of the Chaffey brothers and one where there has been a continuing benefit or legacy.

I think sometimes people in this place may not be aware of the significance of the legacy that they bestow on future generations of Victorians as a consequence of decisions made in this place. Those decisions may include ensuring that there is value for money from every Building the Education Revolution dollar that goes into schools to make sure that there is a worthy outcome. I might just add too in the context of the BER funding that it would appear that the Catholic system was able to adapt the funding to local requirements.

**The ACTING SPEAKER (Ms Green)** — Order! The member for Sandringham should confine his remarks to the bill. I have allowed a bit of latitude, but I ask him to return to the bill before the house.

**Mr THOMPSON** — The focus of the bill is specifically in relation to education and training reform; and it details a number of important provisions relating to the legacy of land granted by the Chaffey brothers in the Mildura region. Again, I just reiterate that the decisions we make in this chamber will leave a legacy, whether that be in relation to the upgrade of schools, whether that be in the investment overflow available for distribution, as in the case of the Chaffey brothers, or whether that be in other important decisions we make; there will be a legacy.

The opposition is very keen for its amendment to be supported. It will improve educational opportunities for younger children in the Mildura area. The Nangiloc Colignan and District Primary School has been lobbying for years to have the definition of the beneficiary school region amended to remove discrimination based on an out-of-date definition of the irrigated areas. I think that is within the capacity of this chamber to change. It is a very important amendment that will make a direct practical difference at the rate of

\$90 a year per student for this primary school in Mildura. I support the contribution of the member for Mildura and urge the house to support the position of the opposition in relation to the bill.

**Mr LIM (Clayton)** — To say that I am more than happy to contribute to the debate on this bill is almost an understatement. Like the member for Preston, I have a very close family member who is in the teaching profession: my good wife has been working as a teacher for the past 35 years, going back to 1976. The tradition, the culture and emotion is there. I come from a social and cultural background where the Confucian tradition of valuing education is very important, and 26 per cent of my constituents as a member of Parliament are Asian. Therefore you can see that I live, walk and talk education to the community all the time.

More importantly I am proud to be part of a government that has almost become legendary in terms of its achievements in education. We can look at it from any perspective in terms of saying that this government is prepared. In mentioning the teaching profession, it is not a coincidence that our present Premier is also a former teacher. Probably because of his background, his commitment and focus on education is second to none in terms of delivering and pushing his government to deliver in this field.

As I mentioned earlier, I am in my electorate talking about education all the time, and so it would be remiss of me not to say that only yesterday I had the opportunity to sing the praises of young leaders in a local primary school where they had completed training and education in their respective schools. Many other schools came along, because there was a cluster providing that kind of leadership.

It would also be remiss of me not to mention again that at the recent Harmony Day celebrations I had the opportunity and occasion to speak to a full assembly of one of the local secondary colleges, Westall Secondary College, which I think would probably be the most multicultural secondary school in the whole of Victoria. I took the opportunity to remind our future community leaders and citizens of our state that with education, the phrase 'The sky is the limit' is not even proper because in fact nothing is the limit as far as education is concerned. Having said that, I also brought in a concern from the community that unfortunately there appears to be an increasing degree of violence perpetrated by young people. I thought I would draw the analogy that if people are committed to education and are pouring and channelling their resources and intellect into education rather than coming up with excuses to

perpetrate violence, things will improve, and that message was very well received.

To come back to the bill, to see that this government is continuing to improve on education and come up with policy and legislation to make sure that we are ahead of the pack compared to other states in the country makes me very proud to be a member of this government. This government has long been committed to providing better education services and to enhancing the quality of teaching in all Victorian schools, as I mentioned earlier. With such an aim, the government has introduced a wide range of reforms in the education sector.

The Victorian Institute of Teaching, for example, was established in 2001, and a subsequent charter to recognise, promote and regulate the teaching profession was drawn up in 2003, when the institute reached its full capacity in operation. After five years of operation a government review of the institute was conducted in late 2007 and produced findings that the institute needed to continue fulfilling its role, because a number of initiatives had been effectively implemented to set up its foundation for regulatory functions. The job of marketing and advocating for the teaching profession was no longer required of the institute. However, the role of the institute will need to be amended to put more emphasis on being a regulator of the education sector. The review suggested that the marketing of the profession could be more effectively carried out by the Department of Education and Early Childhood Development (DEECD), the teaching unions and universities. A more simplified, integrated approach should be adopted by the institute to regulate the profession; only through that can the standard of teaching profession be maintained in the long term.

Under the reforms outlined a smaller council of 12 members will govern the institute instead of the original 20 members, which consisted of elected and appointed members, as well as the Secretary of the Department of Education and Early Childhood Development or a nominee of the secretary.

Teacher registration fees have been what supported the institute financially, and DEECD also provides an annual grant to supplement the income from fees which include yearly, application and criminal record check fees. Under the amended act, registration renewal will take place every year, and a more streamlined process will be developed online to avoid a time-consuming registration process for teachers.

The institute will have the power to investigate registered teachers on wider grounds, so that teachers

can be judged on whether they meet the required standards of professional conduct. Part 2.6 of the act will be amended, introducing the concept of 'suitability to teach' in lieu of the concept of 'fitness to teach'. Investigation into matters of potential misconduct or incompetence may be undertaken, even if no prior complaint against a teacher or notification from employers exists. An applicant's criminal record and their mental and physical health will all be considered in determining the nature of conduct of a teacher under investigation; a teacher's record in Victoria and other states will also be taken into account when determining a teacher's suitability to teach.

The bill will give the institute powers to impose a wider range of disciplinary responses and sanctions, including a designated course of further education or training for a teacher under investigation. A teacher's registration may also be cancelled for a specified period of time.

In consideration of time, I will end my contribution there. As I said earlier, I am very proud to be part of this government, which continues to improve on educational services to the community. It would be remiss of me, though, not to mention the latest addition to Victoria's special entry schools which is now in operation. That school, in North Melbourne, has been very well received, particularly by the Asian community in Victoria, and I think we should be very proud that in future the four special entry schools — the two new schools combined with MacRobertson Girls High School and Melbourne High School, which my two boys happen to be going through — are going to continue to produce the leaders, opinion makers and drivers of this proud state of Victoria. I commend the bill to the house.

**Mrs FYFFE** (Evelyn) — I am pleased to rise to speak on the Education and Training Reform Further Amendment Bill 2010. I do not think it is to overstate it to say that teaching is the single most important occupation in the world. Our teachers not only pass on valuable knowledge, ensuring that we build on our bank of knowledge rather than starting from scratch with every new generation, but more importantly they teach us how to seek information, use information, develop our minds and form our own opinions. Teachers seldom get the recognition they deserve. Having worked very closely with the schools in my electorate and with my children attending local schools, I can tell you we are lucky in the Yarra Valley to have as many dedicated teachers as we do, teachers we can entrust with the futures of our children.

The purpose of the Education and Training Reform Further Amendment Bill is to augment the functions of

the Victorian Institute of Teaching to include: developing standards for higher levels of professional practice by teachers; providing for police record checks to be carried out on prospective teachers; streamlining the qualification requirements for non-practising teachers who wish to return to full registration; and providing for additional particulars relating to sanctions placed on teachers by formal hearing panels to be contained in the register of teachers. The bill also amends the language of the Mildura College Lands Act 1916 to improve its operation and repeals the Mildura College Land (Ranfurlly) Act 1992 and the Mildura College Lands (Amendment) Act 1995.

The Victorian Institute of Teaching was established in 2001 and is responsible for registering teachers working in Victorian government, Catholic and independent schools. All practising teachers are required to be registered by VIT to ensure that only qualified teachers are employed by our schools. One of the most important functions of VIT is to investigate evidence in relation to accusations of serious misconduct, incompetence or lack of fitness to teach. For this reason VIT plays a critical role in protecting our children from those few rogue teachers who breach our trust and undermine our confidence in their ability. I hasten to add that these teachers are a minority.

Under clause 6 of the Education and Training Reform Further Amendment Bill, VIT is given further powers to conduct police record checks on an applicant when considering their registration. While our children are in the care of others it is vital that we are not exposing them to a person in a position of authority who constitutes a threat to their physical and/or emotional security.

We have a duty of care to provide a safe learning environment for every single Victorian child. Just this year it was reported in the *Age* that a former grade 6 teacher gagged and bound boys for his own sexual gratification.

Thankfully, the teacher was subsequently jailed for four years. However, it was shocking to find out that the teacher in question had more than 16 000 pornographic images and videos on his computer with some of the material having been created by the teacher with boys he met through various activities. Some of that material was also shared amongst users of a known child porn website. This is very disturbing and sends shivers down the spines of parents everywhere. I believe the insertion of this clause will help to weed out a few more bad apples that may otherwise have been granted registration and subsequent exposure to our children. It is also imperative so that the occasional scoundrel does

not sully the reputation of the entire teaching profession.

Yet, just as we increase the protections for our children, I ask the government what it is doing to protect our teachers in cases where the tables are turned and teachers find themselves vulnerable to attack. Teachers of students in the senior years of high school who in the past were generally taller than their students are now often dwarfed by teenagers, whose aggression from time to time is directed towards them. It is only through vigilance, proper reporting and robust discipline that we will prevent attacks from becoming commonplace in Victorian schools. Our teachers must be supported and not made to feel that students have all the rights while they have all the culpability.

Clause 16 of the bill inserts a new subsection into the Education and Training Reform Act stating that any employee of the Catholic Education Commission whose duties include the analysis and evaluation of information relating to students can be authorised to access, use or disclose one or more Victorian student numbers. Bodies or persons authorised under the Education and Training Reform Act 2006 to access, use or disclose a Victorian student number may not do so until the secretary has published notice of an authorisation in the *Government Gazette*. An authorisation will be subject to a number of conditions.

The administration and use of student identification numbers must be watched very closely at all times, given that these numbers provide access to sensitive personal information about students and their academic performance which could be potentially humiliating if it were released accidentally or retrieved deliberately. Privacy is not just the realm of adults. While a student achieving all A-pluses may be delighted to have this information broadcast to every Harry, Barry and Larry, a student with all Ds may feel their world has come to an end. When dealing with the impressionable minds of young people we must exercise absolute caution to protect their emotional wellbeing and dignity.

Clause 4 of the bill inserts a new definition of the Catholic Education Commission. This clause is not contentious as it simply defines the Catholic Education Commission as the Catholic Education Commission of Victoria Limited.

I am reminded of a far more contentious clause in the recent Equal Opportunity Bill 2010, which I did not get to speak on because the government prematurely guillotined debate. Accordingly, the government prevented residents of the Yarra Valley from having their say. In that bill the exemption applicable to

religious bodies allowed them to discriminate so long as the discrimination conformed with the doctrines, beliefs or principles of the religion or was deemed necessary to avoid injury to the religious sensitivities of adherents to the religion.

However, the equal opportunity commissioner apparently stated that she did not consider the employment of teachers like maths teachers to fall into this category. I would have argued, if given the chance, that this is a defensible form of discrimination as one can presume that people of faith will want to mix with like-minded individuals in certain settings and that any attempt to enter an institution where a religion is practised while being devoted to another religion may be with the intent to make mischief.

Although Mildura is well and truly out of my electorate I will touch on the Mildura College Lands Trust. George and William Chaffey, who established Mildura, set up an endowment trust in 1887 to fund an agricultural college; it was a tremendously generous legacy. The college was never built, but the rental income from the land is to this day distributed among local primary and secondary schools, equating to around \$90 per student per annum. This benefits around 29 schools in Mildura.

It is my understanding that the trust has over 180 properties and distributes funds on a student pro rata basis. However, the Chaffey legacy is now causing difficulties which have been highlighted by the member for Mildura on a number of occasions in this house. The problems are arising from families whose homes are situated on college-leased land. The cost of renting the land is an enormous burden and totals \$5000 to \$7000 annually. Last year the department requested Ernst and Young conduct a report on issues relating to college leasing, but at the time of this debate we are still waiting on the results.

Another issue of concern is that one primary school in the horticultural region is continuing to be excluded from becoming a beneficiary of the Chaffey trust due to an antiquated definition of the irrigated areas. Nangiloc Colignan and District Primary School has been trying to have the discriminatory definition modified, yet this bill completely overlooks its petitioning. In conclusion, I would like to see this bill amended, as has been proposed by the shadow Minister for Education, so that the school can also become a beneficiary of the Chaffey trust.

**Mr HOWARD** (Ballarat East) — I too speak in support of the Education and Training Reform Further Amendment Bill. As other speakers have identified, I

note that the major component of this bill amends certain operations as they relate to the Victorian Institute of Teaching (VIT). It includes some amendments that relate to certain operations of the Victorian student number (VSN), a minor change in regard to the management of the Victorian Curriculum and Assessment Authority and, as we have also heard, it also has a provision to repeal the Mildura College Lands Act and bring the basic contents of that act within this piece of legislation.

As other members who have spoken on this bill have recognised, especially those on this side of the house, the Brumby government has clearly identified that legislation is a no. 1 priority. As a former teacher and present chair of the Education and Training Committee of the Parliament, I continue to see these as very significant issues. I am pleased that this government has acted as extensively as it has in terms of funding, providing facilities in schools and supporting our teachers, thereby providing the best opportunities for students across the state.

As we know, the Victorian Institute of Teaching is a component within that framework; it is a component that ensures the standard of our teachers is at the top of what we would expect it to be. The VIT was established in 2001 as a professional body representing teachers. The VIT acts to register all teachers in a formal way so that only teachers registered by VIT should be teaching in our schools. It also has a role to deal with disciplinary matters brought to its attention including complaints in regard to serious issues of malpractice by teachers, which it then investigates and makes determinations about.

It also has a very significant responsibility in promoting professional standards in teaching. As part of that we are aware that it now requires teachers to undergo many hours of professional training to maintain their registration each year. It is an issue that the Education and Training Committee has been following through in its deliberations in this term of the Parliament, with an inquiry in regard to ongoing teacher education.

It is pleasing to see that VIT has been playing an important role in supporting some direct teacher professional learning activities, some of which I have attended myself, and I have been pleased to talk with teachers who have attended some of those activities at the VIT. As well as that, it is looking at a whole range of issues in providing further information to teachers about the range of professional learning opportunities out there for them, and there is certainly a significant ongoing role to be played in that regard.

It is important that the Victorian Institute of Teaching is able to carry out regular police checks. The legislation varies the way police checks can take place to ensure VIT has the power to undertake them on a continuous basis. Whenever a teacher submits themselves for registration they authorise VIT to carry out a police check to ensure that no serious offences come to light that would impede their ability to work with children. It will ensure that students and parents can be completely confident that there is no reason why the teachers they have before them should not be able to teach.

The legislation also covers issues about recording any adverse outcomes of disciplinary action. It is always a difficult matter to determine how much information about disciplinary outcomes is put on the public record in order to be fair to a teacher who has undergone that procedure and also to ensure that schools, principals and so on can be confident that if they are considering employing a teacher who is registered they are able to access any information about why they should not employ that teacher. The bill tries to balance that so there will not be a great range of information on the public register about any disciplinary procedures. But if a teacher has their registration either temporarily cancelled or suspended or it is subject to conditions, that will be on the register. It will not be on the public register forever; it will be reviewed annually, depending on the nature of the outcome determined by the VIT. There are a fair balance of protections, but we want to ensure that parents, teachers and the school system can be confident about the information provided by VIT on that score.

The bill provides for an enlargement of the functions of VIT relating to professional development activities and to the setting of professional qualification levels for people at the higher levels of the profession, which means the principal class of teachers. The VIT will now be allowed to develop professional standards that people wishing to obtain those higher levels of qualification should meet in order to demonstrate their competence as a senior teacher and a person of the principal class. This is a very sound move forward. We want to ensure this is an ongoing area of development within the VIT. Professional standards for teachers should continue to be challenged and followed up by the VIT.

An issue that came up in the review of VIT was about teachers who have become non-practising but who wish to return to teaching. Their qualification requirements will be streamlined, and that is a sensible practice. We want to encourage people to come back to teaching if they feel capable of doing so. We do not want to impede them by putting stumbling blocks in the way,

such as too much paperwork, and the bill proposes to streamline that.

The bill also deals with the Victorian student number system. When we introduced the system we wanted to ensure a degree of privacy was associated with the Victorian student number and that only the appropriate people could access those numbers. As the system has rolled out, it is appropriate to recognise that now that those in the Catholic education system and people in adult and community further education use it, they might have reason to access VSN data. The bill enables certain employees of those organisations and of the Department of Planning and Community Development who might need to access VSN information to do so.

The bill also appropriately updates the Mildura College Lands Act. This is a very sound bill which relates mainly to the important activities of the Victorian Institute of Teaching to ensure we continue to challenge our teachers to be at the top level of their profession and to allow anybody wanting to employ a teacher to look at the register and be confident that VIT is doing its job in terms of teacher registration and providing employers with the information they need to employ a teacher so we can ensure that students in all our schools continue to have the best quality education.

**Mr NORTHE** (Morwell) — It gives me great pleasure to rise to speak on the Education and Training Reform Further Amendment Bill 2010. The bill amends a number of acts, including the Education and Training Reform Act 2006. It also re-enacts the Mildura College Lands Act 1916 in the Education and Training Reform Act 2006 and repeals the Mildura College Lands Act 1916, the Mildura College Land (Ranfurly) Act 1992, the Institute of Educational Administration (Repeal) Act 1993 and the Mildura College Lands (Amendment) Act 1995.

The member for Nepean has foreshadowed an amendment on behalf of the coalition relating to aspects of the bill that affect Mildura and we support that proposed amendment. The members for Mildura and Nepean, and preceding me the member for Evelyn, outlined very clearly the challenges in that aspect of the bill. We support the amendment proposed by the member for Nepean because ultimately it will benefit the Mildura community.

I turn to a number of the provisions of the bill. It will enlarge the functions of the Victorian Institute of Teaching (VIT) with the aim of developing standards for higher levels of professional practice by teachers. It provides for police checks to be carried out on teachers before and during the registration process. It

streamlines the qualification requirements for non-practising teachers who wish to return to full registration. At this point I might say there may be a couple of members on the other side of the chamber who might have to utilise that aspect post-27 November!

The bill also provides for additional particulars relating to sanctions placed on teachers to be contained in the register of teachers. It requires VIT to notify the director of public transport of certain determinations made by a formal hearing panel relating to teachers, and it makes other consequential and miscellaneous amendments.

The bill introduces a system of continuous police record checks for registered teachers. They are carried out on a regular basis and are consistent with the working-with-children assessment notice. The institute will receive regular updates and information on those aspects about registered teachers. As it is, people who apply to become a registered teacher and teachers who apply to renew their registration will consent to ongoing Victoria Police record checks. As other members have mentioned in their contributions today, it is imperative that the standards of our teachers are maintained at a very high level and therefore it is imperative that the checks are conducted. They will run in parallel with the national criminal record checks so that we will have a very thorough regulatory framework around people who are applying to become a teacher or who are re-registering.

The bill addresses information included in the institute's public register of teachers. As previous speakers have stated, it includes on a public register any adverse outcomes of disciplinary action for teachers. I guess that serves two purposes. One is to enable the public and those who might want to employ teachers to view a register concerning the performance of a client or a prospective employee, but it also keeps those in the teaching fraternity honest and makes sure that their conduct is at the highest professional level.

Further elements of this bill state that a registration that has been cancelled, suspended or is subject to conditions will be included on the register if that is the finding of the hearing panel. Any adverse outcomes other than deregistration will be automatically removed from the public register at the expiry of the condition, limitation or suspension period. As the second-reading speech says, it is anticipated that the length of these condition, limitation or suspension periods would be approximately 12 months.

Other speakers have spoken about the need to get this right and to balance the rights of an individual teacher against the public's interest in teachers within the teaching fraternity. It is a difficult balance, and I understand that, but I think we have this in the right domain. If you have a look at bodies in other jurisdictions such as the Queensland College of Teachers and the Teacher Registration Board of the Northern Territory, you find they both have similar powers to what has been proposed here in terms of publishing adverse outcomes of disciplinary action on their public registers.

As I mentioned earlier, the bill also streamlines the qualification requirements for non-practising teachers who wish to return to full registration, and I think that is a good thing.

An interesting element of this bill requires the institute to notify the director of public transport of certain determinations made by the formal hearing panel. The example that has been conveyed is where a teacher who was subject to an adverse outcome of a disciplinary action is then employed as a school bus driver, which is quite an interesting element. Talking about school bus drivers and school bus routes, that is certainly a challenge in my electorate this year.

One of the other elements of the bill I want to speak to is the Victorian student number (VSN) or unique student identifier. The bill talks about its rollout and also the extension of the classes of authorised users of the VSN. Having debated this issue previously in the chamber, I can say that the VSN is utilised for the purpose of trying to identify students at risk of dropping out of education and those within the training system. The government's goal is to have 90 per cent of young Victorians complete year 12 or its equivalent. There is quite a bit of work to do in that respect.

It would be remiss of me not to take the opportunity to point out the challenges facing regional students in their completion rates. They are far worse off when compared to their metropolitan counterparts. An extensive amount of work has been conducted in relation to that, and the statistics tell us very strongly that those who undertake education in regional Victoria are far less likely to complete year 12 than their metropolitan counterparts. Whilst the VSN is a sensible step in the right direction, a lot more work needs to be done by government to ensure that regional students do indeed complete year 12. That 90 per cent goal of the Victorian government is noble, but there is quite an extensive amount of work to be done.

As I have mentioned, this bill extends the classes of those who are authorised to utilise the VSN to Skills Victoria, ACFE — which is the adult, community and further education sector — and the Catholic Education Commission of Victoria. These organisations will be required to access and utilise the VSN to make sure their systems operate correctly. The VSN is being rolled out to those organisations as we speak.

Education is such an important element of our whole social fabric. We have heard in this house before that education is the Brumby government's no. 1 priority.

**Ms Beattie** — Hear, hear!

**Mr NORTHE** — I am not sure that too many people would disagree with you. By the same token there are a number of schools in our region — particularly in the Morwell electorate — which do a wonderful job. On the whole our teachers and principals do a marvellous job, sometimes in very difficult circumstances. The majority of them are there for the right reasons. They are an imperative. As a parent of three children, I understand the importance of the teaching fraternity and the role it plays in our children's lives. We understand the importance of education in ensuring that all students in Victoria have the opportunity to go as far as they can in their educational outcomes.

I call upon the government to look with all seriousness at the amendment circulated by the member for Nepean. It is very important for the Mildura community.

**Ms BEATTIE** (Yuroke) — It gives me great pleasure to rise to support the Education and Training Reform Further Amendment Bill 2010. I understand an amendment has been put forward by the member for Nepean, and I further understand that we will be accepting that amendment. However, the Minister for Education is in the house and will expand on that later.

There are two overall objectives of the bill. The first objective is to amend the Education and Training Reform Act 2006 in relation to the operations of the Victorian Institute of Teaching, the Victorian student number, the Victorian Curriculum and Assessment Authority and for other purposes. The second objective is to update the language of the Mildura College Lands Act 1916 and make a number of changes to improve its operation, and to re-enact its provisions in the Education and Training Reform Act 2006. The Mildura College Lands Act 1916 and two other amending acts — the Mildura College Land (Ranfurly) Act 1992

and the Mildura College Lands Amendment Act 1995 — will be repealed.

I want to talk about the first objective for a moment, particularly as it relates to the Victorian Institute of Teaching and some criticisms that were made of it by the member for Bulleen. He asserted that VIT was just a mouthpiece of the minister and questioned the credibility of it. I would suggest to the member for Bulleen that if he wants to question credibility, he should look in the mirror, if he can bear to do so. Half of the board of the Victorian Institute of Teaching is elected and half is appointed. The half that is elected is elected by its peers — in other words, it is elected by teachers.

Once again the member for Bulleen has come in hurling criticisms around the chamber with absolutely no credibility at all. He questioned clause 5(1). He wanted to go into a bit of detail on clause 5, but, once again, he was wrong about it. What clause 5 proposes is a national framework, which includes four levels of standards: graduate, proficient, highly accomplished and lead. That national framework is currently the subject of national consultations. Under the current national partnerships agreement the regulatory bodies in each state, including VIT, are expected to use the standards in the national framework. The honourable member for Bulleen is wrong again.

We will also be accrediting pre-service teacher education programs using the graduate standards. Teachers will be assessed for full registration using the proficient standard. Teachers will be certified at higher levels of practice using the highly accomplished and lead standards. The member for Bulleen also asserted that the VIT magazine cost \$10 a copy. When there were interjections asking him what the source of his information was he did not answer; he just skated over it. Once again it is not the credibility of the Victorian Institute of Teaching that is in question but the credibility of the member for Bulleen.

You, Acting Speaker, will know that Labor states that its no. 1 priority is education. It is not just a statement, it is a fact, because record levels of funding have been put into the education system by both the federal government and the state government. It is not just a statement, it is a fact.

I just want to talk about the Mildura College Lands Act and say a little bit about the Chaffey brothers. The Chaffey brothers were well known around Mildura. What is not as well known is that they were well known in my electorate of Yuroke; indeed they were the owners of the Woodlands Homestead for some time

and produced one of the irrigation systems at the homestead, which is now in a state park. People can still go out there and have a look at the irrigation system installed by the Chaffey brothers. I know the member for Eltham, with his interest in education and his interest in horses, will go out there one day and have a look at that.

The Chaffey brothers' story is one typical of many early arrivals in Australia. It is a great success story. In the 1880s two Canadian brothers, George and William Chaffey, established the Mildura irrigation colony. Prior to coming to Mildura the Chaffeys had established successful irrigation colonies in California. When they came here people were highly suspicious about these two Canadians with their strange accents, even though they were British subjects. As part of their vision for Mildura the brothers set aside one-fifteenth of their land to fund an agricultural college in the area. That was after a visit by Alfred Deakin to California to meet the Chaffey brothers. If you like, he seduced them to come over to Australia, and they set up the irrigation colony of Mildura.

In 1891 the Governor of Victoria, Lord Hopetoun, laid the foundation stone for the college, but alas construction was never completed due to financial difficulties experienced by the Chaffeys. It seems that the global financial crisis that took place in 2008–09 is not a new thing. In 1912 the state of Victoria opened the Mildura Agricultural High School on the site, and rental money received from the Chaffey land was provided to that school instead. Money was used to build classrooms in 1919, an assembly hall in 1939, a sports pavilion in 1958, a cafeteria annex in 1965 and a large gymnasium in 1967. The legacy of the Chaffey brothers lives on, not only in Mildura but in many parts of the state.

As I said, the provisions of the Mildura College Lands Act will be updated and re-enacted in the Education and Training Reform Act. The amendments will mean that survey plans will be used to show that the land is subject to the scheme instead of listing the land in the act. The Governor in Council will be able to add or remove land, the list of beneficiary schools will be moved from the act and a time limit of 28 days will be inserted for leaseholders wishing to apply for a review of rental evaluation. Sadly one brother returned to California and the other brother died in Melbourne, but their legacy lives on and continues to educate young people in the Mildura area.

As I said, it is one of the early successes of multiculturalism in Victoria. And it is one of the early successes of wine grape growing. At that stage Mildura

was described as a 'Sahara of blasting hot winds and red driving sands, a howling carrion-polluted wilderness'. The Chaffey brothers had many obstacles to overcome, but they made an invaluable contribution to the state of Victoria. I commend the bill to the house.

**Mr HODGETT** (Kilsyth) — I rise to make a contribution on the Education and Training Reform Further Amendment Bill 2010. I say at the outset that I support the amendments circulated by the member for Nepean. The bill makes a number of minor amendments to improve the functions of the affected acts. However the improvements to the Victorian Institute of Teaching are ad hoc, and I still have concerns with regard to the Victorian Institute of Teaching's close links with the government. We trust this bill or any bill to do with education and training will improve the operations of the Victorian Institute of Teaching, and we trust it will deliver real and direct benefits for teachers, schools, children and their families.

I move to the purposes of the bill. They are to amend the Education and Training Reform Act 2006 and to re-enact the Mildura College Lands Act 1916 and the Education and Training Reform Act 2006. The bill also repeals the Mildura College Lands Act 1916, the Mildura College Land (Ranfurly) Act 1992, the Institute of Educational Administration Act 1993 and the Mildura College Lands (Amendment) Act 1995.

I move to the main provisions. It is my intention to go through the main provisions one by one. They are clearly set out in the bill.

*Honourable members interjecting.*

**Mr HODGETT** — In the interests of time it is not my intention to go through them one by one. They are clearly set out in the bill. However, I want to make a couple of points in relation to the bill. Firstly, I too firmly believe the Victorian Institute of Teaching should be independent. The VIT should be at arm's length from the government.

The VIT is for the profession, not for the government. As an excellent member of this house has said, VIT is not a mouthpiece for the government and should not be interfered with.

**An honourable member** interjected.

**Mr HODGETT** — It should not be a mouthpiece for the government, and it should not be interfered with. It is my firm view that VIT must be independent and must be allowed to operate professionally and to go about its business without fear or favour.

Secondly, I note the changes to clause 5, which amends section 2.6.3 of the Education and Training Reform Act 2006 by substituting new section 2.6.3(1)(d), which adds the function of developing, establishing and maintaining standards for the recognition of higher levels of professional practice attained by teachers in Victorian schools.

I have nothing against professional development training or higher standards, but I caution that these modifications are all part of the national teacher development standards. They pave the way for further nationalisation of education, this time with the national professional teacher standards framework. This is in addition to the national takeover of curriculum, literacy and numeracy, teacher registration, reporting, teacher performance pay et cetera. It concerns me that we are losing our autonomy. This is just another example of education being taken over at the national level. In the context of current debates on Victorian service delivery I express my caution and concerns.

That being said, I strongly urge the government — although it is not often that Labor listens — to accept and support the amendments put forward by the honourable member for Nepean.

**Mr DELAHUNTY** (Lowan) — I will make a few brief comments on the Education and Training Reform Further Amendment Bill, mainly focusing on the re-enactment of the Mildura College Lands Act 1916.

I worked in Mildura for a couple of years. It was a worthwhile exercise which helped me understand the background to the Mildura College Lands Act, which was supported by the Chaffey brothers in the 1870s. It was a great initiative to encourage education and training, which we know is vital to the continuing development not only of the children around Mildura but of children across Victoria.

I commend the work done by the member for Mildura in working with the government. I also note that there has been good cooperation from the government to make sure the Nangiloc Colignan and District Primary School is included in the Mildura lands region. It is a worthwhile project. I hope the government accepts the amendments circulated by the member for Nepean.

With those few words, I support the bill but more importantly support the amendments.

**Ms PIKE** (Minister for Education) — It is with pleasure that I take this opportunity to make some summary comments on the Education and Training Reform Further Amendment Bill 2010.

To put this in context, in 2006 the government introduced the Education and Training Reform Act. It was a complete overhaul of education legislation in this state, some of which had not been changed or updated since 1872, so it was an important piece of work. However, as with all legislation, we need to continue to ensure that education legislation is accurate, that it reflects changing circumstances and that it keeps pace with developments in education. This bill builds upon the 2006 legislation in a number of areas. It facilitates important updates to the act so that we have a robust legislative framework for education.

In the end this is all about benefiting students in our state. It is about making sure we have the kind of teaching workforce that will provide the best learning opportunities for our students and that we are able to keep track of all our students and ensure they do not fall between the cracks and continue to have opportunities for lifetime achievement.

As I said, I am pleased to commend this bill to the house because of its significant contribution to the ongoing high quality of education that we already have here in Victoria.

**Motion agreed to.**

**Read second time.**

*Consideration in detail*

**Clauses 1 to 16 agreed to.**

**Clause 17**

**Mr DIXON** (Nepean) — I move:

1. Clause 17, page 10, line 20, omit “and Wilga Road”.
2. Clause 17, page 10, lines 25 to 27, omit “and the imaginary extension of Wilga Road in a direct line east to the Murray River” and insert “, Wilga Road until it intersects with the Calder Highway, the Calder Highway from Wilga Road until it intersects with Castle Crossings Road, Castle Crossings Road from the Calder Highway until it intersects with Kulkynne Way and the imaginary extension of Castle Crossings Road from that intersection in a direct line east to the Murray River”.

Very briefly, these are common-sense amendments that will make a huge difference to a school community. I recognise the work of the member for Mildura in working through this bill. It will not establish a precedent that will disadvantage any other school or school community, and it will not disadvantage the existing schools that are caught up within the Mildura lands due to the circumstances I outlined in my

previous speech. I support these amendments and I welcome the government's support as well.

**Mr CRISP** (Mildura) — I rise to support the amendments. The amendments are common sense and provide natural justice for the students at the Nangiloc Colignan and District Primary School. The minister met Jill Sleep and two students from the school at the council of education national awards event where the work they had done, which was in the tradition of the Chaffey brothers in establishing this award, was being displayed as they showed the minister details of their Fundzinc program.

The minister will also meet representatives of the school at the innovation showcase on 10 May. That will provide the opportunity for the minister to discuss the success of these amendments with the school. The amendments will enhance the education of some students in the horticultural zone who have hitherto not been able to participate in the program. I commend the amendments.

**Ms PIKE** (Minister for Education) — The government does not oppose the amendments to the boundaries of the beneficiary schools region, and it recognises that over time the horticultural area has changed in the Mildura region.

I just want to put on the record my thanks to the member for Mildura for a very informative little history lesson about the development of horticulture in that area. I am now a great expert on where the river flows, why it flows, when it flows, what happened pre and post the war, and why this is an important and appropriate amendment to be made. Obviously under proposed section 5.7A.7 the Governor in Council is able to make an order if we do want to add additional beneficiary schools, and the work will be undertaken to do that. This sets the framework to make that possible, and I look forward to meeting with representatives of the school in the very near future.

**Mr HERBERT** (Eltham) — I thought I would also add a few words of support for the amendments. I think they are very good amendments. Over the years the boundaries have changed in relation to the schools that are within the trust, and the number of schools has gone from 1 to 30. The amendments address a small anomaly and will not substantially impact on the benefits to all the existing schools in any material way, but I think they add a bit more fairness for one of those schools, and I believe they should be supported.

**Amendments agreed to; amended clause agreed to; clauses 18 to 27 agreed to.**

**Bill agreed to with amendments.**

*Third reading*

**Motion agreed to.**

**Read third time.**

## JUSTICE LEGISLATION AMENDMENT (VICTIMS OF CRIME ASSISTANCE AND OTHER MATTERS) BILL

*Second reading*

**Debate resumed from 25 March; motion of  
Mr HULLS (Attorney-General).**

**Mr CLARK** (Box Hill) — The Justice Legislation Amendment (Victims of Crime Assistance and Other Matters) Bill makes a range of amendments to the Victims of Crime Assistance Act 1996, the Sentencing Act 1991, the Children, Youth and Families Act 2005, the Family Violence Protection Act 2008, the Stalking Intervention Orders Act 2008, the Infringements Act 2006, the Liquor Control Reform Act 1998 and the Summary Offences Act 1966. This is yet another omnibus bill spanning several portfolios, brought in by a government which when in opposition was critical of omnibus bills of this sort.

The bill makes it clear in relation to victims of crime that victims or their representatives may read aloud their victim impact statement in court and may include and display non-written material such as photographs. The bill allows a court to permit a representative nominated by the victim to read a victim impact statement. It allows the court to apply vulnerable witness protection arrangements, such as the use of closed-circuit television, to victims and others giving victim impact statements. The bill allows the Chief Magistrate to delegate powers of the Victims of Crime Assistance Tribunal to judicial registrars. It also provides for a category of reasonable safety-related expenses that can be paid to victims of crime, including payments on an interim basis.

In relation to family violence protection and stalking intervention the bill makes a range of changes, including extending police search powers to include seizure, allowing children to be the subjects of interim intervention orders on a court's initiative, providing for interim orders that extend final orders and allowing courts to make interim orders based on the information in the police family violence safety notice. In relation to that latter measure, the bill requires a court in considering whether to refuse to admit or limit the use

of a family violence safety notice to consider whether it is reasonably practicable to obtain oral or affidavit evidence.

The bill provides for an extension of the time limit on commencing a proceeding for a summary offence in the Children's Court, which was recently reduced by legislation in this Parliament from 12 months to 6 months, in various cases where an infringement notice has been served on a juvenile registered with the children and young persons infringement notice system, which is known as CAYPINS

The bill increases the infringement penalty amount under the Liquor Control Reform Act 1998 for being drunk, violent or quarrelsome or refusing or failing to leave licensed premises when requested to do so from 2 penalty units to 4 penalty units. It also allows a banning notice under the Liquor Control Reform Act 1998 to be issued for up to 72 hours instead of 24 hours. The bill also increases the maximum penalties for various drunkenness offences under the Summary Offences Act. For the offence of drunkenness it increases the maximum penalty from 4 penalty units to 8 penalty units; for being drunk and disorderly and for disorderly conduct it increases the maximum penalty from 5 penalty units to 10 penalty units. The bill also increases from 2 penalty units to 4 penalty units the infringement penalty amounts for those offences and for the offence of behaving in a riotous, indecent, offensive or insulting manner.

I shall make some observations and assessments in relation to these provisions. In relation to the extension of time in certain circumstances for commencing certain proceedings for a summary offence in the Children's Court, this is an issue that has arisen as a result of amendments made by the Criminal Procedure Bill, which was debated in this Parliament in February last year. At that time the government reduced the time limit from 12 months to 6 months, despite opposition to that measure by the coalition parties. The coalition pointed out the enormous difficulties that that reduction in the time limit would cause police in investigating crimes apparently committed by juveniles and ensuring that charges were laid within the time limit that was specified — within the six months. We warned the government that reducing the time limit from 12 months to 6 months was likely to cause problems. It is now being seen that that is exactly the case and that unforeseen problems have arisen through the reduction in that time limit.

However, rather than admitting the folly of the change that it made last year in reducing the time limit across the board, which put police in the invidious position

potentially of having to either give up on seeking to bring juvenile offenders to justice for offences such as graffiti or else delay investigations into other crimes such as burglaries, robberies or drug trafficking, the government has introduced the amendments in the bill before us today to address one particular aspect of the problems that have been caused — namely, in relation to the situation where infringement notices have been served and registered.

In relation to the family violence and stalking intervention measures, we understand from the helpful briefing with which we were provided by Department of Justice officers that the changes arise largely from recommendations made by the Chief Magistrate to improve and deal with issues that have arisen principally in relation to the family violence protection legislation that has been recently enacted by the Parliament.

Generally the changes in the bill seem to be worthwhile improvements. It is worth noting that one of the key initiatives in the recent legislation — namely, giving the capacity to police to take action on the spot in family violence situations — was a measure that was initiated by the member for Scoresby when he was the shadow Minister for Police and Emergency Services. He made the case for that power to be given to police, he prepared the policy which the Liberal Party announced prior to the last election and he has now seen that initiative taken up and introduced by the government in the legislation that was enacted.

The method adopted by the government was not exactly the method advocated by the member for Scoresby as set out in the Liberal Party's policy, because our proposal would have had a magistrate involved in that process and would have had more straightforward paperwork requirements. Nonetheless it is pleasing that, from what can be seen at this early stage, this measure that was initiated by the member for Scoresby is proving its worth in family violence situations.

There was one aspect of this part of the bill which caused us to pause and raise some concern, and that was the provision that requires a court in considering whether to refuse to admit or limit the use of a family violence safety notice to consider whether it is reasonably practicable to obtain oral or affidavit evidence. It seems to me that this is a measure that can be read in two different ways. On the one hand it can be read as encouraging the court to go out and look for better evidence if there are any doubts about what is contained in the family violence safety notice, which is of course the notice prepared by the police on the spot

at a family violence situation. That is the interpretation we were told in the briefing provided to us that the government intended. It seemed to me that it could also be read as putting pressure on a court to rely on the information contained in a family violence safety notice even if it had serious concerns about the contents of that notice. Clearly if the clause were to operate in that way it would be undesirable and concerning. We trust that the interpretation which the government seems to give to that clause — of encouraging the court to look positively towards the opportunities to obtain other oral or affidavit evidence — is the interpretation that will be adopted by the courts and will work well in practice.

In relation to the measures in this bill dealing with liquor-related offences, this is primarily a matter within the shadow portfolio responsibility of my colleague the member for Malvern, and I hope sufficient time will be allowed by the government for debate on this bill for the member for Malvern to speak in detail on those provisions. However, it is fair to say that what the government is doing in the measures before us is going nowhere near as far and is likely be nowhere near as effective as the range of reforms that the coalition parties have been calling for to deal with street violence and alcohol-related violence.

In addition to what ought to be enacted in the law, it goes without saying that the law is going to be of little benefit unless there are enough police on the streets to enforce it. Clearly the coalition parties have made a commitment to put an extra 1600 police on the street, and that is a commitment that the government has not made. Under a coalition government the laws relating to liquor-related offences and indeed relating to all offences will be far better enforced with more police on the streets.

In relation to this part of the bill and the proposal to extend the duration of a banning notice from 24 hours to 72 hours, the Scrutiny of Acts and Regulations Committee has raised issues regarding the operation of that measure in potentially impacting on people engaging in employment-related activities. SARC makes the point that there is some exemption in relation to people going into a designated area, for example for work-related purposes. It is unclear what the situation is in relation to someone who needs to pass through a designated area on the way to work or education or for another legitimate reason. I think it is appropriate for the government in the course of this debate to respond as to what its intentions are in that regard. One may take the view that if a person is subject to a banning notice and therefore has to change their travel arrangements, then that person must accept that as one of the consequences of their actions and of being served

with a banning notice. However, whatever the position is that the government has on that issue it should be placed on the record, because this is yet another issue where SARC in doing its duties is quite rightly pointing to inconsistencies between the government's so-called Charter of Human Rights and Responsibilities and what it is doing in practice. For consistency's sake and for the sake of the government's credibility we need to know where it stands on that matter.

It is probably fair to say that the principal area of the bill containing new initiatives is that relating to victims. As I said earlier the bill makes clear that victims or their representatives can read a victim impact statement aloud in court and include and display non-written material, and they may have a representative present the statement. Provision is also being made available for funding of safety-related expenses through the VOCAT (Victims of Crime Assistance Tribunal) process.

All of those measures are welcome in themselves, but the best way in which any government can help victims is to ensure that there are fewer victims in the first place by having more police on the street and having tougher and more effective sentences, therefore reducing the amount of crime in the community. It is far better to ensure that there are fewer people in the community who are victims of crime than to have to deal with the terrible and irremediable consequences of crime for victims once that crime has occurred. Of course to make sure there are fewer victims in the first place requires getting rid of soft-on-crime options like suspended sentences and home detention, and that is something that the Brumby government has not been prepared to do.

In Victoria in recent years there has been a steadily rising level of violent crime, and more and more Victorians are suffering terribly as a result of that and because the Brumby government has proved quite incapable of taking the action necessary to reverse those levels.

Another of the many aspects of crime that are causing difficulty for victims is the government's inability to ensure that criminal cases come to trial in Victoria in a timely manner. The adage is that justice delayed is justice denied, and unfortunately that is becoming increasingly true in Victoria, which has the longest waiting lists in Australia at every level of jurisdiction for criminal matters to be heard. It has the longest Supreme Court appeal lists, the longest County Court trial lists and the longest lists in the Magistrates Court and the Children's Court. Whereas the lists in other jurisdictions such as New South Wales have been reducing in recent years, the lists in Victoria have been

ever increasing. Delays create trauma and distress for victims, for their families and for witnesses while thousands of people who are likely to end up being found guilty of violent crimes are walking free and unpunished. Delays undermine respect for the law and public confidence in the justice system. They reduce the protection being provided to the community from violent and other criminal behaviour, and the delays can diminish the prospects of appropriate outcomes for trials because of fading witness memories and the potential for evidence to be lost. If the government is looking to help victims, it could provide enormous assistance by tackling rising court waiting lists.

In relation to the changes to victim impact statements, confirming that victims or their representatives can read out their statements in court and incorporate additional material is a worthwhile step forward in giving a greater say in court to those victims who would like to have a greater say. It is welcome that the Labor Party now supports victim impact statements, despite having been highly critical of them when they were introduced by the then coalition Attorney-General, Jan Wade, in 1994. The evidence, however, suggests that in practice there are likely to be relatively few victims who will take up the option of reading their victim impact statement in court, but for those who would like that option it is perfectly appropriate that it be confirmed that they are able to do so.

Unfortunately other crucial issues relating to victim impact statements are not addressed in this bill. One of the biggest problems with them is that in practical terms they generally cannot be given to the prosecution in advance of the outcome of a trial when there is a determination of guilt, because the prosecution is then obliged to hand over a copy of them to the defence, which means they can potentially be used against the victim in the course of the trial. That means there has to be a rushed process in completing and delivering a victim impact statement into the hands of the prosecution after the outcome of the decision as to guilt or innocence. This is likely to cause some difficulties in giving effect to the amendments being made by this bill unless that part of the law is also changed.

The establishment of a separate category of payment for safety measures in a way that means payment for safety-related expenses can be obtained quickly, including on an interim basis, seems to be a very worthwhile measure. Clearly if a victim needs to put fresh locks on the door and needs to repair damage caused by an intruder in order to secure their home, they need to be able to do that as quickly as possible and every reasonable means of assistance should be provided to allow that to happen.

Lest the Attorney-General, as has been his wont, start complaining about our side of the house welcoming measures such as this on the ground that they were not done under the Kennett government, I remind him in advance that he has now had close to 11 years in office to come up with measures such as this compared with the seven years in total during which the Kennett government was in office. Either it has taken a long while for the penny to drop with the Attorney-General as to the merits of this measure or it has taken a long time for him to turn a concept into reality.

Unfortunately the Attorney-General is showing no sign of tackling a range of other serious problems that victims face — including the lack of support they receive in preparing their victim impact statements — despite the language of the victims charter; regrettably that language is often ignored in practice.

Victims are crying out for reform in a range of other ways as to how they are treated by the trial system. Unfortunately, despite the victims charter and other assurances, victims are still often an afterthought in Victoria. The office of the Director of Public Prosecutions tries to do its best with the resources available to it, particularly when specific problems are put in front of it, but the system does not work to look after and involve victims as a matter of course, as it should. That is no criticism whatsoever of the office of the director of public prosecutions, which in my experience has done its utmost to respond to and overcome specific problems in dealing with victims and the families of victims when those problems are drawn to its attention. It is under enormous pressure with the ever-growing volume of work it has to deal with on account of rising crime levels, and the system is just not geared to make sure that victims receive on an assured basis the sort of assistance the charter set out to provide to them without them having to, on occasion, do a lot of pushing and asking for help.

Unfortunately a series of instances have come to my attention where there have been quite serious and distressing breakdowns in communication arrangements for one reason or another. For example, families of people who have been killed in violent assaults have not been given sufficient notice of various aspects of the trials of some of the accused. Families were not told when leave-to-appeal applications were to be heard for offenders who had already been convicted of offences against their family member, and victims had difficulties obtaining relevant documents or were not properly warned about the potential for delay in cases coming to trial, with the result that they incurred considerable expense in making themselves available for trials that were subsequently postponed.

I think victims are justified in saying time and again that the system is just not appropriately geared to recognising their needs and the standing that they should have in the trial process and that the emphasis is placed far too much on the position of and impacts on accused persons, which neglects victims. Clearly we want a system that is just to all concerned. I think it is fair to say that victims are not being treated justly as a matter of course by the justice system in Victoria at the moment and that a lot needs to be done to improve that situation.

In relation to the Victims of Crime Assistance Tribunal, while it is welcome that safety-related expenses are now able to be met, including on an interim basis, the current government has allowed waiting lists at VOCAT to get longer and the number of crime victims seeking assistance from VOCAT is rising due to growing levels of violent crime. It is also worth making the point that only a small proportion of victims receive any compensation payments at all from VOCAT. As at 30 June last year there were 6162 VOCAT assistance applications waiting to be decided, which is an increase of 21 per cent on the previous year; 40 per cent had been pending for nine months or more, and 30 per cent had been pending for more than a year. With almost 44 000 reported crimes against the person in Victoria in 2008–09, VOCAT gave financial assistance to only 3547 people.

Concerns have also been raised with me as to how well the counselling services available to victims are operating in Victoria. It has been put to me that when a victim calls the victims support helpline seeking counselling they are then referred to a victims assistance counselling provider, who is a provider on an accredited list that operates to the exclusion of others who are available to provide counselling services. I am told there is often a wait of three months or more for someone to be seen by an intake worker from this program, which is a very long time indeed when people are seeking counselling as victims of crime. I am told that victims then generally receive five counselling sessions, which provides the maximum payment possible from the state government under the fee-for-service funded system. At that point the victim is often referred on to another counsellor who is a contact of the provider under the program. It was put to me that, unlike with the Transport Accident Commission and WorkCover, there is not an open choice of service provider — despite that being the case in theory, choices are not being provided to victims. The upshot of that is a very poor system which falls far short of the support and timely counselling that could be provided to victims.

There are many other measures that victims are rightly saying need attention to address their concerns, including laws about publication of names of juvenile offenders and general recognition of their position when offenders are being dealt with by the corrections system.

The coalition does not oppose this bill, but a lot more needs to be done to make our streets and homes safer, to better support and look after victims and to ensure that there are fewer victims in the first place because there are fewer crimes being committed. For Victoria to have a government that is able and willing to get that done requires the election of a Baillieu Liberal-Nationals coalition government in November.

**Ms THOMSON (Footscray)** — It is with great pleasure that I rise to support the Justice Legislation Amendment (Victims of Crime Assistance and Other Matters) Bill 2010. I am not going to go through the bill in detail because I only have 10 minutes, but I do want to clarify for the record some of the issues that have been raised by the member for Box Hill. I am pleased that the opposition will not be opposing this bill.

Firstly I would like to go to the issue that the member for Box Hill raised in relation to the family violence safety notice evidentiary discretion. In relation to section 55(3) of the Family Violence Protection Act, the amendment has the effect of creating a slight presumption in favour of affidavit and oral evidence if the court has reservations about the probative value of a particular certified family violence safety notice. As noted in the explanatory memorandum and second-reading speech, notices will generally be sufficient evidence, but this amendment acknowledges that a deficient notice should lead to consideration of whether other evidence is in fact available. I hope that goes some way to clarifying the matter on the record for the member for Box Hill.

I want to spend a bit of time talking about the arrangements about liquor, which is an area I have had some dealings with, having been responsible for the Liquor Control Act some time back. First I want to talk about this mantra that we are now going to hear from the opposition that greater police numbers solve everything. Increasing the police services is something that this government is not only very committed to but has a very strong track record on, having increased the number of police on the streets and around the neighbourhoods of Melbourne and Victoria. We, of course, believe that the police themselves, those in the police command, have the right to direct where those police activities will occur. After all, it is about the professionalism of the police force and allowing the

police force to do its job. It is not the role of government to dictate that work. But we have a track record of increasing police services, as opposed to the opposition, whose track record when it was in government was one of cutting police services. It will be quite clear and evident to the community of Victoria that you have on the one hand the party that talks the talk and on the other hand the party that actually implements change and gets on with producing outcomes.

We need to be clear that a mantra will not solve the problems we are facing at the moment in the attitudes that some in our community, particularly young males, have and how they behave around drinking and licensed venues. We will deal with this problem by having a whole raft of measures. There is no one easy solution to the problems around behavioural patterns of young males in particular and their drinking. Those problems will not be solved just by increasing the number of police or by the measures in this bill in relation to increasing penalty points and banning notices. Those sorts of things, when they come together as a logical and strategic way of dealing with this issue, will be part of what will make a difference. It will not be one measure or the other that will solve the problems. To tackle the problems we must bring all the measures together in a strategic way. We must also try to tackle the problems through things like the respect agenda, by encouraging people to learn to respect themselves and others, by having in place laws that arm the police to take action where they need to take action and by enabling those in the community who want to enjoy licensed venues to do so in a safe environment. That is what this bill is about. It is about having available an armoury of measures that can be used to deal with the issues around drinking.

I want to talk also about the banning notices. The member for Box Hill raised the issue of banning notices in designated areas and asked whether this would prevent someone from going to their place of work or even where they live. He said that the legislation does not deal with that issue. In fact the Liquor Control Reform Act clearly deals with the issue. Section 148B(6) provides:

A relevant police member cannot give a banning notice referred to in subsection (1)(a) to a person if the member believes or has reasonable grounds for believing that the person lives or works in the designated area.

The act provides for a person to be banned from licensed venues in an area but not from the area itself or, if it is deemed necessary, from a designated area, but not where it will impact on their private or working life. I cannot see how the member for Box Hill could be

confused by that. It is very clearly stated in the legislation, and is therefore determined, how the police will act when they issue banning notices.

I want to go to victim impact statements, because this government has a very clear commitment to impact statements. We also believe we have a responsibility to help and support victims during their pain and suffering. We probably all, unfortunately, have had either constituents or people we know, friends or family, who have been on the wrong side of such experiences and have in fact been victims of crime. I have had constituents walk through my door who have been victims of crime and have been traumatised by that. It is important that government is there to support them.

I want to point out, though, that it was a previous government, the Kennett Liberal government, that in one callous stroke of the pen abolished compensation for the pain and suffering of victims of crime. On the one hand opposition members talk about the importance of recognising and acknowledging the victim, yet on the other hand they were prepared to sit back and watch the assistance and compensation that was being given to victims just written off as if it did not matter. It does matter; it is all-important. It is why this government will continue to work to improve how we respond to and support the victims of crime.

We have made it clear that we are now being more flexible about the way victim impact statements are being made. We are allowing them to be made by the victim or by someone on behalf of the victim, but we are doing more than that. A working group will be established within the Department of Justice to look at ensuring that we are supporting the victims during that process. Training will be put in place for police and others who are dealing with victims of crime to ensure that they inform victims about their rights, what supports they have access to and how to quickly access those supports that are in place, and to ensure that we have a system that is capable of looking after these victims.

We accept that the system is not perfect yet and that we may never get it to perfection, because we are relying on human beings, who are in essence imperfect. However, we are working very hard to put in place the best mechanisms we can to ensure that victims of crime know where to go to get help, what they need to do to make a victim impact statement and what the time lines are. All of that will be dealt with to ensure that victims get the support they need when they need it. It will guarantee that the best job that can be done to support victims will be done. As I said, we will always have

imperfect systems so long as human beings run them — people will make mistakes; some people will fall through the net for one reason or another — but the intent is to ensure that victims get support when they need it. We will continue to look at ensuring that we are putting in place the mechanisms to support victims of crime. I commend this bill to the house.

**Dr SYKES (Benalla)** — I rise to contribute to the debate on the Justice Legislation Amendment (Victims of Crime Assistance and Other Matters) Bill 2010. It is a pleasure to follow on from the member for Box Hill, who as usual did an outstanding job in presenting the issues associated with this legislation, and also the member for Footscray, who spent some time putting this legislation in a broader context. I do not oppose this bill.

I wish to concentrate on two aspects of the bill: firstly, the issue of being tougher on drunks, on irresponsible consumers of alcohol; and secondly, the improved operational effectiveness of the Victims of Crime Assistance Tribunal, particularly in relation to victim impact statements. There are also amendments to the Sentencing Act.

If we are considering being tougher on drunks and people who have alcohol and drug-fuelled violence issues, as the member for Footscray indicated, what is proposed in this bill needs to be part of a larger raft of measures, and she touched on some of them. We need to start with encouraging the responsible consumption of alcohol, and in that context we need to be encouraging situations such as those that apply in our not-for-profit clubs that are found throughout much of Victoria, and certainly in country Victoria. It might be members of the Tatong Cricket Club, who sit down after a game to have a couple of coldies, share their experiences and drink alcohol in a responsible manner. Or it might be members of the Myrtleford Squash Club, who do the same thing: have a few hits of the squash racquet, work up a thirst and then sit down and relax over a few drinks.

As we know, the functioning of those clubs in achieving that outcome has been put at serious risk by the massive increase in liquor licence fees. If we are going to put this all in context, the massive increase in liquor licence fees in some of these responsible alcohol-serving venues needs to be looked at. The role of small country pubs is another one — for example, the situation of the Devenish Hotel. Devenish is a small community on the outskirts of Benalla which lost its cricket team a number of years ago because of the waning population. Two or three years ago it lost its football team after it had won a premiership. Then it

looked as if it would lose its pub. The community came in and took over the pub, because it considered the pub to be absolutely essential to the fabric of the small community. It is now in the hands of a private operator, but again it is struggling to make ends meet because of the additional imposition of the massive increase in liquor licence fees.

Another aspect touched on by the member for Footscray was that of enforcement of legislation. Just last week this side of the Parliament, the Liberal-Nationals coalition, announced a policy of 1600 more police in the event that it is elected to government. It is about having more police on the beat, not on the books. If we are going to have police out on the beat with a visible presence, it will do a lot to address the issue of alcohol and drug-fuelled violence. Similarly we need to have police in schools to develop respect between young people who might be straying so they can develop their own self-respect and respect for other people and other people's property.

In this context we also need to address the issue of social disadvantage. Just last week the Rural and Regional Committee conducted public hearings in Benalla on its inquiry into regional differences of social disadvantage, particularly in regional Victoria. If we are going to address issues of domestic violence and drug and alcohol-fuelled violence, then we need to address social disadvantage, because that is a predisposing factor. The first need is to recognise that the problem exists, and the second is to take initiatives on board. I am sure when the committee reports back there will be some very interesting recommendations about supporting local initiatives to address this problem as well as about the state government looking at some policy changes.

Another thing we need to do to address the issue of people being subjected to alcohol and drug-fuelled violence and becoming victims of crime is to protect our vulnerable people. On Monday a group of parliamentarians went out to Footscray and visited the Lentil As Anything restaurant, which I am sure the member for Footscray would be aware of. Lentil As Anything is an amazing organisation which looks after vulnerable people in our society, providing food for the homeless, shelter and a safe place to congregate for people who often have mental health issues.

We sat down and listened to these people. When I say 'we' I mean the members for Prahran, Doncaster, Ferntree Gully, Shepparton and Lowan. We sat down and engaged with these people, who are amongst the most vulnerable members of our society. One very interesting case where a person — —

**The ACTING SPEAKER (Mr Stensholt)** — Order! I have been very indulgent with the member for Benalla, but perhaps he could bring his contribution back to the bill.

**Dr SYKES** — I am following the lead from the member for Footscray, who was talking about putting the provisions in this bill in the broader context that it needs to be, in the words of the member of Footscray, part of a raft of measures. I am saying you need to protect these vulnerable people, and the services provided by organisations such as Lentil As Anything need to be supported.

I come now to the issue of victims of crime and their being able to deliver impact statements, including by allowing other people to do it on their behalf. I illustrate the importance of the provision with an example from Benalla where some years ago a young lady, Angela Barker, was beaten to within an inch of her life by her then partner. It was an absolutely tragic situation. The medicos said, ‘Turn off the life support. She has no hope’. But through enormous courage and support and through the great love and support of her parents, Ian and Helen, but also through the whole Benalla community and in fact many other people, Angela has recovered amazingly well. Although she could not speak at the time her assailant was taken to court, she has after a number of years recovered some of her ability to speak. In terms of presenting the impact statement at the time of the offender going to court, Angela would not have been able to deliver. Importantly the bill will address that sort of situation.

We need to continue to provide support for people like Angela, because the impact of the injuries she incurred are lifelong. I still interact with Ian and Helen, as do many people in the community, and as part of that ongoing support the Benalla Trust Foundation was set up to help local families in crisis. It coordinates the delivery of community support, which comes in addition to the routine support measures which are made available through the government system.

Along with my colleagues in the Liberal-Nationals coalition I see merit in the many aspects of this legislation and will therefore not be opposing it. We see merit in toughening up on drunks and on people causing alcohol and drug-fuelled violence, particularly alcohol-fuelled violence, but the measures need to be put in the context of being part of a broader range of measures that encourage responsible consumption of alcohol, encourage respect for self, others and the police, and encourage the protection of the vulnerable members in our society, who are often likely to be

victims of crime if they are not provided with protection.

That is where volunteer organisations such as Lentil As Anything play such a tremendous role in helping these vulnerable people. Often the homeless people on our streets are there because of mental health issues. Organisations such as Lentil as Anything provide them with a sense of community and a sense of support. With all of those measures in place we can continue to reduce the problems. Finally, we need to enforce this legislation, and that is where the coalition’s policy of 1600 additional police is fundamentally important.

**Ms RICHARDSON (Northcote)** — I am very pleased to rise to speak in support of the Justice Legislation Amendment (Victims of Crime Assistance and Other Matters) Bill 2010 which builds on Labor’s ongoing commitment to those who have suffered as a consequence of a crime and ensures that their needs are addressed. I am very pleased that today members opposite have decided to support Labor’s efforts to ensure that victims of crime are treated in an appropriate manner, because their track record in this area is not good. In fact it would be fair to say that under the Kennett government the Liberals’ record in relation to victims of crime was appalling. What did members opposite do when they were last in government? The previous Liberal government abolished pain and suffering compensation for all victims of crime, telling them, ‘If you want any compensation, you will have to seek it directly from the offender’.

But after the election of the Labor Party in this state, in 2000 I am very proud to say we reinstated state-funded pain and suffering compensation, and in 2007 we increased payments to victims by 30 per cent from \$7500 to \$10 000. Since then \$108 million has been awarded for pain and suffering compensation — payments that would not have been made under the previous Kennett Liberal government. We believe this \$108 million is what victims are entitled to. This is not the only form of state-funded compensation for victims of crime. As well as pain and suffering compensation, victims of crime can receive up to \$60 000 in compensation for counselling, lost wages, and medical and other expenses.

The member for Box Hill and other opposition members have made reference to the Liberals’ new found support for police and for increasing police numbers. I say ‘new found’ because we all know the previous Kennett Liberal government cut police numbers by 800. Under the previous Kennett government 800 police on the beat were gone. Today it

is very difficult to believe a word members opposite say about what they will do if they are ever — God forbid — in a position to be in charge of police numbers in the state.

The bill makes a number of significant improvements for victims of crime, and in the brief time I have available to me I want to concentrate on the changes that have been made to victim impact statements. They are already an established part of Victoria's legal processes. They are important as they provide a victim with an opportunity to tell a court in their own words how they have been affected by crime. We have already made amendments to the Sentencing Act. Judges must now take into account the impact of a crime on a victim when determining a sentence, and that is particularly important as in my view we have seen some extraordinary judgements taking place.

The Labor government has plans to go further by giving victims who choose to do so the right to read their statement out in court and to include photographs or a recording to demonstrate the impact of the crime. Victims will also be given an opportunity to read their statement via closed-circuit television, if that is what they choose, or via a representative. They can also have a limited number of people in court while the victim impact statement is being read. They can require that legal practitioners not robe up. These are very important changes for victims of crime. Unfortunately I have had a number of constituents come through my door who have been the victim of a crime. I think they will very much welcome the changes that are being implemented as a consequence of the bill before the house today.

There are a significant number of other amendments in the bill, but I want to touch on the changes to the Summary Offences Act to increase the maximum penalties for offences of being drunk in a public place. In my view this is very important. The bill also amends the Liquor Control Reform Act to increase the penalty for anyone who is violent, drunk or quarrelsome and who has been requested to leave a licensed premise by the licensee or by a member of the police. This is important and particularly timely in the inner city, where my electorate is based.

In recent weeks the City of Yarra has taken an extraordinary decision to allow public drunkenness and for restrictions to be imposed on people seeking to encourage those who are obviously under the influence of alcohol to move on. The council did this under the guise of cultural sensitivity, but of course this has obviously angered residents and angered various shopkeepers in the area because they have seen a

significant turnaround in levels of public drunkenness and the like as a consequence of there being restrictions in place. The City of Yarra, led by the Greens councillors, stepped in and removed the restrictions, and the residents and shopkeepers fear the consequence that will come from its efforts. This will be a very important signal to send to councillors at the City of Yarra who supported this move, and I think it will be important for the wider community as well.

The bill makes a range of other changes that are important for victims of crime in particular, and I wish it a speedy passage through the house.

**Ms ASHER** (Brighton) — I wish to make a brief contribution on the Justice Legislation Amendment (Victims of Crime Assistance and Other Matters) Bill 2010. A number of matters are dealt with in this particular bill: victim impact statements are one, and changes to the way family violence procedures operate are another. There are also some amendments in relation to liquor. I am sure these are not the full solution to violence and bad behaviour, but I suspect other members will have more to say about that. There are some changes in time limits in relation to the Children's Court and some other changes in relation to the Victims of Crime Assistance Tribunal.

In the first instance I want to look at the clauses in relation to victim impact statements. Victim impact statements allow victims to relay the impact of the crimes that were perpetrated on them and to convey to the court how those crimes have impacted on their lives. The point at which the impact statement is delivered to the court is after a conviction has been recorded. The impact statement is made by way of a statutory declaration and/or sworn evidence as the court sees fit, and the idea is that these statements may be given consideration in sentencing.

Clauses 4 to 10 of the bill set out the changes the government wishes to bring forward in relation to victim impact statements. In essence the government is going to allow a victim or a representative of a victim to read a statement to the court. It is also expanding what a victim impact statement may include. Clause 4 of the bill amends the Children, Youth and Families Act, and this provision is replicated in an amendment to the Sentencing Act. Clause 4 states:

A victim impact statement may include photographs, drawings or poems and other material that relates to the impact of the offence on the victim or to any injury, loss or damage suffered by the victim as a direct result of the offence.

The changes the government is proposing to introduce in this bill have come about as a result of a report by the

Victims Support Agency titled *A Victim's Voice — Victim Impact Statements in Victoria*. The second-reading speech clearly indicates the government's commitment to victim impact statements. In her speech the member for Footscray said the government has a clear commitment to victim impact statements, and now I note that the Attorney-General is a champion of victim impact statements.

I just want, as I often do, to bring a little perspective to this debate, because it was of course the Kennett government that introduced victim impact statements. The ALP did not always support victim impact statements as much as its members appear to support them today in this chamber. As I participated in the 1994 debate, I remember very clearly the comments made by members of the Labor Party at that time.

I refer in particular to the comments by the then shadow Attorney-General, Neil Cole. He said:

The opposition supports the bill with some reservation.

He made that comment in the Parliament on 20 April 1994. He went on to say:

... the opposition in general terms has many problems with victim impact statements. It is the opposition's view that they provide very little protection for the victim. Indeed, we on this side of the house would argue ... that the only value they have is, firstly, to allow victims to participate in the process in a manner which has not often happened in the past, and secondly, to allow them in a sense to cleanse themselves of their feelings about the crimes perpetrated upon them.

That was the ALP's view on victim impact statements when the Kennett government introduced them. This was one of the great justice reforms by then Attorney-General Jan Wade, and indeed by the Kennett government. Neil Cole went on to say:

It is hard to accept that victim impact statements will make a great deal of difference to sentencing. By and large they will mirror what is provided in evidence in guilty pleas and will reflect totally the evidence that has come out at a trial. Most evidence of impact on victims comes out during the evidence in a trial and judges should be fully aware of what has happened.

Mr Cole — who I think was abysmally treated by the ALP, just as an aside — went on to say:

I do not consider that the fact that a victim has not made a statement directly to the judge should make any difference to the sentence handed down. It should not have made any difference in the past and should not make any difference currently or in the future.

I remember what was said. I remember what was said in the Parliament in 1994, and it is terrific that ALP members have changed their minds on victim impact

statements. I am delighted that they are now in the chamber saying they wish to strengthen victim impact statements, and I support those strengthening clauses in the bill before the house.

I just wish to remind some of the younger, newer members of Parliament that this was not always the case. The ALP was not always a strong supporter of victim impact statements. There may have been a range of other speeches that were not completely supportive of victim impact statements when the legislation was brought in. It is such a great shame that I am limited in time, but I well remember the Honourable Barry Pullen speaking in the upper house on this particular issue and expressing a range of reservations about the bill.

I also wish to comment in relation to some of the changes to practices and procedures concerning family violence. The bill will make some changes in relation to family violence protection and stalking intervention, including the extension of police search powers to include seizure, to allow children to be the subject of interim orders on the court's initiative, to provide for interim orders to extend final orders and to allow courts to make interim orders based on the information in a police family violence safety notice. Again we on this side of the house have been most supportive of advances in family violence.

When we were in government we enacted a range of reforms. For example, we put in place a number of procedural reforms to increase the number of outworkers available to assist with family violence. I have spoken in many of the debates on the Attorney-General's bills to improve the situation for victims of family violence, who are mainly women. I have supported, as has my party, many of those initiatives, including a number of pilot initiatives, and I look forward to the results of many of these programs as we hear further from the Attorney-General. Those measures in relation to family violence — a bit of tweaking, if you like; a fixing up of the legislation — are worthwhile. As I said, this is a broad-ranging bill, and there will be a range of speakers who will have much to say on the government's handling of liquor and what it thinks is an appropriate policy response to some of the violence on our streets. I will leave that for other speakers; I have spoken on that in the past.

I particularly want to use my limited time to draw something to the attention of the house. I am sick of coming to this chamber and hearing ALP members say that anything that is for the social good is a fabulous policy and giving the impression that the ALP thought of it, enacted it and instigated it. Yet again with this example it is not the case. Victim impact statements

were put forward by the previous coalition government. I remember the debate in 1994. It is a great shame there are people who do not remember those debates.

**Mr Wells** interjected.

**Ms ASHER** — The member for Scoresby will remember the 1994 debate on victim impact statements, when the Labor Party was less than fulsome in its support of many of the elements of the bill that was then before the house. It is particularly important that younger and newer Labor members understand this point. This was a very good social reform of the Kennett government, and I am pleased that in question time today the Attorney-General of all people indicated he was a bit of a fan of Jeff Kennett, and I am pleased that he has now embraced one of Jeff Kennett's key social policies.

**Mr DONNELLAN** (Narre Warren North) — It is an honour to speak today on the Justice Legislation Amendment (Victims of Crime Assistance and Other Matters) Bill 2010. It was enjoyable to hear the historical context of victims of crime legislation and so forth. It would have been nice if the member for Brighton had shared her memories of the caucus meeting of the Liberal Party when it abolished the pain and suffering compensation for all victims of crime. Obviously at the time that was a serious taking away of the rights of victims of crime. For some reason the previous government decided to abolish them.

This government believes it has a responsibility to acknowledge the pain and suffering of victims in the community — and it is a substantial responsibility. A constituent of mine came to see me the other day specifically about that matter. They were grateful that we had reinstated pain and suffering compensation in 2000 and that in 2007 we increased it by 25 per cent. The total amount awarded for pain and suffering over previous years was about \$108 million. This is not the only form of compensation for victims of crime. Victims of crime can receive up to \$60 000 in compensation for counselling, loss of wages and medical expenses.

The bill is a wide-ranging one. It deals with various matters. Firstly, it amends the Victims of Crime Compensation Act. It will allow the delegation of powers to the Victims of Crime Assistance Tribunal judicial registrars to enable speedy decisions on complex matters. It makes perfect sense to get people who are well experienced in that area to deal with these matters in a quicker and more dignified way in order to help people who have been waiting a long time. The bill will also facilitate interim awards for reasonable

safety-related expenses. In other words, we will be able to assist victims in a speedier manner and not have them sitting around waiting for hearings — for example, victims will be able to change locks on the doors of a house straightaway.

The bill provides further reform in relation to victim impact statements. They are very much an established part of the Victorian legal process. We have already made amendments to the Sentencing Act to provide that judges must take victim impact statements into consideration when determining a sentence, and we intend to go further. The bill introduces the right to read a victim impact statement in court and show photographs and play recordings to demonstrate the impact of the crime. They will also be able to do this by closed-circuit television or via a representative or having only a limited number of people in the court while the victim impact statement is being read. That is certainly going to make it a lot easier for those who have suffered to get into court and read their statements.

This bill also deals with family violence. In my local area the Narre Warren police station has a specific unit led by a senior sergeant to deal with the serious issue of family violence. There are other stations around Victoria that also have specific units to deal with this matter alone. For many years some people — I am not suggesting the Liberal opposition — did not consider this to be a serious issue in law enforcement. The changes we have made have brought the family violence issue into the current era and highlighted how serious it is. If you look at the murder statistics and things like that, you see that murder and mayhem is more likely to occur within a family environment than it is on an ad hoc basis out on the streets.

To date we have invested \$100 million to deal with the issue of family violence by reforming the response of the law and the government services in this area. The reforms will include stand-alone legislation to broaden the definition of family violence and the provision of greater powers for police to respond to after-hours crisis situations. That is vital because it is the type of thing that needs to be dealt with right there and then; it is not the type of thing that can be dealt with in a couple of weeks at a hearing in a Magistrates Court. We need to be able to remove the perpetrators from the family home using family violence notices. It is not acceptable for people who are perpetrating family violence in a home to be able to stay at the home that night and have another opportunity to perpetrate further family violence on the vulnerable.

These reforms will be critical in supporting the safety of women and children and holding perpetrators

accountable. We will continue to build on this critical work through a 10-year family violence reform strategy that will guide our efforts over the next decade. The member for Brighton has said she has been supportive of this, and I note that the opposition is supporting this bill. The amendments in relation to family violence include the inclusion of a child as a protected person at the court's initiative and the ability of the court to make an interim intervention order based on a certified family violence safety notice, broadening the basis slightly from providing only oral evidence or an affidavit. This is a great initiative for victims of crime, as at the moment many cases may be dismissed or adjourned because there is no affidavit and the police officer and victim are not in attendance at court. We do not want these matters to be just ignored; we need these matters to be dealt with seriously.

Currently the government is reviewing victim compensation. The government is committed to strengthening the justice system's focus on victims. The harm caused by crime is particularly insidious. Victims not only suffer immediate physical and monetary damage but also often experience ongoing trauma, increased fear and a sense of vulnerability. Financial support for victims is important because consistent recovery recognises the traumatic effects of crime and holds offenders to account for the damage to their victims. More than anything else it is also about getting the message across to those who perpetrate such crimes about the enormous damage they do to those who have suffered from the violence. As such the government is reviewing the crime compensation schemes to ensure they are fair, clear and accessible for victims of crime. I think that is very important.

One of the last points I will make is that the bill also deals with entertainment precincts and increases the number of hours for which a banning notice can apply from 24 hours to 72 hours. It is a real benefit to keep those hoons or whatever you like to call them — I call them dingbats — out of entertainment precincts. The bill defines certain entertainment precincts which have since been designated in the areas of Melbourne CBD, Chapel Street, St Kilda, Knox, Frankston, Ballarat, Warrnambool, Geelong, Trafalgar and Shepparton. These changes and these banning notices have been welcomed by police, who will now be able to get these morons out of entertainment precincts, send them home and keep them out of these precincts for three days. With that short contribution, I commend the bill to the house.

**Mr R. SMITH** (Warrandyte) — I rise to speak on the Justice Legislation Amendment (Victims of Crime Assistance and Other Matters) Bill 2010, an omnibus

bill. During my time here I have taken particular interest in victims of crime, the crimes of which they are the victims and how they are cared for after the crime. With that in mind, I begin by focusing on the part of the bill that deals with victim impact statements. The bill allows victims or their representatives to read out their victim impact statements and also include and display photographs and other non-written material with their statements.

It is instructive to look at the history of victim impact statements. It goes back to what were known as the Tate-LaBianca murders in California in 1969. Doris Tate, the mother of one of the victims, Sharon Tate, campaigned hard for many years to keep her daughter's murderers from getting parole and was instrumental in the introduction into California law of the Victims' Bill of Rights, which was also known as proposition 8. That bill was passed in 1982, and under that new law Doris Tate was the first person to make a victim impact statement at a parole hearing of one of her daughter's killers.

In Victoria the Victims of Crime Assistance League pushed for the introduction of victim impact statements, and they were introduced by the Kennett government's Attorney-General, Jan Wade, in 1994 as part of the Liberal Party's law and justice policy. For the first time in Victoria this gave victims the right to be heard by way of a victim impact statement and to relate the manner in which the crime had affected their lives.

The current practice is that a statement can be submitted by a victim, a relative of a homicide victim or the parents of a child who has been sexually abused. The statement will not be heard in any way before the accused has been found guilty; the prosecutor may then read out part or all of the statement in the court and a judge or magistrate may refer to the statement during sentencing. These changes enable the victim or his or her appointed representative to read out all or part of the victim impact statement, which may include photographs, drawings, poems or other material that relates to the impact of the offence on the victim or to any injury, loss or damage suffered by the victim as a result of the offence.

Provisions in the bill allow the courts to direct that alternative arrangements be made for the reading aloud of a victim impact statement, including that it be read aloud from a place other than the courtroom by means of closed-circuit TV or other facilities that enable communication between that place and the courtroom, that screens be used to remove the person reading the statement from the direct line of vision of a child, or that a person other than the person reading out the

victim impact statement be beside that person for emotional support.

These amendments arise from a report submitted by the Victims Support Agency and commissioned by the Attorney-General. The report is entitled *A Victim's Voice — Victim Impact Statements in Victoria*. As I said, the Attorney-General directed the Victims Support Agency to undertake research to assess the effectiveness of victim impact statements. The agency consulted quite a list of groups. Many of these are government organisations, which possibly means we had the situation of government advising government.

I have had some dealings with many of these organisations, and I certainly have respect for them. Unfortunately this list does not include either People Against Lenient Sentencing or one of the state's foremost victims representative organisations, the Crime Victims Support Association. Both Noel McNamara and Steve Medcraft, the respective presidents of these respective organisations, have represented victims of crime for many years, so it is disappointing that they were not consulted when the Victims Support Agency put together this report, and that subsequent to the bill's introduction to Parliament they have not been afforded an opportunity by the government to review what is in the bill.

It is evident from this that the government's process of consultation has not changed all that much. Parts of the community feel that the government at times directs a review with an outcome in mind and omits from the consultation process those who the government feels may not be completely in line with the government's direction or who might want the government to make far more sweeping changes than the government is prepared to make.

Some criticisms were levelled at the Kennett government by a former member for Altona, Ms Marple, during a 1994 debate on the Sentencing (Victim Impact Statement) Bill, which introduced victim impact statements. She said:

The government has often shown that it does not listen to groups because it believes they are not important. The government appears to have been rather selective in its view.

In 2010 a number of victims groups think that exact criticism could be levelled at the government of the day.

For the record, while the government did not seek the views of People Against Lenient Sentencing or the Crime Victims Support Association, I certainly did. I will read out a short passage from the presidents of each

of those organisations, Steve Medcraft and Noel McNamara, for the record. Steve Medcraft, from People against Lenient Sentencing, said about the bill:

Whilst we find the changes an improvement there is an area that needs clarification and that is where the court gives its approval to the statement. Does this mean that the defence has the opportunity to change the wording or have certain sections removed from a victim's statement as they do at present? If not, then the changes will be accepted with open arms.

We know that this legislation does allow for a victim impact statement to be edited by the court. I note in passing that similar legislation in the United States does not have such provisions.

Noel McNamara of the Crime Victims Support Association said:

... we welcome the legislation on victims' rights to address the judiciary with VIS —

victim impact statement —

as a very small step in balancing up victims' rights.

That is very positive. It is unfortunate that the latter part of what he had to say really addressed the issue that this government and the Attorney-General have a very long way to go in addressing the issue of justice for victims.

It is interesting to see that it has taken this Brumby Labor government 10 years to research the victim impact statement and its effectiveness and impact on the justice system and on victims of crime, given that while in opposition and during the debate on the introduction of the victim impact statement legislation in 1994 the Labor Party spoke very strongly about the importance of revisiting this issue and monitoring its use. As I say, it is interesting that after 10 or 11 years in office the government has only just brought this legislation into the house and only recently did the Attorney-General commission the Victims Support Agency report.

Further to that as part of the debate the then Labor Party opposition expressed concern about the fact that a person could be cross-examined on their victim impact statement and also stated its position that while in its view the victim impact statement was a very good cleansing tool for victims, it doubted that the statement would have much of an impact on sentencing.

It is good to see the Attorney-General has finally realised that crime does in fact have its victims. It is good to see that he is actually acknowledging some of the provisions that victims would like to see introduced. When he was appointed as Attorney-General he flatly

refused to meet with some victims of crime advocates, and added insult to injury by labelling some of them as whingers. A former member for Springvale, Edward Micallef, suggested during the debate that then Attorney-General Jan Wade was introducing the victim impact statement legislation only to pander to various victims lobby groups such as People Against Lenient Sentencing. The Attorney-General also seems a little more informed about victim impact statements now, which is in contrast to a grandiose statement he made in this house in August 2004, when he boldly announced:

I am pleased to announce today that we will be considering an amendment to the Sentencing Act which specifically directs the judiciary to consider the impact of the offence on the victim in sentencing.

So out of touch was the Attorney-General that he did not realise that Jan Wade had already introduced that same provision 10 years before that, in 1994, a fact which members on this side of the house certainly pointed out to him the next day.

Other provisions of the bill allow for an increase in penalties for various drunkenness offences. It must have been very difficult for the Attorney-General to introduce these provisions into the house, since we all know that he had proposed to completely decriminalise public drunkenness and in effect give violent drunks a bit of a warm cuddle by way of a protective care regime. It must have been particularly galling for the Attorney-General to have his plan overturned in cabinet by someone as ineffectual as our police minister, with the result being the provisions in this bill.

In closing I support the comments made by the member for Box Hill when he said the best way to support victims is to ensure that there are fewer victims. A range of measures can be taken to ensure that. We could abolish home detention, abolish suspended sentences and provide a whole lot more police. It baffles me that the government is resisting introducing any of these matters. Certainly it has the power to do so, but for some reason it seems content to see a parade of victims coming across our TV screens on a nightly basis and in the pages of our daily media. I am not sure I understand why the government is so resistant to introducing measures that will reduce the number of victims in this state.

In closing, the opposition is not opposing this bill. I will leave it at that.

**Mr STENSHOLT** (Burwood) — I rise to support the bill. I should say I have a particular interest in the victims of crime aspects because several years ago I did a review of the administration and management of

assistance for victims of crime, which occurred not only in the Department of Justice but also in the then Department of Human Services. There are quite a range of activities that support victims of crime.

I can assure the member for Warrandyte, who has just concluded his contribution, that everyone, and I am sure it is everybody — certainly everybody on this side of the house — does care about victims of crime, does understand and does have a strong appreciation of the impact of crime. While the member attempted to give us a history lesson and tried to tell us that crime has its victims, I am very much aware that it was the Liberal Party that took away — abolished — pain and suffering compensation for all victims of crime in one callous legislative act. That probably occurred at midnight, and probably in an omnibus bill as well!

I remember campaigning in 1999 and doorknocking at a house where I talked to a grieving mother about the fact — I will just change the facts slightly so she cannot be recognised — that one of her children had been killed. She was horrified that the ability to seek compensation for pain and suffering had just been taken away. At that stage I was relatively new to politics and doorknocking, but it certainly moved me at the time. I think former Premier Jeff Kennett told victims that if they wanted any compensation they would have to seek it from offenders.

I cannot quite remember but there is a story about a red coat being involved and the assertion that victims getting crime compensation might spend it on a red coat. I might have the wrong allusion, but certainly the implication was that this compensation money might well be spent by people in lower socioeconomic registers on something which really would not help.

It is one of the proud achievements of this government that in 2000 it restored state-funded compensation for pain and suffering. This is provided through the courts. Other supporters provide compensation through the courts such as the Magistrates Court through the Victims of Crime Assistance Tribunal (VOCAT). Quite a lot of money has been provided to victims of crime. Since the Labor government was elected in 1999 nearly \$300 million has been awarded to victims, and a record \$50 million is expected to be awarded this financial year.

Not only did the Labor government restore the pain and suffering compensation, which I think the previous member mentioned is \$108 million or so, to 25 000 victims of crime, but also, as I mentioned, did a review of the management of assistance to victims of crime. The member for Warrandyte talked about

consultation. I was on a body that carried out a review into services for victims of crime, and so were some other leading Victorians. We consulted virtually everybody. We travelled around the state. We talked to everybody. It is an area about which one has to show a lot of empathy. You need to listen and to hear what people say. You need to show compassion and understand what is going on in order to try to get the best possible assistance measures for people who are victims of crime.

We believe we ended up with a report which made quite good recommendations to the minister and led to the formation of the agency. One of the things we talked about in that report was the need to maintain the research capacity, and we were quite directive and focused in terms of the research that the agency should do. I am very pleased that the basis of the changes here is a report by the agency which is called *A Victim's Voice — Victim Impact Statements in Victoria*. I think the emphasis on listening and having a fuller capacity to listen is very important.

Of course victims can have the opportunity to tell the court in their own words about the impact of the crime on them, and various measures can be put in place so that the stress on the victim can be reduced. I might add that legislation was brought before the house a number of years ago by this government that would assist in reducing stress on witnesses by enabling them to provide statements not necessarily in the court but from another room outside the court.

This legislation is in line with the previous legislation in that it aims to reduce the stress on victims and enable them to express themselves in their own words. It allows them to use images also. They can get the prosecutor or other members of the family to read parts of their statement. This represents a huge improvement in the ability of victims to get their views across.

As I said, a statement could be read on closed-circuit TV by a representative, there could be a limit on the number of people permitted in the courtroom or the way the courtroom was organised could be altered to make it less overwhelming for a victim, with legal practitioners being asked not to wear wigs and robes.

I am strongly supportive of this, just from my own experience with victims of crime. I am also very proud of the fact that several years ago we increased the funds available to victims of crime. This legislation does not just enable victim impact statements but also makes amendments to the Victims of Crimes Assistance Tribunal. We know that a review on compensation for victims of crime is being conducted at the moment. I

am sure that Noel McNamara has already been consulted on this matter. Consultation is something that we do and we do that extensively. I support the amendments in this bill to enable the court to do its work in a smoother sort of manner. I have my own views on what is the best way of providing long-term assistance to victims of crime, and I will provide them to the minister in due course as part of this review.

I noticed the member for Box Hill also talked about courts. He criticised the handling of the court waiting lists. I hope he has had a discussion with the Chief Justice of Victoria and perhaps the other heads of courts on this matter. I expect their view might be that they are responsible for the management of such waiting lists rather than the shadow Attorney-General. I am aware that the Public Accounts and Estimates Committee has suggested to the Auditor-General that he review the management of court waiting lists.

The other aspect I should mention — and I know the member for Benalla as well as other members raised this, and it is something which I am also very much supportive of — is that in dealing with disorderly conduct and the effects of liquor we very much need to have a community response of action by all. Yes, we do need tougher laws, and they are here in this particular bill and various other acts, but we also need a community response, a community understanding and indeed a changed community understanding of the impact of liquor and how to handle the consumption of alcohol in a responsible way. We need a full suite of measures, including consultative ones, formative ones and educational ones as well as the necessary ones, which are using the force of the law and using the extra police the Brumby government has provided, particularly in the city. I know that some of these measures are working.

**Mr O'BRIEN** (Malvern) — It is a pleasure to rise to speak on the Justice Legislation Amendment (Victims of Crime Assistance and Other Matters) Bill 2010, which my colleagues on this side of the house have already indicated the opposition does not oppose. I will focus my remarks on part 5 of the bill, which is headed 'Provisions related to liquor and disorderly conduct'. I do so as the opposition's shadow Minister for Consumer Affairs, the portfolio that deals with liquor licensing matters.

The first question I have to pose is: can we trust this government when its members say that they are increasing the penalties for public drunkenness? We know that that goes against the personal stated views of the Deputy Premier and Attorney-General. He opposes the criminalisation of public drunkenness. Our Deputy

Premier thinks it should be a legal right to walk around the streets while drunk. One can only speculate, it may even be unparliamentary to speculate, as to why the Deputy Premier has a personal interest in making sure that it is not illegal to wander around the streets while drunk. One might ask whether his next trick will be talking about making it okay to abuse young women in pubs, because that is also something that is very much on the record when it comes to this Attorney-General — this defender of women's rights, I do not think!

Let us look at the record and see what the Attorney-General has said about public drunkenness. I refer to an article from the *Age* dated 29 April 2007, which states:

Attorney-General Rob Hulls has wanted to bring Victoria's public drunkenness laws into line with those of other states for a long time.

He told the *Sunday Age* that the Department of Human Services and the Department of Justice were now discussing 'a way forward' from what he has called 'the Dark Ages'.

We have an Attorney-General, a Deputy Premier, a chief law officer of this state, who thinks that having an offence of public drunkenness is reflective of the Dark Ages. This is an example of why this government cannot be trusted when it comes to questions of public order.

I refer also to an article from 29 November 2007 from the *Herald Sun* on the same issue, which states:

Public drunkenness would be decriminalised and trouble-spot venues charged more to operate in a \$20 million anti-booze offensive to be considered by the state government.

...

Details of the proposal are contained in a high-level departmental submission seen by the *Herald Sun*.

The submission reveals Attorney-General Rob Hulls — there is that name again —

wants to decriminalise public drunkenness ...

We have an Attorney-General who is on the record as stating that he does not like public drunkenness being an offence. Yet we are supposed to believe this government when that same person comes into this house and puts a bill before it that modestly increases penalties for public drunkenness. We know where his heart is. We know that if it were not the fact that this is an election year, he would be introducing bills into this place to decriminalise public drunkenness, and we are pretty sure that is exactly what will happen if this government manages to sneak back into office at the election this year. This is just smoke and mirrors. This

is window-dressing, because we know where the dark heart of the Attorney-General is when it comes to public drunkenness. We know what the real agenda is.

The modest changes being proposed in this bill in relation to public drunkenness are still soft compared to what this side of the house has already put out as its policy. In the most obvious comparison, the government in this bill is increasing the penalty for failing to leave a licensed premises when drunk, violent or quarrelsome from 2 penalty units to 4 penalty units. On Monday, 22 March this year the Leader of the Opposition put out a press release entitled 'Coalition to introduce tough new liquor offences'. One of those increased penalties is for failing to leave a licensed premises when drunk, violent or quarrelsome.

Under a Baillieu government the on-the-spot penalty will be increased not from 2 penalty units to 4 penalty units but to 5 penalty units. Already, on that one discrete measure, we have shown that we are tougher than the government when it comes to these sorts of antisocial, alcohol-fuelled offences. More than that, we have our heart in these measures because we actually believe in them, unlike members opposite. On that issue the government has shown that it is softer than the coalition.

On another issue, we have announced that we will introduce new offences. If this government wanted to try to convince people that it is serious about tackling public order offences related to alcohol, it would introduce new offences, and it has not done so. We have announced that we will follow Western Australia's lead in introducing a new offence providing that somebody who has been ejected from a licensed venue will not be allowed to loiter in the vicinity. The common experience of police officers, publicans and licensed hotel staff is that often trouble is caused when somebody who is not allowed into a venue because they have had too much to drink hangs around outside abusing the bouncers, trying to provoke fights and abusing other patrons. There is a need for a specific tough offence that prohibits that sort of conduct. This government is too weak to introduce it. We have announced that a Baillieu coalition government will do just that.

Another problem is that often security staff might exclude somebody who is behaving inappropriately or has had too much to drink and those staff are complying with their legal obligation to make sure drunk people do not remain on the premises. However, those people who have been excluded often try to sneak back in. We need to strengthen the hands of responsible licensees by sending a message that once you have

been excluded from a place for the night it is time to go home. We will introduce a measure to make it an offence for somebody who has been excluded from a licensed premises to return within 24 hours. Again, this government is too soft to undertake the policy work needed to support the introduction of the sort of new offences and penalties we need to try to make our streets safer for the very decent majority.

The government is trumpeting the fact that it is going to increase the scope of banning notices from 24 hours to 72 hours. The Minister for Police and Emergency Services was quite dismissive of the new offences that we announced recently. He said, 'That is no good. We have banning notices', but banning notices do not operate across the state. They only operate in 13 or so designated areas, so you might be subject to a banning notice in King Street but not at the MCG, or you might be subject to a banning notice in parts of Frankston but not in my electorate. As a coalition we believe we should have laws that provide tough powers for police and tough penalties for offenders across the length and breadth of the state. We should not be singling out particular areas and saying, 'We will have really tough banning notices here' but the police go empty handed right across the rest of Victoria. That is a nonsense. I would have preferred to have seen the government not just saying, 'We are going to increase the provisions for banning notices from 24 hours to 72 hours' but doing a little bit more homework to explain what police are expected to do outside of the designated areas where there are no banning notice powers. Again, it seems like that is just too much hard work for members opposite.

The coalition supports the modest changes in penalties that we see in this bill, but there is so much more that really needs to be done. It is interesting that the government seems to have some bizarre view that members on this side of the house were not supportive of banning notices. I keep hearing this fiction from the Minister for Police and Emergency Services, and in fact I think I have heard it from the member for Yan Yean. I hope I will be able to enlighten her before she makes her contribution to the debate because when you go through *Hansard* you can see that not at one single stage did members of this side of the house ever oppose or ever vote against banning notice provisions. That is on the record. In fact I have been delighted to have been able to put out a number of fact-check press releases pointing out some of the mistruths that have been peddled by members opposite, and it is good to see that the press no longer reports those mistruths because it is now aware of the truth and is aware that government members coming out here and saying that black is white does not make it so.

We know members opposite are committed to the decriminalisation of public drunkenness; the Attorney-General and Deputy Premier is on the record as having supported that. He regards criminalising public drunkenness as being in the Dark Ages.

The question that Victorians have to face in the months between now and 27 November is: do they support members opposite who have done nothing substantial in relation to public offences in the time they have been in office and speak with forked tongues, or do they support the coalition's tough approach that will make our streets safe again?

**Ms GREEN (Yan Yean)** — It gives me great pleasure to join the debate on the Justice Legislation Amendment (Victims of Crime Assistance and Other Matters) Bill. I am very pleased to be following the contribution of the member for Malvern. He spent some time reflecting on the commitment of the Attorney-General and questioned the genuineness of the government's commitment in this important area of public policy. We have a bill before the house, introduced and second read by the Attorney-General, which refers to increasing the penalties related to public drunkenness. The ink is on the paper, it is in *Hansard*, and I suggest that the member for Malvern read it there.

I think the reason the member for Malvern was trying to reflect on others is he does not want his own record in this important area of public policy discussed, and he accuses the government of being too soft. What a rewrite of his own and the Liberal Party's position on this! These people think they can come in here and make outrageous statements; they think that their previous statements are not actually on the public record and that people have short memories.

I was in this chamber at the time we were talking about introducing banning notices and giving police the power to move people on. I recall that the members for Malvern and Kew were suggesting that police should have to take those matters before a magistrate. What a ridiculous thing to even suggest. This is about taking firm action and giving police the powers they need to deal with this very difficult area. Our record is absolutely clear. We introduced those powers for the police, and they are working. The number of infringement notices issued under the move-on powers totals about 4000. We take these matters seriously, and the evidence is there. We are committed to this, unlike those on the other side.

**Mr O'Brien** — Move-on powers and banning notices are two different things.

**The ACTING SPEAKER (Mr Ingram)** — Order! The member for Malvern has had his chance and should not interject across the chamber like that.

**Mr Wells** — He was just trying to clarify — —

**The ACTING SPEAKER (Mr Ingram)** — Order! The member for Scoresby should likewise not interject.

**Ms GREEN** — Who could forget the banner headline from the *Herald Sun* of 6 December 2007 ‘Booze bust — Libs sink laws to make our city safer’?

**Mr O’Brien** — Who wrote that? Who was the journo?

**Ms GREEN** — It is from the *Herald Sun*. The proposed new laws at that time sought to give police the power to ban troublemakers from designated entertainment precincts for 24 hours. This lot on the other side did not support that. Members were embarrassed and dragged into supporting changes in this important area of public policy, and now they are trying to rewrite history and reflect on the Attorney-General’s and the government’s commitment to this important area of public policy.

The bill before the house also deals with the important issue of supporting victims of crime. I note the comments of the member for Warrandyte, who is a first-term member and either does not know his history or is trying to mislead the community about the Liberal Party’s shabby record on supporting victims of crime. It was under the Liberal Party’s watch that the government cruelly took away support for victims of crime, which meant they were no longer able to get compensation for pain and suffering. How cruel!

I am really proud that one of the first acts of this government was to reintroduce support for victims of crime. The measures in this bill are another example of how it wants to support victims of crime. In 2000 the government reinstated compensation for pain and suffering. In 2007 it increased the payments to victims by 30 per cent, from \$7500 to \$10 000. A total of \$108 million has been awarded for pain and suffering compensation, payments that this government, unlike the Liberal Party, believes victims should be entitled to.

This is not the only form of state-funded compensation for victims of crime. As well as compensation for pain and suffering, victims of violent crime can receive up to \$60 000 in compensation for counselling, lost wages, medical bills and other expenses.

The government is also continuing to find ways to treat victims of crime with the respect and compassion they

deserve and to create a justice system that best facilitates their needs. That is why we are making amendments to the Victims of Crime Assistance Act to allow delegation of powers to Victims of Crime Assistance Tribunal registrars to assist with speedier decisions for less complex matters and to facilitate interim awards of reasonable safety-related expenses so that victims can change locks or have urgent repairs made on windows or doors in family violence cases. At the moment these can be held up as the tribunal has to establish exceptional circumstances. This amendment will give support to those victims and means that those matters can be dealt with urgently and without delay.

In relation to victim impact statements, we really believe victims’ voices are vital if we are to have justice being seen to be done. Victim impact statements are already an established part of the Victorian legal process, and they are important because they provide the victim with the opportunity to tell the court in their own words how they have been affected by crime. We have already made amendments to the Sentencing Act so that judges have to take into account the impact of the crime on victims when determining the sentence.

The bill before the house is going to go further so that victims have the right to read their victim impact statement in the court and to include photographs or a recording to demonstrate the impact of the crime. Victims will also be able to read their statements via closed-circuit television or via a representative, limit the number of people in the court while the victim impact statement is being read and require legal practitioners not to robe.

In relation to family violence I am proud to be part of a government that has invested over \$100 million to reform the law and government services in the area of family violence. There are amendments which include the child as a protected person on the court’s own initiative, which give the opportunity for the court to make an intervention order based on certified family violence safety notices, and which broaden the provisions slightly from only oral evidence or an affidavit. This is a great initiative for victims, as at the moment cases may be dismissed or adjourned because there is no affidavit or the police officer or victim is not in attendance at court.

In conclusion, this is another piece of very progressive legislation proposed by this government. We are committed to reform in this area, unlike those opposite. I commend the bill to the house.

**Sitting suspended 6.30 p.m. until 8.02 p.m.**

**Mr CRISP** (Mildura) — I rise to make a contribution to debate on the Justice Legislation Amendment (Victims of Crime Assistance and Other Matters) Bill 2010. The Nationals in coalition are not opposing this bill. The purpose of the bill is to make a range of amendments to the Victims of Crime Assistance Act 1996, the Sentencing Act 1991, the Children, Youth and Families Act 2005, the Family Violence Protection Act 2008, the Stalking Intervention Orders Act 2008, the Infringements Act 2006, the Liquor Control Reform Act 1998 and the Summary Offences Act 1966.

I will go through the provisions of the bill. The bill makes it clear that victims or their representatives may read aloud their victim impact statements in court and may include or display non-written material such as photographs. This is to further assist the court and victims of crime. It allows the court to permit a representative nominated by the victim to read a victim impact statement. This takes into account that some people are simply not up to doing this task in court. It allows the court to apply vulnerable witness protection arrangements such as the use of closed-circuit television to victims and others giving victim impact statements, allows the Chief Magistrate to delegate powers to the Victims of Crime Assistance Tribunal and registrars, and provides for a category of reasonable safety-related expenses that can be paid to victims, including on an interim basis.

The bill also makes changes in relation to family violence protection and stalking interventions, including provisions to extend police search powers to include seizure, allow children to be the subject of interim orders on the court's initiative, provide for interim orders to extend final orders and allow courts to make interim orders based on the information in the police family violence safety notice. It requires a court in considering whether to refuse to admit or limit the use of a family violence safety notice to consider whether it is reasonably practicable to obtain oral or affidavit evidence.

It provides for an extension of the time limit for commencing a proceeding for a summary offence in the Children's Court, which was previously reduced from 12 months to 6 months. In various cases this has caused some difficulties, and I note that during debate on that matter in this house it was pointed out that the six-month rule was going to cause problems, and here we are fixing it.

The bill increases the infringement penalty amount under the Liquor Control Reform Act 1998 for being drunk, violent or quarrelsome or refusing or failing to

leave a licensed premises when requested to do so from 2 penalty units to 4 penalty units. This is something that is very much in the minds of country people at the moment. There is an awful lot of consideration in our communities of how people behave in an antisocial way when they are intoxicated. I think it is very much a case of people wanting a greater police presence. They want to see preventive policing rather than reactive policing; as we all know, prevention is better than cure. Where people have had too much to drink we would much rather they just went home. For older people that seems like a wise bit of advice, but it does not seem to get through to many people.

That leads on to the next part of the bill, which allows for banning notices under the Liquor Control Reform Act to be issued for up to 72 hours instead of 24 hours. Perhaps that will persuade people to go home when they have had enough to drink rather than becoming quarrelsome, particularly in the streets, which are being shared by other people.

The bill also increases the maximum penalty for various offences around drunkenness and disorderly conduct, and increases penalties generally. This legislation is sending a message about the sort of antisocial behaviour you see on the streets; that is why The Nationals are not opposing it. But in order to do all of this you certainly need to have more police out there. Again, as I say, it needs to be preventive policing, and the coalition has put forward a plan to achieve that, to deliver on that commitment to the community to increase those numbers so that the penalties that are here can be enforced. That is something that country people are looking for. They want to be able to walk their streets safely. If there is a problem, they want to know that a police officer is not far away and can move this issue forward by persuading people to go home rather than letting it become a big issue.

That is very much where I think we are — just looking for a better result on this drunken and antisocial behaviour on our streets. Our country towns are beautiful and are wonderful places to live, but they are being spoilt by a minority who go out and ruin it for everybody. Again, those extra police will make a difference and restore people's confidence in our country communities.

**Mr SCOTT** (Preston) — It gives me pleasure to support the Justice Legislation Amendment (Victims of Crime Assistance and Other Matters) Bill 2010. Before going through the various provisions in the bill, I note that, in part, this bill is the result of a report entitled *A Victim's Voice — Victim Impact Statements in Victoria* produced by the Victims Support Agency. Looking at

that report while preparing to speak on this bill made me think a bit more deeply about the role victim impact statements have in our society, particularly in our judicial system. It put into context how criminal law is adversarial and based on common-law principles where the crime is traditionally treated as a harm against the state rather than the individual. This adversarial process constitutes a contest between the prosecution, representing the interests of the wider public; the defence, representing the interests of the accused; and the judge, acting as an impartial arbiter. This highlights the fact that traditionally there has not been a role for the victim in this process in the way we are recognising here. *A Victim's Voice* states that victim impact statements (VISs):

... provide victims with a way of expressing their feelings about the crime and its impact on their life, providing victims with a voice during the sentencing process.

That is a very important thing to note in the debate regarding victim impact statements.

The report includes a discussion about the role and purpose of victim impact statements, particularly consultations with victims support and witness assistance services, where the primary purpose of victim impact statements was identified as:

... a therapeutic one in which the victim can communicate the impact of the crime to the court and 'tell their story'.

Legal professionals also identified the therapeutic and communicative purpose of VISs in sentencing and mentioned its function in informing the court about the impact of the crime on the victim. It was noted that in some cases, VISs can contain additional information not available at trial.

It is important to note that a shift has taken place in our community whereby the victim has become a more important person in the process, and this has been reflected by the actions of this Parliament. The impact of the crime on the person has been given greater voice in the judicial process. That is a good and positive development.

As has happened with other members, although there is a clear separation of powers, persons who have been victims of crime have come to my office, to me as a member of Parliament, and expressed strong distress and the sense of personal violation they have felt after becoming victims of crime. That response is not just about physical crimes. Persons who have been robbed have a sense that their property has been violated and that they have lost a certain amount of control over their lives. It is very difficult for people to recover from that. Victim impact statements are a very positive development which add to the judicial process and are something I wholeheartedly support.

Turning to the details of the bill, the Justice Legislation Amendment (Victims of Crime Assistance and Other Matters) Bill 2010 amends the Sentencing Act 1991 and the Children, Youth and Families Act 2005 to clarify that victims may read aloud their victim impact statement in the court and that a victim impact statement may include non-written and other material. I understand that was a recommendation in the *A Victim's Voice* report.

The bill amends the Victims of Crime Assistance Act 1996 to allow the Chief Magistrate to delegate powers to judicial registrars and creates a new award category of safety-related expenses. The delegation of powers to judicial registrars is in order to simplify and expedite processes, and that is a worthwhile innovation. The new award category of safety-related expenses is a logical response to a certain type of crime where persons may feel their safety is at risk and may have to, say, purchase locks or other materials, and that is a very sensible amendment.

The bill makes procedural amendments to the Family Violence Protection Act 2008 and the Stalking Intervention Orders Act 2008 to address technical and operational amendments required to improve the intervention order system for victims of family violence and stalking. I hope I speak for all members in expressing my utter contempt for persons who perpetrate family violence. Family violence is almost always a cowardly crime committed by persons who abuse their positions of power and relationships within families to commit hideous acts of violence that can often impair people for the rest of their lives.

The bill amends the Children, Youth and Families Act 2005 with respect to the children and young persons infringement notice system and the Infringements Act 2006 in relation to commencing proceedings against a child for an infringement matter.

The bill amends the Summary Offences Act 1966 and the Liquor Control Reform Act 1998 to increase the financial penalties for certain drunkenness and public order offences. It also amends the Liquor Control Reform Act to increase the maximum duration of banning notices from 24 to 72 hours.

I, like many other members, welcome these changes. As a society we have made a decision to take more seriously violence stemming from alcohol abuse. Violence has no place in our society, and alcohol-related violence should be minimised wherever possible. Unfortunately there will never be a society that is fully free of violence, but an attitude such as that which has existed sometimes in the past where a certain

level of violence is tolerated is one we should seek to avoid. As a community we should not accept assaults as a normal part of our lives. People should be able to walk freely through the streets regardless of the time or place.

This is an excellent piece of legislation which builds on this government's record of giving victims, particularly in relation to the victim impact statements, a voice in sentencing matters. This is an important step our community is taking to ensure that not only the state and the defendant are represented in the judicial process but that the voices of victims are heard as well. I commend the bill to the house.

**Mrs VICTORIA** (Bayswater) — I too rise to speak on the Justice Legislation Amendment (Victims of Crime Assistance and Other Matters) Bill 2010. The main purpose behind this bill is to make amendments to several acts, including the Victims of Crime Assistance Act 1996, the Sentencing Act 1991, the Children, Youth and Families Act 2005, the Family Violence Protection Act 2008, the Stalking Intervention Orders Act 2008, the Infringements Act 2006, the Liquor Control Reform Act 1998 and the Summary Offences Act 1966.

Some of the main provisions of the bill include allowing victims or their representatives as nominated to read aloud a victim impact statement before sentencing in court. They can also now display non-written material; in other words, photographs or some other sort of representation. This can be done to let an offender know how the victim is feeling, but it can also help a judge make a decision about a relevant sentence. The bill will also allow a victim to have a representative in court, so if it is all too much for somebody to read a statement — if it is too emotional — a representative can stand up in court and read it for them. In extreme cases they can also make their statement via closed-circuit television (CCTV) or other transmission. If some sort of evidence needs to be given and again it is too traumatic for a victim — and I am sure we can all think of circumstances where that might be the case — they will be able to give that testimony via CCTV.

The bill allows the Chief Magistrate to delegate some of the powers of the Victims of Crime Assistance Tribunal to judicial registrars, which will help to spread a little of the workload. The problem with that, of course, is that the lists at VOCAT will become fuller, because crime is on the increase in the state. I know those opposite do not want us to say that. Certainly, if you have bicycle theft on your mind the statistics show that sort of thing has gone down, but crimes against the person and violent crime are up in the state. Will

VOCAT then become overburdened just as the court system is now? With the escalation of crime there will be an escalation in the workload.

There are new measures in the bill in relation to family violence protection and stalking intervention. Police will receive extended search powers to include seizure, which has not been included before. The bill allows children to be the subject of interim orders. There is also provision for an extension of final orders on an interim basis, and it will allow courts to make interim orders based on the information in a police family violence safety notice.

The bill allows for an extension of the time limit for commencing a proceeding for a summary offence in the Children's Court. This is something we debated quite extensively regarding an earlier bill when the time it takes to bring a case to court was reduced from 12 months to 6 months. I remember saying at the time it was certainly not a good measure. It opens us up to all sorts of cases not being able to come before the court because the time will be restricted. With all the tinkering around the edges the government has been doing on bills like this which restrict what police can do — obviously evidence gathering is quite difficult, and as we saw not long ago with the questionability of DNA evidence and the fact that a laboratory closed, the window of time under the statute of limitations has become very narrow — I think we got it wrong with the last bill. Now we see, if you like, a slight revocation of that, and in certain circumstances there will be an ability to extend the time for commencing that procedure in the Children's Court.

The bill doubles penalties under the Liquor Control Reform Act 1998 for being drunk, violent or quarrelsome, or refusing or failing to leave licensed premises when requested to do so from 2 penalty units to 4 penalty units. There will also be an extension of the banning notices available, and I want to talk a little bit about that. Under the Liquor Control Reform Act 1998 banning notices allow people to be banned from licensed premises for 24 hours. That time will be tripled to 72 hours. Our side of the house has said we will extend that much further to up to two years, which is quite a substantial difference.

I was speaking to a friend of mine who owns a couple of very good bars in Melbourne. He said, 'Of course the problem with this is it does not matter how long you ban people for, because there will be more parties out in the suburbs'. The problem with having parties in the suburbs is there is not responsible serving of alcohol and there are not the bouncers or other people to do crowd control — and in the outer east we have up to

30 per cent fewer police than are needed to run our police stations effectively. If people have parties at home and that sort of behaviour spills out onto the streets, there is less control. At least in licensed premises there is an ability to have people controlled.

The bill doubles the maximum penalties for various drunkenness offences under the Summary Offences Act 1966. The penalty for the offence of drunkenness will go from 4 penalty units to 8 penalty units, and for drunk and disorderly or disorderly conduct it will go from 5 penalty units to 10 penalty units. There is a doubling of penalty units for the offence of acting in an insulting manner, which some would say could often be used in Parliament, from 2 penalty units to 4 penalty units.

There are some very real concerns about what is before us. We warned the government at length — ad nauseam — about reducing the time limit for commencing summary offence proceedings in the Children's Court from 12 months to 6 months. Now we see that is going to be extended. We are quite pleased about that, but as I said, when we are in government we will introduce a two-year ban. There has been some talk that it may be difficult to enforce — two years is a long time to remember somebody's face — but if there are not enough police on the streets and there are people who have been kicked out of premises for 72 hours, the police are going to have to revisit those premises every time a licensee rings up and says, 'Hang on, I kicked this guy out only 24 hours ago'. If we do not have enough resources to police a two-year ban, how the heck are we going to be able to police a 72-hour ban? I do not think it sends the right message. I do not think it is nearly strong enough.

Our side of the house has committed to providing 1600 new police members, but we do not want them on the streets just babysitting drunks. We want them doing really useful things like preventing crime, which seems to be a novel idea for members on the other side of the house.

The police should have had far more input into the bill, as should local government and the Australian Hotels Association. These three groups are heavily involved with what happens on our streets. They are at the front line of the war against drunken violence, and they would have had valuable contributions to make. Not having contributions from them is a no-brainer.

The best way to help victims is to prevent them from becoming victims in the first place, and again that comes down to police numbers. We need more police on the street and tougher and more effective sentencing.

This is something the community has been calling out for for many years.

The long and short of the bill is that it makes improvements to a number of areas so far as access to justice is concerned, and I am okay with that, but without the appropriate resources waiting lists will grow, caseloads will grow, antisocial behaviour will grow and victims of crime will continue to slip through the cracks in the system. I will not be opposing the bill, but I think it could have gone much further.

**Mrs MADDIGAN** (Essendon) — I am pleased to rise to support the Justice Legislation Amendment (Victims of Crime Assistance and Other Matters) Bill 2010. While the bill amends a number of acts, I want to relate my comments specifically to the changes to the Summary Offences Act 1966 and the Liquor Control Reform Act 1998. The legislation before us effects four major changes, some of which have been mentioned in passing by previous members.

The bill amends the Summary Offences Act to increase the maximum penalties for the offences of being drunk in a public place from 4 penalty units to 8 penalty units, for being drunk and disorderly in a public place from 5 penalty units to 10 penalty units, and for behaving in a disorderly manner from 5 penalty units to 10 penalty units. The second change includes amendments to section 60AB of the act in relation to infringement penalties to increase the infringement penalty amounts for the offences of being drunk in a public place, being drunk and disorderly in a public place and behaving in a disorderly manner from 2 penalty units to 4 penalty units. The bill also increases the infringement penalty for the offence of behaving in a riotous, indecent, offensive or insulting manner from 2 penalty units to 4 penalty units.

The third change amends the Liquor Control Reform Act to increase the penalty for the existing offence under section 114(2) of the Liquor Control Reform Act, which prohibits a person who is drunk, violent or quarrelsome from refusing or failing to leave licensed premises if requested to leave by a licensee or permittee or a member of the police force. The offence carries a maximum penalty of 20 penalty units. However, the current infringement penalty amount is \$234, and that is being doubled to \$468, or 4 penalty units.

The fourth change in the bill increases the maximum duration of the banning notices that may be issued by police under section 148B of the act from 24 to 72 hours. Banning notices were actually introduced in 2007, not the date the previous speaker gave. A notice may be issued to a person by a relevant police member

who suspects on reasonable grounds that the person is committing, or has committed, a specified offence wholly or partly in an area declared by the director of liquor licensing as a designated area under section 147 of the Liquor Control Reform Act. Eleven designated areas, including the Melbourne central business district, have been declared so far.

I am a big fan of banning notices. I reckon they are a very useful tool in dealing with young people in the city and other areas where there have been difficulties. I think increasing the duration from 24 to 72 hours is very sensible. The purpose of that is specifically to cover whole weekends, especially long weekends. The benefit of banning notices is that not only do they protect people in the area where the person who has been banned is working or operating — perhaps working is not quite the word — from any violence or unpleasantness from that person but they also protect that person from creating more damage or causing themselves more harm. In reality both the community and the person who is causing the problem are protected by banning notices and the use of banning notices.

In speaking about banning notices I would like to refer to Geelong. I think the City of Greater Geelong should be congratulated on the work it has done in relation to the Geelong regional liquor licensing accord. I had the pleasure of attending a conference there on this not long ago. The member for Lowan was also there. He and I, with others, went on a tour of Geelong nightspots prior to Christmas and looked at the liquor accord in action.

The liquor accord is made up of people from Victoria Police, the City of Greater Geelong, the liquor licensing directorate and licensed venues. They have had this liquor accord since 1999. The City of Greater Geelong has been terrific in the work it has done with all those people. At the conference I attended — and I discussed some of the things the police had discussed with us on the night we went on the tour of licensed venues — banning orders came up quite extensively.

In Geelong they have carried it a bit further because licensed venue operators work with the police on banning orders there. The evidence from the licensed venue operators was quite interesting in relation to the effects of banning orders. They are very effective in regional towns because you are in a confined area, so if you are banned from the outlets in a regional town, it makes life very difficult. They also have a visual recognition technology system when you go into nightclubs in Geelong, so if you are causing a disturbance or a nuisance in an area and you are banned from a nightclub — if you are asked to leave the area

by the police, for example — most of the nightclubs are advised of that immediately. It really does restrict the opportunity to hang out with your friends, if you like. One of the licensed venue operators was telling us he has actually had young men in tears when they have had a banning order on them and they have been told they cannot go out with their mates anymore. If you have gone away for a long weekend, you are in your little tent and all your friends are off having the time of their lives over the whole weekend in Geelong while you are sitting there by yourself feeling miserable. It is really not a good place to be.

The operators were very strongly of the view that banning notices are a very effective weapon to make young people realise that their behaviour is inappropriate. It is a very important penalty when they realise they are then left out of the activities of their friends. Some of us can remember when we were young — some of us have lost it — not that I would say the member for Benalla has lost it. Anyway, some of us do remember when we were young. Going out with your friends was a very important part of your life, and being prevented from doing that would have hurt a lot of us when we were that age. I think the banning notices have been used very effectively.

Oddly enough, the first tour I, my colleague from Lowan and others went on was about two years ago during an inquiry the Drugs and Crime Prevention Committee was doing on juvenile crime, and that was just after banning notices had been introduced in 2007. I think it would be fair to say — and the member for Lowan can say whether he agrees with me or not — that at first the police were a bit hesitant about how they were going to use the notices. But if you look at the figures showing how many have been handed out and how often they are used now, I think you can tell that the police have found them a very useful weapon in dealing with likely trouble spots in the city.

I notice that even in December, or over the Christmas period, 253 banning notices were handed out. In December 2009, 253 banning notices were issued by police, with about 230 issued in the Melbourne CBD. If you can remove 230 people who may have unwisely had too much to drink or who are looking for a fight from a very populated nightclub area in the city, I think you are doing a very good job. I think this proves that the notices work. They have been used quite extensively, mostly in Melbourne's CBD but also quite extensively in Prahran and the municipalities of Latrobe, Ballarat, Port Phillip and Yarra.

We can see that banning notices are actually working and proving to be a very effective tool in this area. I

think extending banning notices to 72 hours is a very sensible provision. It gives the person who has had the banning notice imposed upon them time to reflect on their personal situation, and I am sure most people who have had a banning notice imposed upon them go out of their way to try to ensure they never receive another one.

I think this is a very sensible reform, and having it extended to 72 hours is a very good idea. That is all I wanted to discuss. Many other members have covered some of the other topics. I think the changes in this bill will strengthen our criminal justice system. I am glad the opposition agrees with it, and I look forward to it having a speedy passage through this and the upper house.

**Mrs FYFFE (Evelyn)** — I am pleased to rise to speak on the Justice Legislation Amendment (Victims of Crime Assistance and Other Matters) Bill 2010. It is claimed by the Attorney-General that the bill gives effect to the three objectives he outlined in 2008. They are: to review victims compensation, to improve the processes for making a victim impact statement, and to evaluate and build on law reforms and services for victims of sexual assault and family violence.

In a speech I delivered to the Parliament back in 2007, these were the very issues that I raised. I recall being bitterly disappointed at the time that special assistance funding was only \$2500 up to a maximum of \$10 000. I have stated before and I will say it again: victims should be given far more respect and support in recognition of the trauma they have experienced. It is an insult that what they have been through is considered to be worth such a paltry amount.

The purpose of this bill is to make a range of amendments to the Victims of Crime Assistance Act 1996, the Sentencing Act 1991, the Children, Youth and Families Act 2005, the Family Violence Protection Act 2008, the Stalking Intervention Orders Act 2008, the Infringements Act 2006, the Liquor Control Reform Act 1998 and the Summary Offences Act 1966. Specifically, this bill has a focus on victim impact statement arrangements.

Victim impact statements provide victims with the opportunity to tell the court in their own words how a crime has affected them. Seldom can anyone do a better job than the affected individual in explaining how they have been hurt, traumatised, physically injured or made to suffer. I am proud to say that it was the Kennett government that introduced victim impact statement legislation in 1994.

In 2007 the Victims Support Agency (VSA) evaluated the operation of victim impact statement legislation and issued a report entitled *A Victim's Voice — Victim Impact Statements in Victoria*. It examined whether victim impact statements were the most appropriate way of informing the court about the impact of crime, assisting the court in sentencing and increasing victims' satisfaction with the criminal justice process. The report is based on extensive research and consultations with key stakeholders involved in the victim impact statement process, including police, prosecutors, defence counsel, the judiciary and magistracy, victims service agencies, witness assistance services and victims of crime. I am pleased to say that the VSA's evaluation revealed broad support for victim impact statements amongst victims of crime, victims service agencies, criminal justice agencies and the judiciary. The recommendations outlined in the report are: to give victims a stronger voice in the sentencing process, to enable victims to exercise their right to make a victim impact statement, and to enable victims to engage with the victim impact statement process.

In clause 7 the bill makes it clear that a victim may read aloud their victim impact statement in court and display non-written material, such as photographs, poems and drawings. This is important for victims who sometimes lack the necessary vocabulary to properly articulate their message. This right is not limited to victims themselves; it may also be exercised by family members of a deceased person who want to demonstrate the degree of loss experienced by the family. In other words, it humanises victims and their family members so that sentencing does not occur in a social vacuum where individuals are treated as units of evidence. While I support this clause, I wonder how many victims will actually take up this option and whether more can be done to encourage it to be used where appropriate for the benefit of victims of crime.

I know how hard it is for victims to come forward to discuss crimes. On a couple of occasions when I have been approached by constituents to assist them with a criminal matter by referring them to appropriate support and legal services, or when they have wanted an issue raised publicly on their behalf, they have been reluctant to be identified for fear of retribution. The period immediately following a crime in which injury, loss or damage has occurred is a very nerve-racking time, during which victims tend to withdraw into themselves. That is why giving authority to the court in clause 8 to permit a representative nominated by the victim to read a victim impact statement represents a step forward for victims who in many cases are still recovering from the fright of the attack.

Clause 12 provides for a specific type of assistance for safety-related expenses that are reasonably incurred or reasonably likely to be incurred by the primary victims as a direct result of an act of violence. Currently this can be invoked under only exceptional circumstances. The requirement to show exceptional circumstances has been expunged from the bill. The logic behind it is to allow more timely assistance to be given for relocation costs, security expenses, window and lock repairs and so on. For the benefit of making victims feel more secure, I agree with this provision.

Clause 17 makes changes in relation to family violence protection and stalking intervention, including extending police search powers to include seizure, allowing children to be the subject of interim orders at the court's initiative, providing for interim orders to extend final orders and allowing courts to make interim orders based on the information in a police family violence safety notice. Sadly, this is frequently too late for many women. Extended seizure powers should have been made available to our police force a long time ago. Part of the reason why law and order has become similar to a four-letter word for this current government is that our police lack sufficient powers to intercept and detain people until after a crime has already been committed. Soft laws produce victims.

The infringement penalty amount under the Liquor Control Reform Act 1998 will be increased when this bill comes into operation and will apply to persons who are drunk, violent or quarrelsome or are refusing or failing to leave licensed premises when requested to do so. The amount will be increased from 2 penalty units to 4 penalty units. The bill also increases the maximum penalties for various drunkenness offences under the Summary Offences Act 1966: from 4 penalty units to 8 penalty units for drunkenness and for being drunk and disorderly, and from 5 penalty units to 10 penalty units for disorderly conduct. It also increases the infringement penalty amounts for these offences and for behaving in a riotous, indecent, offensive or insulting manner from 2 penalty units to 4 penalty units. The government scoffed at the coalition's proposed two-year ban on violent drunks re-entering licensed premises, claiming it would be hard to enforce, yet this bill requires police to enforce bans on drunks going into any part of a prescribed area, not just into licensed premises, for up to 72 hours. Does the government see the inconsistency in its own argument, or is it just completely oblivious to the contradiction?

In closing, the best way to help victims of crime is to put more police on the beat, as the coalition has already announced it will do with a commitment to put an extra 1600 police on the front line to fight crime. The next

best way to help victims of crime is to ensure that court waiting lists are slashed. Unfortunately the only thing the people of Victoria are hearing on law and order from this government is crickets chirping in the background.

**Mr PERERA** (Cranbourne) — I rise to support the Justice Amendment (Victims of Crime and Other Matters) Bill 2010. This bill represents another 2006 election commitment delivered proudly by the Brumby government.

In October 2009 the Attorney-General launched a Victims Support Agency's report entitled *A Victim's Voice — Victim Impact Statements in Victoria*. The report includes a number of recommendations, both legislative and non-legislative, and the amendments made by the bill arise from the legislative recommendations.

The Brumby government believes that decent, caring governments have a responsibility to acknowledge on behalf of the community the pain and suffering of victims of crime. We have a rule that we will support those who have unfortunately become victims through no fault of their own. That is why the Brumby government made a commitment in justice statement 2 to review victim compensation, to improve the process for making a victim impact statement and to evaluate and build on law reforms and services for victims of sexual assault and family violence.

Without any hesitation at all the previous Liberal-National coalition abolished compensation for pain and suffering for all victims of crime. Former Liberal Premier Kennett told victims that if they wanted any compensation for pain and suffering, they would have to seek it from the offenders. What an arrogant comment!

I am pleased to see that after almost 11 years of Labor government influence and leadership the Liberal-Nationals coalition has come to the party to support this bill. That influence has been good for victims and all decent Victorians.

In 2000 the Brumby government reinstated state-funded compensation for pain and suffering, and in 2007 it increased payments to victims by 30 per cent, from \$7500 to \$10 000. A sum of \$108 million has been awarded in compensation to more than 25 500 victims of crime for pain and suffering resulting from criminal actions.

The Victims of Crime Assistance Tribunal is expected to award about \$50 million this year, and last year it awarded \$38.7 million, because unlike the Liberal-

Nationals coalition this government believes victims should be entitled to such compensation. Victims of crime are also entitled to state-funded compensation up to \$60 000 on top of pain and suffering compensation for counselling, lost wages, medical and other expenses. Victim impact statements are already an established part of the Victorian legal process. The statements have much more weight if the victim or his or her representative has the opportunity to tell the court in their own words how they and their family have been affected by a crime.

The Brumby government has already put in place amendments to the Sentencing Act so that judges have to take into account the impact of the crime on victims when determining a sentence. The government plans to go further by giving victims who choose to do so the right to read their victim impact statement out in court and to include photographs or a recording to demonstrate the impact of the crime. Victims will also be able to read their statements via closed-circuit TV or to have a representative read the statement. The number of people who may be in the court while the victim impact statement is being read may be limited, and requirements may be placed on legal practitioners.

The Brumby government has also invested over \$100 million in reforming the response of law and government services in the area of family violence. This includes legislating to broaden the definition of family violence. It has also provided the police with greater powers to respond in after-hours crisis situations and to remove perpetrators from the family home using family violence safety notices. Today the police are in a stronger position to respond to such demand than at any time during the era of the Liberal-Nationals coalition, because Victoria now has 210 operational police per 100 000 population as opposed to 199 per 100 000 at the end of the Kennett era.

These landmark reforms have been critical in supporting the safety of women and children and holding perpetrators accountable. The Brumby government will continue to build on this critical work through a family violence reform strategy that will guide our efforts over the next decade. This has been a quiet revolution in reform for victims of crime in Victoria. The Brumby government reforms are holistic in nature and have been aimed at assisting rather than retraumatising victims. This is in stark contrast to the one-size-fits-all policy of mandatory sentencing, which would lead to a huge increase in not-guilty pleas, a huge increase in trials and therefore a huge increase in trauma to victims.

The Brumby government introduced legislation at the end of 2007 to tackle alcohol-related violence. This is the legislation that was opposed by the Liberal Party, which at the time was made a mockery of by the *Herald Sun*. I am sure those opposite will remember the banner headline on the front page of the *Herald Sun* on 6 December 2009 'Booze bust — Libs sink laws to make our city safer'. Those proposed laws sought to give police the power to ban troublemakers from designated entertainment precincts for 24 hours.

Ten entertainment precincts have since been designated, including Melbourne CBD, Chapel Street in Prahran, and Frankston. Police have to date issued over 3000 banning notices to remove troublemakers from entertainment precincts. The bill seeks to increase the maximum duration of banning notices that may be issued by police from 24 to 72 hours. These extended banning notices are designed to cover long weekends and are aimed at getting rid of troublemakers in the CBD area.

These banning notices for rowdy revellers are on top of last month's regulation change to increase on-the-spot fines for public nuisance offences from \$234 to \$468. Since on-the-spot fines came into effect in December 2009 more than 3100 people have been fined in Victoria. This includes 1891 in metropolitan areas and 1219 in the regions. Anyone caught breaching these banning notices risks a potential fine of up to \$2336. These are pretty tough measures by any standard.

These measures, combined with recent changes to the law and order policy, are the toughest controls in Australia and are designed to hit thugs in the hip pocket. This is in stark contrast to the opposition's plans to water down our tough new laws. The Leader of the Opposition announced that he wants to restrict the length of time police can ban troublemakers from nightclub precincts to just 24 hours. I cannot guess whether this is due to a lack of vision or to his being soft on crime — let opposition members choose one or both. This puts Labor's law and order record country miles ahead of the opposition's.

I am pleased to put on the record the Northern Territory government's announcement that it will adopt Victoria's banning laws, which is a testimony to our law and order policy. I commend the bill to the house.

**Mr MORRIS** (Mornington) — The introduction of this legislation is evidence of the absolute policy failure of the Brumby government when it comes to law and order. It is a reluctant and grudging admission that we have a problem with violence and drunkenness and that violent crime is out of control in Victoria.

The bill amends eight principal acts. It is a real grab bag of measures, some of which are better than others. I suspect some have been included because if they were introduced as amendments in their own right it would draw attention to the shortcomings of the policy. The provisions have been included in this omnibus bill with the clear intention of clouding the effective outcome of the bill.

Regardless of the merit of some of the proposed changes, it would be better to limit the damage in the first instance. If the government had in place an effective policing strategy, if it had in place appropriate measures to ensure good order and public safety, that would ensure that we had fewer victims in the first place. The measures are welcome, but they are a very small step in the right direction.

I turn to the detail of the bill. Part 2 deals with issues related largely to victims of crimes. It amends the Sentencing Act and the Children, Youth and Families Act. In the first part it is essentially about victim impact statements and making their use easier and more effective. It is about ensuring that the statements are able to be read aloud in the court, that they can take a non-written form, and that the courts have discretion to deal with these matters in a far more sympathetic way than was previously possible.

I have no doubt that having this process in place will be of assistance — probably some therapeutic assistance — to victims of crime. I support the clarification and extension of the rights of victims in this regard, but I think it is also important to make the point that very few victims take advantage of the opportunity to make these statements in court and therefore derive the therapeutic benefits from doing so. Unfortunately, this bill does very little in the way of facilitating the making of more statements. It clarifies the process and improves it, but it does not make it easier, nor does it encourage people to actually take the plunge, make the statement and derive the benefit.

Part 2 also makes changes to the Victims of Crime Assistance Act, extending considerably the options of the Chief Magistrate to delegate powers. It was interesting that in his second-reading speech the Attorney-General referred to the increased demands for Victims of Crime Assistance Tribunal services. I had a little difficulty reconciling this increased demand for VOCAT services with the alleged reduction in the crime rate. Surely if the crime rate was going down there would be a lessening of demand, but the Attorney-General confirmed that the demand has in fact increased. The changes also provide assistance for

safety-related expenses, and I think that is welcome as well.

Part 3 relates to amendments to the Family Violence Protection Act and the Stalking Intervention Orders Act. As I understand it they are essentially technical matters. If they improve the operation of the orders I certainly support that.

Part 4 of the bill relates to infringement notices and makes amendments to the Children, Youth and Families Act. It allows the formerly reduced time limits in the Family Court to move back from 6 months to 12 months. The opposition previously expressed a strong view on this, and I think to a large extent our concerns have been vindicated. But of course that is not the only relevant part of the discussion. I want to refer to a report of the Drugs and Crime Prevention Committee released in July 2009.

**Ms Beattie** — Good committee.

**Mr MORRIS** — An excellent committee, as the member for Yuroke says by interjection.

In the final report of the inquiry into strategies to prevent high-volume offending by young people the committee made recommendations including recommendation 21, which reads in part:

... in those cases where young people have been formally processed for a first offence they have their matter heard for first mention within two weeks of charges being laid.

The government decided that the two-week time frame was not practicable, and I am certainly more than happy to concede that, but its response went on to indicate that since the time frame was being reduced from 12 months to 6 months essentially all would be well. I accept that it may take time for the process to commence, but unless we deal with these cases with the kids in a timely manner effectiveness will be lost, and unfortunately this is not a step in the right direction.

In the course of the same report and on the same subject, the committee notes that the president of the Children's Court, Judge Paul Grant, was:

... concerned about the number of young people who have attended the Children's Court due to relatively minor offences ... particularly ... transit offences.

The committee's response to that was to suggest that perhaps people under 18 should travel free. The government rejected that suggestion, and I am not at all surprised, because apart from anything else there are obvious budgetary implications. Unfortunately the government failed to address the substance of the issue.

We now have an overloaded Children's Court and a president of the court who considers there is limited value, to put it politely, in many of the prosecutions, but we have now had to extend the time frame back again to deal with that.

That brings me — belatedly — to part 5 of the bill. I was interested to note that this was the part on which the Attorney-General's second-reading speech was shortest. This part deals with liquor and disorderly conduct, and I would have thought it would have received more attention since street violence is endemic in towns and cities across the state.

Division 1 of part 5 of the bill deals with changes under the Liquor Control Reform Act and extends the banning provisions from 24 hours to 72 hours. I think there is considerable practical difficulty in this provision. The member for Essendon referred to some research that I was involved in along with her, the member for Yuroke and others in Geelong. There are considerable practical difficulties even in extending the banning notices to licensed premises, let alone to a much broader geographical area. The member for Essendon rightly said these things can work in a limited space — and Geelong is a relatively limited space compared with Melbourne — but there are considerable practical difficulties in other cases.

Finally, I turn to division 2 of part 5 of the bill. Casting my mind back to 2001, I recall that the then Drugs and Crime Prevention Committee brought forward a recommendation that sections 13, 14 and 16 of the Summary Offences Act should be repealed. The Attorney-General in a press release applauded the recommendation and undertook to respond, as is appropriate, but was very keen to proceed with that. These are in fact the very provisions that we are extending this evening. Clause 50 extends section 13 of the Summary Offences Act. When the committee proposed that it be abolished the penalty was 1 penalty unit; it is now up to 4, and it will be increased to 8. The same applies in regard to section 14. The penalty then was 1 penalty unit; now it is 5, and under this bill it will go up to 10. Clauses 52 and 53 deal with other related matters.

The bottom line is that this government's refusal to address changed circumstances and its failure to recruit sufficient police have led to the epidemic of violence enveloping this state. If we cast our minds back to 2001, in the immediate shadow of the Kennett government, we were at the point where the drunkenness provisions could almost be written out of the system. We have now increased the penalty 800 per cent. The true legacy of this government will be the

unchecked rise in the high tide of violence on the streets and in the cities and towns across this state, and this bill will do nothing to undo the damage.

**Ms DUNCAN** (Macedon) — It is a pleasure to rise to speak in support of this bill. It was disappointing to hear the contribution of the member for Mornington because generally speaking he is a little more moderate in his statements than are many members of his party. I was very disappointed to hear him using words like 'endemic' and 'out of control'. He did not use the words 'war zone' but came close to doing so. It has been quite frightening to hear some of the language that has been used in relation to these issues, and it is also frightening to think where this will go as we get closer to a state election.

I have listened to quite a few contributions made by opposition members this afternoon and evening, and I invite them to spend more time in our courts. I doubt if they have ever walked into a court, or if they have spent more than 30 seconds in there. I would invite them to sit and spend some time, some hours, watching the way the courts operate, watching the way magistrates and judges deal with crimes in this state, the way they deal with compensation and with victims. I think members of the opposition would be pleasantly surprised to see how well our courts function. I would invite all members of the opposition to spend some time in our courts, because it might give them greater insight into the ways in which the courts function.

I sometimes think opposition members live on a different planet to the one that I live on. I would not like to play poker with them because they have pretty good poker faces. I cannot for the life of me understand how somebody can stand up here and criticise this government for increasing police numbers when the last time this opposition was in government it promised to increase numbers by 1000 and cut them by 800. Yet opposition members can stand up here day after day and say with absolutely straight faces, 'This government has failed to increase police numbers, yadda yadda yadda. When we are in government we will do this, we will do the other'. When they were in office we know exactly what they did, but they can stand here absolutely straight-faced —

**Ms Beattie** — They've got their fingers crossed.

**Ms DUNCAN** — Yes, perhaps they do have their fingers crossed. From an opposition that promised to increase police numbers when last in government and in fact cut them by 800, it is quite galling to hear what is said with a straight face.

Members of the opposition also stand here and talk about victims and the need to support them. We hear a lot about victims: how we cannot do enough for victims, we cannot give them enough, we cannot support them enough and we cannot respect them enough. Opposition members say all of that with a straight face, and yet, again, we can look back at the opposition's own record and see that when it was last in government it actually cut pain and suffering compensation for all victims of crime right across the board — Mr Kennett just made a stroke of a pen. I think he made a comment about a woman who was given compensation and said that all she was going to do with it was go out and buy a red coat. He thought she was not capable of determining how that money should be spent and that she should not receive any compensation. In fact he abolished all victims of crime compensation.

The logic of the member for Mornington — this has been repeated by other members — seems to be that we should not have any crime, therefore we should not have any victims, therefore we should not have to compensate them. In a perfect world and under this opposition — —

**Mr Morris** interjected.

**Ms DUNCAN** — I think the member for Mornington — and I hope he is not saying this — is now promising that there would be no crime under the opposition when it is next in government. I guess it just shows again and again that opposition members will say anything at any time, never let the facts stand in the way of their arguments and never let their history impact on what they say. They stand in a position of opposition and say, 'Do not do what we did in government but do what we say now that we are in opposition'. I guess it is the privileged position of being in opposition where you can stand there on the sidelines, say anything and do nothing.

It is galling to sit and listen to opposition members, because none of them think the bill is any good but they are all going to support it; they say 72 hours is not enough, it should be two years. Their argument seems to be the bigger, the bolder, the better. It sends shivers down my spine to hear some of the public debate on these issues that are incredibly serious and difficult public policies to get right. Yet the opposition would have us believe that with a stroke of a pen all can be resolved; it is just a matter of throwing more money at it or taking money away or something to do with some financial changes, and then all will be resolved. It is difficult to listen to some of the contributions and the discussion that goes on.

In support of this bill — and I support this bill — I point out that some of the changes it makes are really just reflecting current practice. For example, victims have the opportunity to make victim impact statements in courts today. Of course this bill will broaden the sorts of things they can speak about and allow them to provide photographs and other evidence, but as a matter of course victims are invited to make statements to the court as they wish, and prosecutors can do that on their behalf as well. Basically the bill's amendments formalise what is currently happening in our courts, and the bill is basically enshrining the right of victims to address the courts — rights that they have today. Hopefully it will encourage more victims to take advantage of these opportunities.

Many victims do not want to make victim impact statements, do not want to present them to the court and do not want to attend court, and we must respect that. Some of the other contributions from members were getting pretty close to saying we should have mandatory victim impact statements. Of course we would not suggest such a thing, but in the debate here this afternoon some of those statements seemed close to being made. The changes to victim impact statements are very important but to a large extent reflect and formalise what is already occurring.

In regard to the Victims of Crime Assistance Tribunal, the bill makes amendments to the Victims of Crime Assistance Act. These changes will assist by delegating powers to judicial registrars. This will make for speedier decisions and less delay and is supported by the judiciary. These registrars are experienced and specifically trained and will deal with matters that would normally be dealt with by a magistrate. I think this is a good amendment; it makes the system more efficient and is applied in relation to matters that are less complex. We still need to maintain judicial discretion, and this bill does that as well.

The bill contains a range of other amendments to quite a few acts: the Sentencing Act 1991, the Children, Youth and Families Act 2005, the Victims of Crime Assistance Act 1996, the Liquor Control Reform Act 1998 and the Summary Offences Act 1966. This bill puts into effect a lot of the rationale that was in the second justice statement the Attorney-General released. It is part of this government's efforts to make our courts more efficient, more reflective of community expectations and more responsive to victims in the best way we can when people find themselves in front of courts in very difficult circumstances. We have done some terrific things, and we have a reformist Attorney-General. Many of the bills that have been introduced and the changes that have been made by this

government are very progressive. They are designed to make our community safer and our courts more relevant and approachable.

I hope members of the opposition take up my suggestion that they spend a little more time in the courts and get a better understanding of how they operate rather than standing on the sidelines and making suggestions that when they were in government they never implemented but rather did the opposite. In opposition they are suggesting we do all sorts of things and are again criticising payments in spite of the fact that when they were in government they did nothing at all to make changes. I commend the bill to the house.

**Mr NORTHE** (Morwell) — It gives me great pleasure to rise to speak on the Justice Legislation Amendment (Victims of Crime Assistance and Other Matters) Bill. This bill makes amendments to a number of different acts, including the Victims of Crime Assistance Act 1996, the Sentencing Act 1991, the Children, Youth and Families Act 2005, the Family Violence Protection Act 2008, the Stalking Intervention Orders Act 2008, the Infringements Act 2006, the Liquor Control Reform Act 1998 and the Summary Offences Act 1966.

I wish to speak on two aspects of the bill in particular — as it relates to the Victims of Crime Assistance Act 1996 and as it relates to the Liquor Control Reform Act 1998. Various comments have been made by members in the house this afternoon and evening, but I want to talk about some of the main provisions in the bill relating to victims of crime. This bill seeks to make it clear that victims or their representatives may read aloud their victim impact statements in court and may include and display non-written material such as photographs; it allows the court to permit a representative nominated by the victim to read a victim impact statement; it allows the court to apply vulnerable witness protection arrangements such as the use of closed-circuit television to victims and others giving victim impact statements; and it allows the Chief Magistrate to delegate the powers of the Victims of Crime Assistance Tribunal to judicial registrars. They are all important aspects of and improvements to the current system we have available to us.

I am sure all members of Parliament have been approached in the course of their duties by victims of crime; that is certainly the case with my office. Unfortunately there have been occasions when victims of crimes such as assault and other offences have approached my office and told me they felt aggrieved that in some cases their voices were not being heard in

the judicial system, so I think the measures in this bill are a step in the right direction. They give victims of crime — and this may not suit all and sundry — the opportunity to put forward their thoughts in person in their own voice. This is important from two perspectives. Firstly, it is important for those in the judicial system — the jury and the judge or magistrate who is hearing the case — to hear the real impact upon that person. Secondly, it is important for the victims themselves. This may be because it gives them some sense of closure in relation to an event that has extensively impacted upon them. Therefore, I think the victims of crime elements of this bill are a step in the right direction.

In his contribution to the debate the member for Warrandyte said he was disappointed that the government had not consulted victims of crime advocates as widely as it could have on this bill. We have some great victims of crime advocates in Victoria who do an enormous amount of work. I am sure they would be relatively pleased with the measures and improvements contained in the provisions of the bill we have before us.

The other thing I wanted to mention in relation to victims of crime is that over the last 12 months I have been approached personally on a number of occasions by victims of the bushfires in my region. Unfortunately the fires of Black Saturday and those of late January in my region were deliberately lit. Going on the roller coaster ride with many of these people has been a journey in itself. Whilst I cannot say too much about that subject because some of these issues are before the courts at the moment I got some sense of the willingness of victims to have the opportunity to convey to the courts how they have been impacted on, not only personally but also their families. Therefore it is imperative that we ensure these regulations are enhanced, and I am pleased to see that happening, as I am sure are many members of my community who have been victims of crime, whether that be as the unfortunate victims of assaults or other crimes or as victims of last year's bushfires.

The other element of the bill I want to speak about is the Liquor Control Reform Act 1998. This legislation does a number of things, one of which is to increase the infringement penalty amount under the act for being drunk, violent or quarrelsome or for refusing or failing to leave licensed premises when requested to do so. The penalty rises from 2 penalty units to 4 penalty units. The bill also allows a banning notice under the Liquor Control Reform Act 1998 to be issued for up to 72 hours instead of up to 24 hours.

The issue of the Traralgon entertainment precinct in my electorate has been raised many times in this house. It is deemed a designated area, and I know very well some of the issues concerning that precinct.

I consider that the amendment to the length of the banning notice is a step in the right direction. The provision is not hefty enough, but the previous time period of 24 hours for a banning notice was inadequate. The increase to 72 hours is a step in the right direction, but this could be taken further. As the coalition has announced, we would certainly do that.

I know that since the banning notices were introduced in 2007 somewhere in the vicinity of 2500 people have been banned from designated areas for that 24-hour period. I know that a number of those people have been in the Latrobe Valley area. This is just one of a raft of measures, ways and means to address alcohol-fuelled violence across Victoria. In the Traralgon entertainment precinct, which is a designated area, we have the Traralgon CBD Safety Committee, which comprises not only local businesses and late-night venue operators but also the local police. Through that forum we have spoken on many occasions about Traralgon being a designated area and the impact of having banning notices available to the police. There is no doubt that the police welcome these measures. Increasing that ban from 24 to 72 hours is a step in the right direction. However, there are other ways and means by which we could reduce the incidence of alcohol-fuelled violence.

Along with the local police, members of this particular committee have also long been calling for a NightRider bus service to be introduced more permanently by this government. A trial service was introduced and funded locally. It ran for six months and was very successful because a number of patrons in the designated Traralgon entertainment precinct come in from neighbouring towns, whether it be Morwell, Moe or Churchill, and this particular service provided an opportunity for those patrons to get back to their neighbouring townships in a timely and cost-effective manner. It got those people out of the one area very quickly. Unfortunately this service fell over, despite extensive representation to the Minister for Public Transport at the time.

There are a number of ways and means by which we can address alcohol-fuelled violence in our regions. There is not a one-cap-fits-all solution. I know that the CBD safety committees that I am involved with in both Traralgon and Morwell make a significant difference to addressing alcohol-fuelled violence in our region. The banning notices are one way of doing that, but we also call on the government to review some of the coalition

policies which include introducing tougher new legislation that will ensure that we reduce the incidence of alcohol-fuelled violence. Overall I consider these measures to be a step in the right direction, as I have said.

On the victims of crime measures in this legislation, it is important that victims of crime have a say in the court system. It is not for everybody, but at least it provides them with the opportunity to have a say within the judicial system if that is what they desire to do.

In relation to the control measures in the designated areas, where we have troubles with alcohol-fuelled violence they are a small step in the right direction, but there are other ways and means of addressing that matter, such as increasing the police presence in our region.

**Ms BEATTIE (Yuroke)** — I rise to support the Justice Legislation Amendment (Victims of Crime Assistance and Other Matters) Bill 2010. The bill has five overall objectives. It amends the Sentencing Act 1991 and the Children, Youth and Families Act 2005 to clarify that victims may read aloud their victim impact statement in court and that that statement may include non-written and other material. The bill also amends the Victims of Crime Assistance Act 1996 to allow the Chief Magistrate to delegate powers to judicial registrars and creates a new award category for safety-related expenses.

The bill makes some procedural amendments to the Family Violence Protection Act 2008 and the Stalking Intervention Orders Act 2008 to address technical and operational amendments required to improve the intervention order systems for victims of family violence and stalking. It amends the Children, Youth and Families Act with respect to the children and young persons infringement notice system and the Infringements Act 2006 in relation to commencing proceedings against a child for an infringement matter. It also amends the Summary Offences Act 1996 and the Liquor Control Reform Act 1998 to increase the financial penalties for certain drunkenness and public order offences, and amends the Liquor Control Reform Act to increase the maximum duration of banning notices from 24 to 72 hours.

Having said all that, I will address the issues of the victim impact statements and the banning orders, and particularly the amendments to the Summary Offences Act and the Liquor Control Reform Act. With regard to the victim impact statement, the amendments to the Children, Youth and Families Act clarify that victims may read their statements aloud in court and that the

statement may include non-written material, which might be in the form of photographs, mementos or such like. The bill ensures that the protections which apply to vulnerable victims giving evidence also apply when they are providing their victim impact statement.

Several years ago I had the misfortune to be a witness to an armed robbery. It all happened so quickly I almost did not realise what was going on. It showed me that not everybody wants to make a victim impact statement. When the victim actually went to court — and she was very determined to go to court, but this was some years ago before victim impact statements — she was very adamant that she wanted to sit through all the court proceedings, not only when she was giving evidence but also to watch all the proceedings. It was so traumatic for her that she actually broke down each day that she came into the court. That lengthened the time the court proceedings took. I am sure from watching her that appearing in the court actually caused her more trauma. Her evidence was almost useless because she was so upset she just could not give a clear picture about what had happened. We also need victim advocates to be present to maybe help people along, if they are determined to make a victim impact statement, and also help them along generally.

I turn now to the amendments to the Summary Offences Act and the Liquor Control Reform Act. The member for Mornington touched on some work that the Drugs and Crime Prevention Committee has done and some evidence that has been heard. I do not intend to go into that evidence, as indeed I should not. The bill amends the Summary Offences Act to increase the maximum penalty for the offence of drunkenness in a public place from 4 penalty units to 8 penalty units and makes clear that the maximum penalty for behaving in a disorderly manner will increase from 5 penalty units to 10 penalty units.

It is well known that the Brumby government is tough on crime. Being tough on crime is not just about saying, 'We are going to have another 1600 foot soldiers' — I do not know what foot soldiers are, but that is what the opposition is calling them — it is a whole suite of things. It is about crime prevention, not just responses to crime, and the Brumby government is tough on the causes that lead to crime. As we know, the Brumby Labor government introduced the \$234 on-the-spot fines for public behaviour offences in 2009, and we are now increasing those fines to \$468.

I want to go to some of the statistics. Since the laws came into effect some three years ago more than 3100 people have been fined, including 1891 in metropolitan areas. In the regions — this is for the

benefit of members opposite — 1219 fines have been handed out, including 148 in Geelong, 112 in Mildura and 95 in Ballarat. I am sorry the member for Morwell has left the house, because he would be interested to know that 81 people have been fined in the Latrobe Valley and 33 in Bendigo. Because the laws have been such a success, the Brumby Labor government is now going the next step of doubling the fines.

Since the banning notices were introduced in 2007 more than 2500 people have been banned from a designated area for 24 hours. Of course under the amendment in this legislation the period of banning will be tripled to 72 hours to keep troublemakers out of night life precincts across Victoria. So if you are thinking that you can go out and get drunk and make trouble, you cannot, not here in Victoria, because we will crack down; we are tough on crime, and you will be banned. There is nothing like being banned from having a good time with your mates or being hit in the hip pocket to affect you.

This is another in the suite of measures the Brumby Labor government has introduced to be tough on crime. These changes will send a very clear message. As I said in a previous contribution, with the extra police we have put in, with the extra fines and the banning notices, you will not be able to just go out and think you can not only make a fool of yourself but wreck others' good times; you will not be able to do that, not here in Victoria. As I said, we are tough on crime. These are really good laws. I know others want to speak on the bill, so I will cut my contribution short. I commend the bill to the house.

**Mr THOMPSON** (Sandringham) — I am pleased to join the debate on the Justice Legislation Amendment (Victims of Crime Assistance and Other Matters) Bill. Recently I was having a discussion with a doctor of philosophy and university lecturer who has applied his mind to the welfare of the Victorian community in a number of different ways. He is of the view that oftentimes the Victorian legislature is addressing the symptoms of a wider malaise rather than the cause of the issues being delineated and addressed in the bill tonight. The adolescent psychologist Michael Carr-Gregg remarked in a public forum recently that not enough work is being done in helping people develop an insight into the meaning of life, which would give them the wider reason which builds a level of responsible behaviour. That is how I would paraphrase his remarks.

In relation to the bill before the house, there are a number of specific provisions in it. One makes it clear that victims or their representatives may read aloud

their victim impact statements in court and that these statements may include and display non-written material such as photographs.

The bill allows the court to permit a representative nominated by the victim to read the victim impact statement. It allows the court to apply vulnerable witness protection arrangements, such as the use of closed-circuit television, which is a very valuable arrangement in many circumstances.

It makes changes in relation to family violence protection and stalking interventions, including allowing children to be the subject of interim orders on the court's initiative.

It provides for the extension of the time limit for commencing a proceeding for a summary offence in the Children's Court, which was previously reduced from 12 months to 6 months in various cases — and I might make the comment that the opposition warned the government that reducing the time limit for commencing summary offence proceedings in the Children's Court would cause problems. That advice was not heeded at the time. It now has been, but the government's amendment only fixes a small part of the problem.

Furthermore, the bill increases the infringement penalty amount under the Liquor Control Reform Act 1998 for being drunk, violent or quarrelsome or refusing or failing to leave licensed premises when requested to do so from 2 penalty units to 4 penalty units, and it increases from 24 hours up to 72 hours the duration of time for which a banning notice may be issued. The Scrutiny of Acts and Regulations Committee has drawn the attention of the legislature to this particular provision in terms of whether it may reasonably impact on a person's opportunity to attend work during the week. The committee has written to the Attorney-General seeking clarification of this particular measure.

The opposition has some further concerns in relation to the bill. When a two-year ban on violent drunks re-entering licensed premises was a policy position advocated by the opposition the government and police claimed it would be hard to enforce, yet this bill would require police to enforce bans on drunks going to any part of a proscribed area, not just into licensed premises, for up to 72 hours. There is a flaw in the reasoning of the government in its approach to policy initiatives developed by the opposition and an inconsistency in its argument.

Furthermore, there is an issue in relation to the ability to read out a victim impact statement. That measure is

underutilised by victims at the present time. It raises the question as to why that is the case. There is important review work to be done to evaluate this issue so that people can have both their say and their day in court in a way that brings meaning to the process.

There has been an issue in relation to the number of victims of crime in Victoria. Since the Labor Party came to office there has been a massive 70 per cent increase in violent crime occurring on the streets of Melbourne. It is manifested in many different ways. There is the case of James Macready-Bryan, a young man who had the world ahead of him but suffered permanent brain damage after being bashed. Friends have done some good work in raising awareness of the impact of acts of violence on the lives of citizens, but there is still too great an impact on individuals.

Again I drive the point home that the increase in assaults of 70 per cent under the reign of the Bracks and Brumby governments is totally unacceptable. Earlier today the member for Scoresby, a father of three, raised the issue of the grave concerns he had when his boys announced that they would be going into the city to a nightclub. With the strong escalation of violence, the danger on the streets is something that any parent would be seriously concerned about. The parents of James Macready-Bryan have confronted that circumstance in the case of their son, and will carry the burden of what transpired for the rest of their lives.

The opposition holds the view that the best way to help victims is to ensure that there are fewer victims through providing more police on the streets and imposing tougher, more effective sentences. I add that we need to take into account the reasons people are out on the streets late at night and why people might be drinking in a manner that inhibits the level of self-control and self-awareness to avoid grievous assaults being inflicted upon people.

I remind the house that a number of years ago the Labor Party, endeavouring to catch the law and order vote in the Sandringham electorate, made the promise at the 1988 state election that if re-elected it would build a new police station at Sandringham. It was re-elected and for the next 22 years there was a vacant site in Sandringham that stood testament to the non-fulfilment of what would be called a core ALP promise. In the lead-up to the last election in 2006 the Leader of the Opposition, Mr Baillieu, was asked on Neil Mitchell's program to give an example of a broken Labor promise, and the first example he gave was that of the failure of the Labor Party to fulfil that key election promise.

In the lead-up to the last election it was the Liberal Party that committed to providing a new police station in Sandringham to provide local security and reassurance to a community where the proportion of residents over the age of 65 is one of the highest of any community in Victoria. The Liberal Party committed to building a new police station in Sandringham if elected. After that announcement the Labor Party followed through with its own announcement that it would build a new police station in Sandringham. I am pleased to note that after having been held to account for some 22 years, the Labor Party has stepped up to the plate and done what it said it was going to do 22 years beforehand. It has been an important local issue in the Sandringham area.

There has been a movement of resources away from the bayside area, including patrol vans, and a lack of commitment to servicing the bayside area in terms of providing the appropriate infrastructure to enable policing services to be properly conducted. Nevertheless, I am pleased that I will be able to have the opportunity to preside over the development of an important piece of infrastructure within the electorate, which, as the local member for Sandringham, is something I have worked very hard towards over the last 17 years.

In conclusion I reiterate that there has been a massive increase in serious crime represented under the heading of assaults. In Victoria, under the watch of the Bracks and Brumby governments, there is a high level of lawlessness out on the street, and, as outlined earlier today by the member for Scoresby, there is great fear and apprehension on the part of parents whose children are going to the CBD at night. More needs to be done to tackle this problem.

The opposition has come forward with strong policy proposals, including placing protective services officers on every station in metropolitan Melbourne from 6.00 p.m. until the last train, providing 1600 new police on the streets and introducing stronger laws to deal with public drunkenness and stronger laws dealing with the carrying of knives and the sale of knives. These are some of the small measures that, along with broader measures dealing with the causes of crime rather than just the symptoms alone, will help make our streets safer.

**Mr FOLEY** (Albert Park) — It gives me great pleasure to support the Justice Legislation Amendment (Victims of Crime Assistance and Other Matters) Bill 2010. Having listened to the contributions this evening from those opposite, I share the concerns

expressed by the member for Macedon in terms of some of the undignified language of those opposite.

The amendments this bill seeks to make across a range of acts are very important and call for considered judgement. The acts that the bill seeks to amend include the Sentencing Act 1991 and the Children, Youth and Families Act 2005 to make sure that issues around victim impact statements and other non-written materials can be put together in a more appropriate way suitable to those jurisdictions.

As we have heard, the bill also amends the Victims of Crime Assistance Act 1996 to allow the Chief Magistrate to delegate powers and create new categories of safety-related expenses within the powers of that jurisdiction.

The bill also makes a series of amendments to the Family Violence Protection Act and the related Stalking Intervention Orders Act to address a series of technical and operational amendments that will necessarily improve the intervention orders system for victims of such crimes, together with family violence and stalking issues.

Further acts amended by the bill include the Children, Youth and Families Act and the Infringements Act with respect to children and young persons infringement notice systems to make sure that proceedings against a child for an infringement matter are dealt with appropriately. The bill also amends the Summary Offences Act and the Liquor Control Reform Act to increase the penalties associated with drunkenness and public disorder. Finally, the Liquor Control Reform Act amendments relate to banning notices.

I am pleased the Minister for Consumer Affairs is at the table because it is those later items that I want to focus on. The minister is leading the government's charge on cracking down on some of the most disreputable and irresponsible licensees in this sector. Fortunately they are in a minority, but nonetheless they are a minority that causes a disproportionate number of issues for the sector and for law and order as a whole in our community.

It is on the amendments to the Summary Offences Act and the Liquor Control Reform Act, which deal with the ongoing implementation of the state's alcohol action plan, that I wish to concentrate my remarks. I do so because the plan has been rolled out. As the Premier indicated at the time, it will take a number of years to resolve both cultural practice and community changes. It has been led by a series of ministers, particularly by the good work of the Minister for Consumer Affairs.

Part 5 of the bill deals with a range of ongoing measures relating to designated areas which, if members recall, were opposed by those opposite late in 2007 to try to frustrate the activities of Victoria Police in dealing with alcohol-fuelled violence in and around entertainment precincts. It was only after their antics were held up to ridicule by the *Herald Sun* in particular that on the eve of the election in 2007 the opposition was dragged kicking and screaming to agreeing to those amendments. It is a bit rich to hear opposition members take the view that whatever the government does in this area is not enough and is inadequate. All we hear from those opposite is hypocritical cant.

I want to spend a minute or two contemplating the contributions of a couple of those opposite. The member for Sandringham is still in the chamber. He says that before his contributions he often has discussions about the meaning of life with a learned member who has a PhD. I often contemplate the meaning of life when the member for Sandringham is giving his contributions in this place. He cuts to the chase and makes you contemplate the broader questions of public policy.

The member for Warrandyte — I share some of the concerns of those opposite — referred to law and order as being similar to a four-letter word. I was not sure to exactly which of the law and order issues those four letters — —

**An honourable member** — The member for Evelyn! Get your facts right. You are a bit slow.

**Mr FOLEY** — I stand corrected. It was the member for Evelyn. I was corrected on that earlier by the honourable member. I apologise to the member for Warrandyte.

**The ACTING SPEAKER (Mr Seitz)** — Order! Interjections are disorderly, and the honourable member for Albert Park should ignore them.

**Mr FOLEY** — It was the member for Evelyn, and I thank the honourable member for his assistance. Figuring out which members of the opposition temporarily represent which communities is not one of my strong points.

I will focus on part 5, the particular provisions relating to liquor and disorderly conduct. As we have heard, the amendments double the infringement penalties, including the infringement notice penalties. The time for which persons can be banned from designated areas by Victoria Police is increased from one day to 72 hours. These are important issues to communities such as mine, because of course, we have a number of

such designated areas within the district of Albert Park, particularly around Southbank and St Kilda. These thriving areas of activity for clubs, pubs, restaurants and a range of related activities are a boon for the local community but not insofar as the alcohol-fuelled violence that we have seen arise across most areas of Melbourne in more recent times.

The bill, and the measures it builds on, have all been introduced by this government. They further increase the responsibility on those licensees to continue to manage their premises in the most appropriate way. It gives our police the real tools to ensure that when people stray from the appropriate levels of behaviour that we as a community determine are satisfactory they will have a response that is effective, timely and proportionate to those offences.

In that respect, there has been excellent work done by the district of Melbourne police at Southbank and the Minister for Consumer Affairs has given the liquor licensing commission, for instance, and others the necessary tools to take strong and appropriate action against operations such as the Queensbridge Hotel, which has had a number of measures taken to curb inappropriate behaviour there. The district of Port Phillip police have had their toolkit increased by a number of measures related to both licensing and banning notices to bring to heel some of those involved in the worst aspects of alcohol-fuelled violence. We will see these measures increasingly having a real impact to ensure that these important areas of Melbourne's vibrant lifestyle and attractiveness as an international city are made safer and more secure not just for those who visit those communities but also and more importantly for those people who reside in them.

It is the residents of those areas who have given strong support to the government's measures. While some — and I stress some — licensees have been slow to come around, it has certainly been my experience of my community that slowly but surely those licensees are getting the message and that slowly but surely the partnerships through liquor accord arrangements and a number of other methods led by Victoria Police and backed up by the new inspectorate that the Minister for Consumer Affairs has been responsible for are having an effect.

**Mr WAKELING** (Ferntree Gully) — It gives me pleasure to rise to contribute to the debate on the Justice Legislation Amendment (Victims of Crime Assistance and Other Matters) Bill. The bill makes a range of amendments to the Victims of Crime Assistance Act 1996 and a number of other bills. As has been so

eloquently put by the member for Box Hill, the opposition will not be opposing this legislation.

The main provisions of the bill are to make it clear that victims of crime or their representatives may read aloud their victim impact statement in court. They may also include and display non-written material such as photographs. In addition, they allow a court to permit a representative nominated by the victim to read a victim impact statement. The bill also allows a court to apply vulnerable witness protection arrangements, such as the use of closed-circuit television, to victims and others making victim impact statements. It also makes changes to family violence protection and stalking intervention, including extending police search powers to include seizure. It allows children to be the subject of interim orders on a court's initiative, provides for interim orders to extend final orders, and allows courts to make interim orders based on the information in a police family violence safety notice. It also requires a court, when considering whether to refuse to admit or limit the use of a family violence safety notice, to consider whether it is reasonably practicable to obtain oral or affidavit evidence.

When it comes to victims of crime, it has certainly been the opposition — the Liberal and National parties — which has been willing to stand up for victims of crime in this state. I know the members for Box Hill, Kew and Scoresby and many others have been strong advocates for victims of crime in this house, and I have been very proud to stand up for victims of crime, not only in my community but in my state.

At this juncture I would like to pay tribute to and recognise the wonderful contribution of a Ferntree Gully stalwart, Mr Noel McNamara, who is a strong representative not only of the Ferntree Gully community but of the broader community. He has been a longstanding servant of the Crime Victims Support Association in his role as president. Noel and his wife, Bev, founded the organisation many years ago on the back of losing their daughter to violence. As a couple grieving the loss of their child, they put their efforts into providing assistance to others. They have long been champions for the rights of victims in this state, and I pay tribute to the wonderful work they have done.

The Crime Victims Support Association says it believes this legislation is a positive first step in allowing victim impact statements to be read in court, but there is still a long way to go. I think anyone in the community would rightly agree that there is still a lot more that needs to be done when it comes to assisting victims of crime in this state. The association has noted that its members are waiting with anticipation to see how much will be

allowed to be read out in court. As far as they are concerned, judges have enough experience to know how to handle victim impact statements without the defence acting as censors.

The association makes the point that if the criminal justice system was operating as a private company, it would have gone out of business many years ago because half of its main customers — that is, the victims of crime — are dissatisfied with the system's services. What it does, in very simple, eloquent terms, is articulate the plight of victims of crime in this state when it comes to ensuring that justice is served properly and ensuring that the needs and wants of victims of crime are adequately dealt with.

The association says victims want the opportunity to have their say. It stated:

Often, victims are denied the right to tell the court in a so-called victim impact statement about any physical or emotional damage wrought by the offender.

The association provided a couple of examples. It referred to the reporting of:

... the experience of a woman and her family who were injured by a drunk driver. After the defendant was charged with the crime, the woman told the prosecutor that she wanted to give a victim impact statement in open court, which was her right by law. The judge denied a request citing his 'busy day'.

Another victim complained that without this statement her rights were unequal to those of the offender. 'When my 16-year-old son was killed by a drunk driver, I wasn't allowed to give a victim impact statement or to tell the judge how the death of my child had affected our family. But the defendant brought a parade of witnesses on his behalf ...

This just shows that there is much that needs to be done when providing for the rights and needs of the people who are most vulnerable when we talk about crime — the victims — but also the family members who are grieving over the assaults that have been perpetrated on their loved ones. Yes, this is a positive step forward, but there is certainly a lot more that needs to be done.

The bill makes a range of changes in regard to the Liquor Control Act, and I see that the Minister for Consumer Affairs is at the table. The bill seeks to increase the infringement penalty for being drunk, violent or quarrelsome or refusing or failing to leave a licensed premises when requested to from 2 penalty units to 4 penalty units and to allow a banning notice under the Liquor Control Reform Act 1998 to be issued for up to 72 hours instead of up to 24 hours.

It is interesting that we have heard about a range of issues. The government and the police claim that the

coalition's policy of two-year bans on violent drunks re-entering licensed premises would be hard to enforce. However, this bill will require police to enforce a ban on drunks going into any part of a proscribed area, not just a licensed premises, for up to 72 hours. The positions that have been espoused by members of this government in their challenging of an opposition policy seem to be quite contradictory when you look at the provisions in this bill, which seem very similar.

We have a range of other issues with this bill. For example, in regard to the Children's Court the opposition warned the government that reducing the time limit for commencing summary offence proceedings would cause problems, and that is exactly what has happened. That is something that was put forward by the opposition. The government was not prepared to pick up this issue at the time, but it has now. However, the amendments go only a very small way towards fixing the problem.

There is one fundamental issue that the government needs to pick up when it is dealing with victims of crime. Yes, it is important to provide for victims of crime in terms of allowing for victim impact statements. But what this state really needs is more police on the street. We need a stronger police presence. We need a more active police presence because that in itself would help to deter the level of crime that is being perpetrated in this state. It would act as a deterrent to those who seek to perpetrate crime. They may in fact be deterred from committing that crime on the basis that there is an actual chance that they might get caught.

In Rowville, Lysterfield, Ferntree Gully and Boronia in my area there is a general belief in the community that on a Friday or Saturday night you will not get caught. That is why we have seen such a high level of inappropriate action, particularly by young offenders. The strongest thing this government can do is to start to put more police on the street.

The opposition has said that if it is successful at the November election, it will put an extra 1600 police on the street. Those opposite stand condemned. They have failed to announce what they will do in regard to that policy.

In 1999 the then opposition promised my community that it would deliver a 24-hour police station. It has failed to do that. My community is calling on the government to deliver on that promise. It failed to do so because it is not committed; its heart is not in it and it is not prepared to do the hard yards when it comes to law

and order. My community has had enough; my community is sick of it.

**Mr Kotsiras** interjected.

**Mr WAKELING** — As the member for Bulleen would well know, my community is greatly concerned about the prevalence of violent crime. What my community wants is action. What my community wants is a government that will take the bull by the horns and actually do something about violent crime and put more police on the street. Those opposite can whinge, whine and carp as much as they like, but Victorians have said loud and clear that they want more police on the streets.

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

**Mr ROBINSON** (Minister for Consumer Affairs) — I have only a couple of moments to comment on this bill. I just want to say in respect of the provisions of the bill and the opportunities afforded to victims of crime to make representations that I have never had occasion to attend a hearing as a party. I am glad that I have not had to be in that position. But whilst studying law some years ago I attended various courts, as law students do. I recall that I attended the Oakleigh Magistrates Court, the Melbourne Magistrates Court and occasionally the Supreme Court. It struck me at those times how someone like me could walk in and be disconnected from the details of the events being trawled through and find some moments in those proceedings almost entertaining when they see the reaction of witnesses to evidence being led when things do not go to plan.

I recall one occasion when a high-powered prosecutor in a criminal trial was leading evidence to someone who was trying to explain how dynamite worked, and he borrowed from the Queen's Counsel — —

**Business interrupted pursuant to standing orders.**

## ADJOURNMENT

**The ACTING SPEAKER (Mr Nardella)** — Order! The question is:

That the house do now adjourn.

### **Liquor licensing: Marysville Patisserie**

**Mr O'BRIEN** (Malvern) — I raise a matter for the Premier. The action I seek is that the Premier direct that a couple who have been poorly treated by his government be reimbursed for licensing fees they should never have been charged. The bushfires of

Black Saturday, 7 February 2009, were the greatest natural disaster in Australia's history. Tragically 173 Victorians lost their lives, while thousands more lost their homes and businesses. The township of Marysville was one of the towns that were devastated.

One of the businesses destroyed on that day was the Marysville Patisserie, which was owned and operated by Ashraf and Christine Doos. The patisserie was not only a business that Ashraf and Christine built up over seven years, it was their home and that of their two teenage sons. The strength of courage the Doos family showed in light of the tragedy of Black Saturday was remarkable, but it was also typical of many Victorian survivors of that terrible event.

The Premier met with Ashraf, and on 24 February 2009 relayed to the Parliament a personal commitment:

If passion and determination of people are anything to go by, and if people like Marysville Patisserie owner, Ashraf Doos, is an example of that, we will succeed. Ashraf lost his business, his home and many of his friends in the Marysville fires. I met him at Healesville literally minutes after he had learnt that his property had been destroyed, and despite his extraordinary pain he told me in no uncertain terms how he and his wife planned to rebuild his patisserie and help rebuild his beloved community. I told him that we would support him, and we will.

To their great credit Christine and Ashraf worked to get back on their feet. When you run your own business, any day the doors are closed is a day without income, and I am delighted that they opened a wonderful business called Marysville Patisserie on Glenferrie in the heart of my electorate of Malvern.

Here is where the Premier's assurance of support has rung hollow. Having already paid the 2009 liquor licence fee for their now destroyed business, the Dooses needed the same type of licence for their new Malvern venture. Mr Doos went in person to Liquor Licensing Victoria and set out his circumstances. He explained that his business had burnt down in Black Saturday's fires and that he was attempting to restart a business in Malvern. What response did he receive? He was told that he could not transfer the licence from his devastated business to his new one. He was told that he had to pay to simply apply for a new licence, and then he had to pay again to receive a new licence. Finally, Mr Doos was told that the government would not credit or refund him the licence fee he had already paid on his business that was lying in ashes and instead the government would pocket that money itself. That is not bureaucracy, that is bastardry.

The Dooses want to rebuild in Marysville, but so far they have been let down by a government that treats the

loss of their business as an opportunity to collect another liquor licence fee. The Premier told this Parliament he would support Mr Doos. I ask the Premier to now keep that commitment, to direct that there be an immediate refund of all additional liquor licensing fees paid by the Doos family for 2009 and to extend the family an apology for the distress their treatment by the government has caused.

### **Western Heights College: funding**

**Mr TREZISE** (Geelong) — I raise on the adjournment an issue for action by the Minister for Education. The issue I raise relates to the ongoing construction of Western Heights College in my electorate of Geelong. For the information of the house, Western Heights College is currently operating on two sites at Geelong. A new state-of-the-art education facility is being built on the old teachers college site on Vines Road in Manifold Heights. The new school is being built in two stages, with stage 1 clearly under way at the present time. The school community is keen for stage 2 to commence immediately following the completion of stage 1. The action I am seeking from the minister is for her to commit funding to allow stage 2 of the Western Heights College development to take place immediately as a flow-on from the completion of stage 1.

Western Heights College is a great school. It was formed through the amalgamation of three former secondary colleges, and therefore the school has operated on three separate campuses for many years. One of those campuses closed down roughly 12 months ago. Through the commitment of the school staff, including the former principal, the current principal and parents, it has taken many years to create a world-class education facility on Vines Road. The project commenced in 2009, and I have to say that work has gone ahead in leaps and bounds in the last six months or so. However, as I said, the school community is keen for stage 2 to commence as soon as possible to allow the school to be completed in the minimum time possible. However, while it is important to have the school completed in the minimum time possible, it is just as important to have minimum disruption to the school's operations.

As I understand it stage 2 works will include more classrooms and facilities for art, commerce, drama, home economics, science and administration. On its completion Western Heights College will be a world-class education facility. Importantly it will incorporate the Vines Road Community Centre and the Vines Road Senior Citizens Club. It will also share its library facilities between the school and the community. It is

an important project, and stage 2 is vital to it. As such I urge the minister to provide the funding.

### **Child care: Mansfield**

**Dr SYKES** (Benalla) — My issue is for the Minister for Children and Early Childhood Development. I request that the minister familiarise herself with the need for improved child-care facilities at Mansfield and support the Mansfield community's applications for a range of grants to fund the construction of new facilities to meet current and future child-care needs. I commence by stating that the Mansfield community is a can-do community. On a number of occasions it has demonstrated the ability to raise funds to meet the community's needs for a range of services. In this case it is asking the government to come on board and support its fundraising activities.

By way of background, Mansfield has a number of child-care facilities, including the Mansfield Community Cubby House and the Take A Break child-care centre. But these child-care facilities have long waiting lists. Long day care facilities have 33 places, and there are 50 people on the official waiting list; occasional day-care facilities have 21 places, and there are 36 people on the waiting list. The Mansfield Shire Council coordinates the family day care and in-home care and currently provides 104 children with 22 providers of that service.

The Mansfield Shire Council has applied for a number of grants. In discussions the Department of Education and Early Childhood Development has indicated that Mansfield is on the priority list for funding. A preliminary business case has been developed and preliminary sketches for the design of the child-care facility have been completed. The early indications are that the facility would cost about \$4 million. The council has committed \$1.5 million, and there is an application for \$500 000 to this year's funding round of the Children's Capital program. There has also been support for a preschool application for \$100 000. There has been an application to the federal government's additional early learning and care centres initiative for \$2 million in support and an application for \$1 million of funding from another federal government fund.

The local community, via the Mansfield Shire Council — which is a can-do council representing a can-do community — is seeking the minister's support for these applications at both the state and federal level. If this government is fair dinkum about governing for all Victorians and making all of Victoria a great place to live, work and raise a family, then I look forward to the minister supporting these applications — —

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

### **Hallam Road, Hampton Park: pedestrian crossing**

**Ms GRALEY** (Narre Warren South) — I raise a matter this evening for the attention of the Minister for Roads and Ports. The action I seek is for the minister to enhance pedestrian safety on Hallam Road, Hampton Park.

Pedestrian safety is a real concern for local residents near Hallam Road; for people who attend community facilities such as the church, the child-care centre, the retirement home and the shopping centre; and of course for the hundreds of children who attend nearby schools, especially St Kevin's Catholic school. Hallam Road has an existing flagged school crossing which is used by pedestrians, especially children from St Kevin's at school times. It is a very busy crossing. Parents and the school principal have raised with me concerns about driver behaviour along Hallam Road, including their disrespect for the school crossing supervisors and crossing markings.

Members of the Hampton Park renewal project and the Hampton Park Roads Committee have also raised the need for a pedestrian crossing on Hallam Road with me and VicRoads officers. I have also met with the minister to emphasise the community's views on this local road safety issue.

Pedestrians often have difficulty crossing Hallam Road, which has high traffic volumes at both a.m. and p.m. peak times. Residents constantly raise with me the problems they experience just trying to get across Hallam Road as they go to work or just down to the shops to pick up something quickly. It is a really busy community precinct. The area would be greatly improved if pedestrian-operated signals were installed and a dedicated right-turn lane into St Kevin's primary school were established.

The Brumby government has put in place a road safety strategy that is helping to save lives and reduce injuries on our roads. Since the first Arrive Alive strategy was introduced there has been a 35 per cent reduction in the Victorian road toll. We have committed \$650 million for road safety projects as part of the current Arrive Alive strategy, which aims to reduce the road toll by 30 per cent over 10 years. We have provided funds to help with road safety campaigns and projects in Hampton Park. Unfortunately the community has experienced some tragic car accidents in recent times so we are all too well aware of the need to make our

community members better drivers and our community a safer place for commuters and pedestrians. We are still strongly campaigning for the duplication of Hallam Road to improve local road safety.

Pedestrians are among the most vulnerable users of our road network, with around 50 pedestrians losing their lives on Victoria's roads each year. Pedestrian crossings play a vital role in helping provide a safer place for people who walk along busy roads such as Hallam Road. I ask the minister to take action to enhance pedestrian safety on Hallam Road, Hampton Park.

### **Housing: Sandringham electorate**

**Mr THOMPSON** (Sandringham) — I have had one of the most disturbing cases in my time in this place brought to my attention through a couple of areas of referral. It concerns a young mother and five children who have been evicted from their Office of Housing home in the Sandringham electorate. What concerns me is that she represented herself at the Victorian Civil and Administrative Tribunal; that for the last three months she has been homeless and has been sleeping in her car, on a couch or wherever she can; and that she has been separated from her children, who are living at another location. This lady greatly cares for her children and is concerned about their education and welfare. What struck me was that the circumstances, as related to me, did not seem to warrant the outcome that she now confronts — that is, her separation from her five children.

What I seek is the opportunity to raise this matter directly with the Minister for Housing and for him to review the file, so that if this lady requires and is otherwise eligible for further housing he can carefully review the matter to determine whether she may otherwise qualify for housing at a more accelerated rate than might otherwise be the case. On my understanding of the case, if she had been legally represented, some issues might have been brought to the attention of the tribunal which may have resulted in her not being evicted from her home.

To ensure that the matter can be followed through I seek to raise it with the minister. I seek the opportunity for him to consider the matter following appropriate representations and to determine whether the family — the mother and five children — can be reunited under the one roof. The children are all of young age, junior secondary at most.

At a time when many things happen in the wider world, a three-month separation of a mother from her children is a serious issue. She had been a public housing tenant

for some 10 years. I understand that the factors that have led to her losing her housing involve issues with some other people in her estate, but her loss of housing and the children's loss of their mother's care is a very serious matter. I seek the opportunity to raise this matter directly with the minister so that he can review the file and see if there is a constructive solution so that she can be well accommodated sooner rather than later.

### **Energy: Gherang geothermal project**

**Mr CRUTCHFIELD** (South Barwon) — I wish to raise a matter for the Minister for Energy and Resources. I call upon the minister to take urgent action to dispel the rather large and disturbing amount of misleading information that has been spread around the Gherang and surrounding communities regarding Greener Earth Energy's proposed geothermal project. I see the member for Geelong nodding his head furiously. He was at the community cabinet meeting not that long ago in Geelong where a number of issues were raised. The member for Geelong, like me, is another strong supporter of renewable energy projects in Victoria and particularly in our region, whether they be solar projects or indeed, as in this case, the first stage of an attempt to prove a new technology — it is not a new technology, but it is a new one for our region — a geothermal project down around Gherang.

Over recent months, local residents have had to put up with a number of pieces of misleading and ill-informed information that have been surreptitiously and mysteriously put into their letterboxes. They have also had to put up, week after week, with reading letters to the editor of the local newspaper, some of them hysterical at times, from alleged political candidates who know nothing and stand for nothing when it comes to renewable energy.

Local residents have raised with me their concerns about a range of perceived risks such as impacts on and alleged pollution to groundwater, the stimulation of so-called seismic events that will occur tomorrow, the compulsory acquisition of their land, or the bulldozing of their houses. All these things have been raised by some politically motivated people in the region to generate fear in the community. Part of that area is indeed in my community. Gherang is not in my electorate, but it borders it.

In order to sensibly deal with the proposal and address local concerns, the Gherang community has formed a group called the Gherang Community and Environment Group. It is made up of concerned land-holders and was formed to represent the interests of the local community. I know, as the member for Geelong would

know, that the minister took time at that community cabinet meeting to meet with the members of that very important and sensible community group.

I call upon the minister to continue to work with this group, which has responsible and representative members — unlike a couple of other individuals whom I will not name in the chamber — and take urgent action to dispel the large amount of misleading information that has been spread throughout the Gherang and surrounding communities regarding Greenerth Energy's proposed geothermal project.

### **Disability services: supported accommodation**

**Mr BURGESS** (Hastings) — I wish to raise a matter for the Minister for Community Services. I refer the minister to the minority report of the inquiry into supported accommodation for Victorians with a disability and/or mental illness. The action I seek is that the minister acknowledge the crisis within the industry referred to in the minority report and act immediately to address the massive and urgent need that exists.

The inquiry made several key recommendations relating to the provision of supported accommodation. These include an increase in accommodation, more respite care, increased services and long-term planning to support families and carers. Unfortunately the majority report failed to acknowledge the crisis that exists within the industry and through that omission missed the opportunity to adequately emphasise how urgent the need is for positive action.

Seeking appropriate care and accommodation for a loved one with a disability is something that must be done, but it is also a task that parents and carers find frightening, frustrating and often overwhelming. It is critical in such an important and sensitive situation that politics is put to one side and that we act as one to produce the quantities needed of high-standard accommodation that is appropriate, acknowledges the rights of individuals with a disability or mental illness and encourages social inclusion for some of our most vulnerable Victorians.

The government has the opportunity to implement the recommendations of the minority report and make a real difference for people with a disability and their families and carers. The stress and anguish that is experienced by many families, fearful about what the future will hold, must not be allowed to continue. I would like to quote briefly from a letter I received recently from Somerville residents Julie Purcell and Peter Alp and their plea that the government take

positive action on behalf of their daughter Alexandra and other families in their situation:

We continue to be devastated by the lack of parliamentary resolve to put a process in place that gives my daughter every opportunity to reach her potential. It is incredibly disappointing for us to see the parliamentary secretary for disabilities, Mr Bill Shorten, interviewed on television recently and for him to talk around in circles without a concrete strategy and vision for the immediate future. This was further illustrated in the article where Mr Shorten was quoted as saying that 'disability is underestimated as a political issue by both major parties'. Where's the process? Where's the action? We live with Alexandra's disability every minute of every day and it's gratuitous platitudes like this that break my heart and I am sure that if my daughter Alex was capable of interpreting this comment, she would be shattered as well.

I ask the minister to put herself in the position of my constituents and contemplate the stark reality of a life dedicated to the permanent care of a loved one with a disability. What is needed is positive action, and that positive action must be taken now, to address the shameful situation that families caring for someone with a disability confront every day.

### **Overport Primary School: funding**

**Dr HARKNESS** (Frankston) — I wish to raise an issue this evening for the attention of the Minister for Education. It concerns the needs of Overport Primary School in my electorate of Frankston. Specifically the action that I seek is that the minister provide funding for this school in order that it can rebuild some outdated buildings and bring the school well and truly into the 21st century.

The school was built in 1957 and consists mainly of two light timber construction wings, which were obviously very popular at the time. Back in 2008 I invited the Parliamentary Secretary for Education, the member for Eltham, to visit the school to see firsthand the outstanding learning programs and fantastic work being done by the school's very hardworking teachers, and I can assure the house that he could not have been more impressed by what he saw there. The only thing holding the school back from being one of the state's absolute top 10 schools is the old restrictive teaching and learning spaces of a school that was built in the 20th century and not the 21st.

In late 2008 Overport Primary School was invited to take part in the Building Futures program and to plan for a redevelopment. The Overport school community was absolutely thrilled to be asked to prepare for a major redevelopment of the school. The school's principal, Julie Gleeson, the leadership team, the school council — in fact, the entire school community — have

been working extremely hard since then to prepare the best possible plans to enable the school to upgrade and modernise its infrastructure to create the best possible learning environment for students. Importantly, however, the school has also been working hard on improving what occurs inside the classrooms as well. In fact, over recent years Overport has implemented a range of initiatives and strategies to promote individualised learning and also to allow for some very innovative teaching methods in order to enhance student learning and outcomes. The school has also readily adopted and incorporated new technology into its classrooms and the curriculum. It has an enthusiastic and very energetic staff with a strong focus on delivering even better use of technology in classrooms.

I can assure the house that Overport is a school which certainly strives to provide the very best educational opportunities for all its students, with staff who are vigorously committed to working with students as individuals, adapting programs to meet specific needs, and ensuring optimum learning outcomes for all. The school is certainly doing a fantastic job. It has a very heavy emphasis on the development of literacy and numeracy skills, and the staff are regularly involved in professional development to ensure that the most contemporary and appropriate teaching and learning strategies are in place. We all know a child's upbringing is critical to their success as an adult, so it is crucial that children get the best start in life. A key factor which inhibits Overport from even better impacting on student outcomes is the condition of the school buildings.

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

### **Liquor licensing: live music venues**

**Mr WELLER (Rodney)** — I wish to raise again the shambolic and unfair state of the government's liquor licensing laws. The action I request from the Minister for Consumer Affairs is for him to give a guarantee that the thousands of small businesses in rural Victoria which have been hit by these ridiculous new laws will be given the same degree of flexibility that has recently been extended to the Tote Hotel in Collingwood — or are we to see yet another example of country Victorians being treated as the poor relations of the state?

This week we have seen a smoke-and-mirrors performance by the Premier in relation to the Tote Hotel, a revered and much-loved live music venue.

*Honourable members interjecting.*

**Mr WELLER** — It is a matter of record that the government's liquor licensing laws played a major part in the closure of this hotel and threatened many other live music venues. Following a major and well-justified protest by those involved in the live music industry, the Premier has quickly retreated for fear of losing city-based voters. It appears that a change of name and a fresh application will, with Premier Brumby's blessing, again enable the venue to reopen, filling the same role it always played.

Yet thousands of small businesses, ranging from small country hotels through to wineries, bed and breakfasts, motels, supermarkets and not-for-profit organisations, are still being lumped with massive fee increases, which in many cases put their very viability at risk. Either their initial applications for some sort of relief have been rejected outright or they have been given relief of a minimal nature, exposing and reinforcing the fact of the government's complete disdain for the plight of rural Victorians.

Small country hotels are generally the very heart and soul of their communities, and to treat them in the same manner as major Melbourne venues is patently ridiculous, yet the Premier and his government continue with this sham. It is little wonder that country Victorians are asking what they have done to deserve such shabby treatment, not only on this issue but right across the board, whether it be in regard to water, land tax, health or infrastructure issues.

Again, on behalf of small business operators across this state and the communities they serve I ask the government to undertake an urgent and honest appraisal of the damage that the new liquor laws and their associated fee hikes are causing. As time goes on and bills for the new fees arrive in the mail the wave of damage spreads further and deeper into our rural communities. It is creating uncertainty, concern and even fear as small business operators contemplate whether they can afford to continue, or indeed, in the case of many, whether it is all worthwhile. Now is the time for the state government to act in a meaningful manner. Leadership based on an understanding and acceptance that this legislation has missed the mark and is now having a major impact on rural Victorians is now called for.

### **Burke Road North–Lower Heidelberg Road, Ivanhoe East: pedestrian crossing**

**Mr LANGDON (Ivanhoe)** — The matter I wish to raise is for the attention of and action by the Minister for Roads and Ports. The specific action I seek from the minister is to address the need for a pedestrian crossing

on Burke Road North, south of Keam Street in East Ivanhoe. For those who know the area, Burke Road North is the major exit and entrance onto the Eastern Freeway from Greensborough Highway and the Western Ring Road. It has a large amount of traffic, and the traffic is forever increasing. There has been a need for a pedestrian crossing for some time.

Before I continue, I want to recognise in this house the great assistance the Minister for Roads and Ports has given me in obtaining pedestrian crossings over the last couple of years, such as the one on Lower Plenty Road at the Rosanna shopping centre and last year the long-awaited pedestrian crossing on Lower Heidelberg Road, north of the cutting. Previously there was the Burgundy Street crossing in the Heidelberg shopping centre as well.

When I look back on my term as local member, I see I have also got at least another three pedestrian crossings and many other major works under this minister and the previous minister for transport, now the Minister for Energy and Resources.

**Mr Kotsiras** interjected.

**Mr LANGDON** — I cannot forget the previous minister for transport. The ministers have done a lot in the area to improve safety, and I appreciate it.

**The ACTING SPEAKER (Mr Nardella)** — Order! The honourable member for Bulleen is interjecting out of his seat.

**Mr LANGDON** — I turn my attention back to tonight's request. Burke Road North is in need of a pedestrian crossing. It has been on the council's priority listing since 2007. The Heidelberg *Leader* newspaper has been running a major campaign on the issue.

I recently did a survey of the area. I wanted to know exactly what the people wanted, because there have been mixed messages out there. Some people wanted a full set of lights at the roundabout and others wanted a pedestrian or zebra crossing. I am pleased to inform the house that the survey came back and was very well received: 60 per cent of the respondents wanted the crossing south of Keam Street, and strangely enough 70 per cent of Burke Road North residents did not want it on Burke Road North at all. Overall, of the survey respondents almost nobody wanted the Burke Road North roundabout to have a pedestrian crossing: 89 per cent of Burke Road North residents and 79 per cent overall did not want it. There was some demand for a full set of lights; however, 54 per cent were not in favour of it.

I again request that the minister take action. I have written to him. I know he is very responsive, as was his predecessor. There have been campaigns on this issue by my two upper house colleagues and the local councillor. The local councillor, Jenny Mulholland, in particular is more about getting publicity than about actually getting things done. She is all about getting her name in the paper and what have you. She has not recently approached me on this issue. Previously she did so, but the council was scared off because a resident of Burke Road North threatened to take the case to the Supreme Court if the crossing was put in front of their property.

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

### Responses

**Mr BATCHELOR** (Minister for Energy and Resources) — I thank the member for South Barwon for raising this important issue and requesting that I take urgent action. What is particularly disappointing is that some people continue to talk down renewable energy projects in Victoria, in particular the Greenearth Energy geothermal project. It is interesting that these people who talk it down are supported by those who voted against initiatives such as Victoria's renewable energy target, a program which was passed by this Parliament to help bring more renewable energy online here in Victoria.

We want Victoria to lead the way in producing cleaner energy. That is why the Brumby Labor government is taking action now to bring geothermal energy online in Victoria in order to change our energy mix. Geothermal energy is a clean and green renewable energy source. It is generated from naturally occurring heat from hot rocks and water reservoirs deep beneath the earth's surface. Geothermal energy has the potential to provide a constant flow of clean baseload power to the state's electricity grid, and that is why we are so interested in trying to find this resource here in Victoria.

The Brumby government is prepared to provide up to \$25 million to Greenearth Energy for a major clean energy project that would create Victoria's largest demonstration geothermal power plant. This proposal was recommended for funding under the sustainable energy large-scale demonstration program, an initiative of this government. If successful, the Gherang geothermal power project could eventually power more than 120 000 homes with clean, renewable baseload energy. The development of projects like this is really great news for Victorians, who will all enjoy the environmental benefits of cleaner electricity generation

as well as the economic benefits of new jobs in the renewable energy sector.

As with any new technology that is developed or proposed for a particular locality, I am aware that some residents in the Gherang community are concerned about this particular project. As the member for South Barwon mentioned, I held a meeting with the Gherang Community and Environment Group during the recent community cabinet meeting in the Surf Coast Shire. I also had the opportunity of holding talks with other residents from Gherang and surrounding communities at that community cabinet discussion, which was held at Grovedale College. It became clear to me at that meeting that more work needed to be done to properly inform the people of Gherang and surrounding communities about the proposed project and I needed to consult with them in much greater detail. It also became evident that local residents had been used by certain political candidates to score cheap political points on a proposal that will deliver significant benefits to the area and to the state.

I have also been liaising with an upper house member for Western Victoria Region, Gayle Tierney, about getting the right information to local residents. She has been working with my office to organise a community meeting with communities in areas such as Gherang, Modewarre, Moriac, Mount Moriac and Parapap so that residents can hear the facts about proposals and about the regulatory environment. Accordingly, I will arrange a community information meeting at which residents can get information, ask questions and get answers and register for information updates in the years ahead.

As I said, this will be a meeting for residents. It will be an information session, not a political rally, so party-political candidates from either side of politics will be not welcome — and neither will overt political campaigning. I will be happy to work with local members of Parliament such as Gayle Tierney and the member for South Barwon because we all believe in the benefits of supporting renewable energy projects, not talking them down. We also believe in talking with residents, not yelling at them. We will be talking and listening, not yelling at them.

I look forward to having the opportunity to further discuss this project with local residents at a community meeting. I hope those opposite will stop trying to hurt and undermine this clean energy project as they do with other clean energy projects around the state. It is interesting to note that their federal colleagues killed the carbon pollution reduction scheme in Canberra and they are doing all they can to do the same thing to the renewable energy industry here in Victoria. It is

important to remember that climate change is real and it is happening now. That is why we want to take action.

**Mr ROBINSON** (Minister for Consumer Affairs) — The member for Rodney, unfortunately not for the first time in his life, was a little muddled in some of his contribution. He raised issues about local businesses but then talked about the Tote Hotel. In responding I will take him through components of that issue. There has been a lot of publicity about the Tote, and the common denominator throughout has been Bruce Milne, someone who I have never doubted has a great passion for music and a great knowledge of the music industry. I do not have time now to go through the history of the Tote, its compliance history and the issues it has had with inspectors and the director of liquor licensing. With respect to the commentary over the past few months from Mr Milne, I disagree with a fair bit of what he said, but there was one thing — —

**Mr O'Brien** interjected.

**Mr ROBINSON** — One day the member for Malvern will become acquainted with what the licensing inspector at Victoria Police said and he will be a little embarrassed about his claims that the Tote was a blemish-free hotel.

**Mr O'Brien** interjected.

**Mr ROBINSON** — It might have been his colleague in the upper house who said that.

With respect to Mr Milne, there is one comment he made that I perfectly agree with. It related to the rally at the front of Parliament House. He said that the Liberals should sack whichever adviser had suggested they stand on the steps in suits waving silly placards. I think Mr Milne got it absolutely right on that occasion.

**Mr Weller** interjected.

**Mr ROBINSON** — For the benefit of the member for Rodney, the process that was set up through the accord was one in which those venues where the director of liquor licensing had imposed or sought to impose crowd controller conditions in the last 12 months as a result of the implementation of standard conditions across the state could ask the director to reverse conditions relating to crowd controllers if (a) the venue requests such a reversal, and (b) Victoria Police have no objection, and there is a process set out for that. The process has been running and the first hotel to go through that process and receive a reduction in conditions was not the Tote Hotel. It has not been through that process because it has been in the process of changing — —

**Mr Weller** interjected.

**Mr ROBINSON** — No. An agreement has been reached that it will be taken over by others who will then go through that process and may or may not be successful, but the first venue to go through that process is the George Hotel in Hamilton. Last time I checked Hamilton was in regional Victoria. According to today's *Age* newspaper:

George Hotel manager Vicki Hollard said she and her husband were ecstatic to be told on Friday that their licence conditions had changed so that they were no longer required to hire two security guards for their live music events.

'We're so excited because it means we can offer a little ... more', she said.

She went on to praise the review process and said she would still employ security guards when they believed the event warranted it.

This article also reports Save Live Australian Music spokesman, Quincy McLean, as saying that he was heartened by news of the Tote reopening and the George Hotel receiving a rollback on its conditions. The article goes on further to report Mr McLean as having said:

The purchase of the Tote by Seventh Tipple suggests that these guys have faith in the government's intentions, which is also great.

**Mr Weller** interjected.

**Mr ROBINSON** — Unfortunately the member for Rodney is a little ahead of himself and he is just a little muddled. He has not quite got his facts straight, but that has never stopped him in the past and I guess it will not stop him in the future.

On the flexibility for small businesses — I think those were his words — I point out to him that over the course of the past few months the government has demonstrated flexibility on a number of occasions. He may remember that when we put out our first cut in the regulatory impact statement for fees, the multiplier was proposed to kick in at 11 o'clock. After representations and meetings, we agreed that the revised set would kick in at 1 o'clock. The government listened and responded and we were greeted with headlines after that change such as 'Pub fee win' in the *Warrnambool Standard*, 'Pubs saved from closure — Licence fee rethink a "saviour" for small country venues' in the *Ballarat Courier*, 'Publican happy at what she will pay', 'Country pubs win licence fee reprieve', 'Liquor fee structure "less risky"', 'Small hotels win fee fight', 'It's cheers for local pubs as fee plan to be refined' et cetera.

The government certainly demonstrated some flexibility at that stage.

Similarly, over the course of the past few months, licensees in a range of areas, but particularly pubs, have been given the opportunity to transfer into different categories or to change their hours and patron numbers at no cost to ensure that their costs under the new model would be minimised. They have been given that option. Hundreds of licensees have taken up the opportunity to reduce either their hours or their patron numbers.

Secondly, a large number of businesses — I think it is about 3500 — can now avail themselves of the new cafe and restaurant licence category. Prior to that being established, restaurants and cafes — those that fall within the definition that is applied for those enterprises — were being charged fees that differentiated them only on the amount of time they operated. There were restaurants in the city that were being charged the same as strip clubs because they both traded until 3.00 a.m. or 5.00 a.m. The flexibility that now exists is that businesses have the option to go into the restaurant and cafe category and pay only \$397, and that is a vast improvement on what was on offer before.

Similarly, with the discretion that is available to the director, some pubs have had the opportunity to switch. I know there were some operators in the northern part of Victoria who said that they had a 1 o'clock licence but traded until 1 o'clock on only a few nights a year. They wanted to be able to do that still but they did not want to be charged fees for maintaining that licence at a higher fee price for the whole year. The director has indicated a discretion there and a number of licensees have made applications under which they have agreed to reduce their hours and close at 11 o'clock and have reached agreement that on a set number of occasions they can trade through until 1 o'clock. In that arrangement that is a much cheaper outcome for them.

We have demonstrated in a number of ways that we are prepared to be flexible. We will continue to do this as we further refine the system going forward. I have said on a number of occasions that the liquor licensing system that has been in place has some interesting anomalies in it, some of which are now coming to the surface and are not necessarily related to fees.

**Mr O'Brien** — Thanks to the opposition.

**Mr ROBINSON** — I do not think it was the opposition; I think it was the Victorian Wine Industry Association that raised the issue about the rising importance of farmers markets. Certainly the director has responded to its concerns by arranging for

increased flexibility to allow its members to attend and sell at those farmers markets. There is a lot more to be done. I can assure the member for Rodney that we are committed to further refining this system. I think he will find that going forward there will be further demonstrations of flexibility, because that is certainly required across 19 000 licences.

Traditionally in Victoria, and I suspect it is the same in other states, work on liquor licensing has been done only in fits and starts; it has not been done continuously. It is the fact of the matter that in that industry licensing activities continue to change and what is required in a modern economy is that licensing systems change to keep pace with that. That has not been happening in Victoria for many years, if it has ever been happening. It is certainly my intention that we will build a more contemporary licensing system, and that will require further reform, both regulatory and legislative. I can assure all members, including the member for Rodney, that they will see that flexibility is a greater feature of our system going forward.

On the other matters raised on the adjournment tonight, I will start with the one raised by the member for Malvern, a licensing issue for the attention of the Premier. I am certainly willing on the Premier's behalf to investigate the matter he has raised. It is a very serious matter. I have not heard of this issue before, so I am just taking it at face value based on what I heard in the 3-minute contribution.

I share the concern of the member for Malvern that the owners and operators of the Marysville Patisserie, which was re-established on Glenferrie Road, Hawthorn, would have been advised in the way I understand them to have been advised, and I think that was in about June last year. I say that because following Black Saturday the government made a commitment, not just in liquor licensing but in other areas, that it would waive a whole series of fees for affected businesses. I am aware that a number of liquor licensees who had not paid their fees were not required to pay their fees going forward. In the case of this business, it appears that it had paid its fees already.

My point here is that my understanding of the way the director is able to exercise discretion is that the waiving of the fees that I am familiar with was by virtue of the director exercising a discretion. Based on what I have heard, it would seem to me that that same response should have been possible in the circumstances that confronted the Marysville Patisserie owners. I will have that matter investigated and get onto it immediately. My view would be that the owners of that business should be entitled to no lesser treatment than other

people whose businesses were affected by that terrible tragedy were given as a consequence of events last year. The member for Malvern has my assurance that we will look at that urgently — first thing in the morning.

The member for Geelong raised an issue for the attention of the Minister for Education in respect of the construction of the next stage of the Western Heights Secondary College, and I will pass on that matter.

The member for Benalla raised a matter for the attention of the Minister for Children and Early Childhood Development requesting her support for grant applications being made to assist with meeting child-care needs in the town of Mansfield in his electorate, and I will pass on that matter.

The member for Narre Warren South raised for the attention of the Minister for Roads and Ports her support for a pedestrian safety upgrade near Hallam Road, Hampton Park. I will pass that matter on.

The member for Sandringham raised a matter for the Minister for Housing about his desire for the minister to seek to address the difficult circumstances of a resident who has been evicted from premises in the electorate. I will pass that matter on.

The member for Hastings raised a matter for the Minister for Community Services pertaining to a minority report about supported accommodation. I will pass that matter on.

The member for Frankston raised for the Minister for Education the needs of Overport Primary School and his desire to see facilities rebuilt there. I will pass that matter on.

Finally, the member for Ivanhoe raised a matter for the attention of the Minister for Roads and Ports seeking his support for additional pedestrian crossing works to be undertaken at Burke Road in Ivanhoe. I will pass that matter on.

**The ACTING SPEAKER (Mr Nardella)** —  
Order! The house is now adjourned.

**House adjourned 10.49 p.m.**

