

PARLIAMENT OF VICTORIA

**PARLIAMENTARY DEBATES
(HANSARD)**

LEGISLATIVE ASSEMBLY

FIFTY-SIXTH PARLIAMENT

FIRST SESSION

Tuesday, 31 August 2010

(Extract from book 12)

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FIFTY-SIXTH PARLIAMENT — FIRST SESSION

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Deputy Speaker: Ms A. P. BARKER

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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:

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Languiller, Mr Telmo Ramon	Derrimut	ALP	Wynne, Mr Richard William	Richmond	ALP

¹ Resigned 6 August 2007

² Elected 15 September 2007

³ Resigned 2 June 2008

⁴ Elected 13 February 2010

⁵ Elected 28 June 2008

⁶ Resigned 18 January 2010

⁷ Resigned 25 August 2010

⁸ Elected 15 September 2007

⁹ Resigned 6 August 2007

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Tuesday, 31 August 2010

The SPEAKER (Hon. Jenny Lindell) took the chair at 2.05 p.m. and read the prayer.

RESIGNATION OF MEMBER

Member for Ivanhoe

The SPEAKER — Order! I wish to announce that on 25 August 2010 I received the resignation of the member for Ivanhoe.

CONDOLENCES

Hon. James Harley Kennan, SC

Mr BRUMBY (Premier) — I move:

That this house expresses its sincere sorrow at the death of the Honourable James Harley Kennan, SC, and places on record its acknowledgement of the valuable services rendered by him to the Parliament and the people of Victoria as member of the Legislative Council for the electoral province of Thomastown from 1982 to 1988 and member of the Legislative Assembly for the electoral district of Broadmeadows from 1988 to 1993, Attorney-General from 1983 to 1987 and 1990 to 1992, Minister for Planning and Environment and minister responsible for Aboriginal affairs from 1986 to 1987, Minister for Transport from 1987 to 1990, Deputy Premier and Minister for the Arts from 1990 to 1992, Minister for Major Projects from 1991 to 1992, Deputy Leader of the Opposition from 1992 to 1993 and Leader of the Opposition in 1993.

Jim Kennan passed away at the Austin Hospital on Wednesday, 4 August 2010, at the age of 64. He was well known to many members of this house, and although I did not serve in this chamber with Jim Kennan, I succeeded him as the member for Broadmeadows and of course as Leader of the Opposition.

Jim Kennan was a man with a quick mind, a razor-sharp intellect, boundless energy, a wonderful sense of humour and that booming laugh many of us so fondly recall. He was a passionate defender of human rights with a strong sense of fairness, a strong sense of right and wrong. I will always remember Jim as a man of great compassion and a politician driven by a need for real reform. He was loved and respected by colleagues, by family and by friends, and he will be greatly missed.

Jim Kennan made an enormous contribution to the Parliament and the people of Victoria, and therefore it is fitting today that we honour him here in this house —

the people's house — the place he served with distinction.

Jim Kennan was born in Melbourne on 25 February 1946 to Harley and Margaret Kennan. He was educated at Scotch College and Melbourne University, from which he graduated with honours in law in 1968 and a masters degree in 1975.

While he was still in high school he met Janet Alexander, and several years later, on 25 August 1969, they married. Last year Jim and Janet — and Janet is with us in the gallery today — celebrated their 40th wedding anniversary. They had three children — Laura, Edward and Andrew — and at Jim's state memorial service on 13 August we were privileged to hear them pay wonderful, moving tributes to a man they knew as a warm, wise and passionate father — someone who loved the arts and who loved life and lived it to the full. On behalf of the Victorian government, I would like to extend and offer Jim Kennan's family our deepest and most sincere condolences.

Early in 1971 Jim was called to the Victorian Bar, and in that same year he joined the Australian Labor Party. In a sense these two events were not unrelated. The impulse that drove him to the bar also drove him to the Australian Labor Party. I think he summed that up in a comment he made to the *Age* in 1986:

I believe that the central question in politics ought to be: 'What sort of society do we want to live in?'

I think Jim knew exactly what sort of society he wanted to live in. It was based around clear principles of justice, compassion and equity. He devoted his life to fighting for that kind of society, both at the Victorian Bar and in this place, the Parliament. The cases he took on in the courtroom and the organisations he helped to found — organisations like the Fitzroy Legal Service, for example — exemplified his zeal for justice. I know the Attorney-General will today speak further on Jim's legacy in the law in Victoria.

After many years battling for change — for internal reform of the Labor Party — alongside the likes of John Cain, Jr, and the late John Button, in 1982 Jim Kennan was elected to Parliament at the age of 36 as a member of the Legislative Council for the Thomastown Province. He remained in the upper house until August 1988 and was elected to the lower house seat of Broadmeadows in October of that year. Can I say, Speaker, that I am proud to have succeeded him in representing that community. There are many projects in that community which stand as a great legacy of Jim Kennan.

In 1983, a year after entering Parliament as MLC for Thomastown, Jim received his first ministerial appointment, which was as Attorney-General. He served in that capacity from 1983 to 1987 and again from 1990 to 1992. During his time as Attorney-General, Jim Kennan earned the respect of his fellow parliamentarians and the legal profession for the way he was able to drive and pilot reforms — both substantive and administrative — through the Parliament. He pursued what I think it is fair to describe as an innovative and ambitious law reform legislation program that greatly improved the quality, efficiency and accessibility of the legal justice system in this state.

Jim also served as Minister for Planning and Environment between 1986 and 1987, Minister for Transport between 1987 and 1990, Minister for the Arts between 1990 and 1992 and Minister for Major Projects between 1991 and 1992. He also had responsibilities for corrections and Aboriginal affairs. He was Deputy Premier from 1990 to 1992 and Leader of the Opposition from March 1993 until his resignation from Parliament in June of that year.

Looking back on his parliamentary career Jim said he had had a good and fortunate run — and that most importantly he had enjoyed it immensely. As a person of reform he was pleased to be able to look back on what he saw as his role in what was an ambitious and reforming government, a government which gave Aboriginal people greater land rights nearly five years before Mabo, thanks to Jim's creative and substantive engagement with the federal government on this issue in 1987; a government which reformed not just the court system but the prison system as well; a government which extended the East Gippsland national park; a government which much better recognised the rights of women and minority groups in our community and extended the Equal Opportunity Act to protect people with disabilities; and a government which greatly expanded the role of the arts in Victoria and supported and built up the film industry.

Jim was not only Minister for the Arts, but as all of us who knew him knew — and as we heard at the state memorial service — a true and great lover of the arts throughout his life: a voracious reader, a jazz fanatic and, again as we heard at the memorial service, a haunter of galleries. At his memorial service I mentioned one other outstanding example of Jim's contribution to Victoria. Late last year, with the Minister for Finance, WorkCover and the Transport Accident Commission, I was with Jim to mark the 20th anniversary of the first TAC advertising campaign. Jim Kennan was there because as transport minister in 1989 he had set the TAC a brief to, and I quote, 'Upset,

outrage and appal Victorian drivers'. The TAC certainly fulfilled that brief, and history shows that those campaigns have worked. In 1989, 776 people died on our roads; last year it was 295. I think Jim Kennan can take much of the credit for initiating a series of campaigns that have saved literally thousands of lives in our state.

Jim Kennan was also a powerful and persuasive parliamentary performer: he spoke with great clarity, with conviction and with passion. After he died a retired Supreme Court judge told former Premier John Cain that, 'You could feel the strength of Kennan's convictions coming through'. I think anyone who knew Jim in his parliamentary days would agree that he was just as effective at the dispatch box as he was at the bar.

When he left this house Jim returned to the courtroom. He worked tirelessly on case after case — and we saw many of these cases in the media — in a sense fighting for the legal rights of any and every person in our society no matter who they were or what they were accused of, and he continued to do so right up until his passing.

Jim was appointed adjunct professor of law at Deakin University in 2002, which meant he was able to pass on some of his vast knowledge and experience to a new generation of advocates.

Between 1995 and 1999 Jim was chair of the Australia-India Council. I mention this because very early on he saw tremendous potential in greater engagement between Australia and India. I know in that period in the 1990s, when I was Leader of the Opposition, there were many occasions on which I saw Jim Kennan at Australian-Indian functions. He was a passionate believer in building up the friendship, the culture, the relationship, the trade, the investment and the movement of people between Victoria and India and between Australia and India. He travelled to India on many occasions, and he was constantly stimulated by the things he saw and the people he met there. Jim viewed Australia's greater integration with India and Asia as, and I quote, 'The exciting idea of our generation'. How true that is, and how right he was. If you think now of the world's great economies — the brick economies of Brazil, Russia, India and China — he was there in the 1990s doing his bit and playing his part to build that relationship.

As honourable members would be aware, on 13 August we held a state memorial service for Jim Kennan. We gathered in the Great Hall of the National Gallery of Victoria. In so many ways it was such a fitting place to remember a person so devoted to the arts. The hall was

filled that day with the beautiful sounds of Jim's beloved jazz music. It was packed full of past and present members of state and federal parliaments, former Premiers, distinguished members of the judiciary and hundreds of Victorians who simply wanted to pay their respects and honour a life of great distinction and great service to the community.

We heard of Jim's contribution to public life. We heard of his sterling reputation as a legal advocate and strong voice for social justice. We heard of his love of art and books, music and travel. As I said, he was a man who lived life to the full.

We heard of his devotion to the Geelong Football Club. We heard of the joy he took from swimming and particularly from swimming in the ocean. We remembered his famous booming laugh, of which former Premier Joan Kirner recently said, 'You always knew when Jim was around the corridors of power, because his laugh was like a machine gun going off'. We heard of his strong work ethic right to the end of his life and his fortitude, optimism and courage in the face of illness. We also heard many lovely stories of memorable family occasions and his great love for Janet and the children.

Jim Kennan was a great citizen and a wonderful contributor to our state. Victoria is a better place today because he thought long and hard about the kind of society he wanted to live in — and he did not just think about it, he acted on it and made a difference. I know that everybody who spoke at his memorial service felt privileged to honour such a life. Today we acknowledge and thank Jim Kennan for his great contribution to public life in our state, and we convey our deepest and most sincere sympathies, our condolences and our thanks to Janet, Laura, Edward and Andrew.

Mr BAILLIEU (Leader of the Opposition) — As the Premier said, the memorial service for Jim Kennan was held at the National Gallery of Victoria a few weeks ago. I was pleased to attend; it was an honour to attend. It was a fitting tribute to a fine Victorian, and it was no wonder because lots of people liked Jim Kennan. I must say I liked Jim Kennan too.

Jim Kennan had a wonderful life. He leaves a wonderful family. He died way too young. In circumstances when someone so vital is struck down it seems so unfair, and the mystery of life remains for all of us as a consequence.

In politics Jim Kennan got lucky. As political careers go, things could not have gone much better than they

did for Jim Kennan. He had 11 years in the Parliament: 6 years in the upper house and 5 years downstairs, as we say. After all of that he had only eight months in opposition, and he thought that was enough!

Jim Kennan was first elected in 1982 to the then upper house seat of Thomastown. He went straight on to the government benches, joining the ranks of the new Cain government. He wasted little time learning the ropes, and after just 12 months he made a snappy elevation to the ministry. Over nine years Jim Kennan held five frontbench positions in areas he mostly really enjoyed, and he was Deputy Premier for two years to boot. That is a pretty good political career.

Jim Kennan was born in Melbourne and educated at Scotch College and Melbourne University. As a young lawyer he joined the bar in 1971 and practised in a range of areas until he was elected in 1992. Along the way he served and helped found institutions like the Fitzroy Legal Service, which many people now take for granted, and that is a tribute to him.

His political career began of course with an inaugural speech. It is interesting to look at his inaugural speech, because it barely mentions Jim Kennan. In that first speech he took up the political bat immediately and concentrated on a wide range of proposals, legal reforms and promises. In hindsight they perhaps seem modest, but at the time they were not. Some of those reforms and proposals were timeless. He spoke then of court delays — we speak of them still — and of tax reform and property law. His political focus was acute from day one.

As a lawyer Jim Kennan obviously enjoyed being Attorney-General, but he also had the roles of Minister for Planning and Environment, Minister for Major Projects, Minister for the Arts and the minister with responsibility for Aboriginal affairs and for corrections. Of course it was not all plain sailing. As much as Jim Kennan liked to travel and to speak of travel, public transport was a difficult portfolio for him. While he was Minister for Transport the tramways union strike resulted in a line-up of trams which I am sure he and others at the time did not enjoy.

At the memorial service many fine tributes were paid by people including the Premier, former Premier John Cain, Michael Duffy and Dyson Hore-Lacy, and we heard the happy reminiscing of Laura, Edward and Andrew. Also at the memorial service an extract from Les Murray's poem *Toward the Imminent Days* was most beautifully read by Jane Dixon. I understand it was Jim's own choice for the service, and it is a selection which says much about Jim Kennan the man.

It speaks of his affection for the spoken word and indeed the written word. It speaks of his broad mind in embracing the rich work of an extraordinary Australian not always embraced by some less conservative commentators. It speaks of his engagement with the arts. It speaks of his love of the Australian condition. Coupled with his love of music, it speaks so much of his positive spirit, which no doubt sustained him in recent times.

I did not serve with Jim Kennan in the Parliament and I did not work with him, but I knew him and he was certainly a likeable character. I could not pretend to have known Jim well, but we did get on. On a personal basis I knew Jim Kennan only in moments. His beamy smile and his raftered laughter were ever welcoming and cheerful. Those moments were in our respective lives just moments, but they were moments revisited over more than 20 years. Our paths crossed quite happily many times.

Memory tells me I first met Jim Kennan in the 1980s in the course of his role as planning minister, and many of those who appreciated his professionalism at that time were in attendance at his memorial service. I met Jim Kennan in his speedos; we shared a passion for ocean swimming. Just last week I stumbled on a post-ocean swim photo showing us each in contemporary swimming gear; the photo will not be tabled! Many times I shared an ocean swim with Jim and Janet. Jim would always assure me that Janet was the more accomplished swimmer and more up to the contest and the challenge. Eventually Jim succumbed and donned a wetsuit; of course that was taken as a serious breach of ocean swimming etiquette.

I met Jim Kennan at the football; we also shared a passion for the Cats. Recent triumphs for the Cats have brought together the strangest bedfellows, bonded by years of previous disappointments, and brought together those capable of dwelling in detail on both the good and the bad years. A laugh and a look exchanged at the MCG — sometimes in frustration and sometimes in triumph — have brought Geelong supporters together for years. Geelong supporters have a special language, and in all such things Jim was well spoken.

We met too in the broader political pit. We shared a passion for politics and a similar good-humoured wish for the future fortunes of our respective parties. We even shared an experience: each of us has served as opposition leader. Jim Kennan's views on the merits of the job were apparently different to mine. We once had a laugh about that too.

After Jim Kennan left the Parliament, he went on to have a very successful career at the bar as a Queen's Counsel, but he did not stop there. As the Premier mentioned, he had a leading role in the establishment and good conduct of the Australia-India Council. I share the Premier's commentary about Jim Kennan's role in building an important relationship between Victoria, particularly, and India. His contribution to the field of forensic mental health has also been significant.

Jim Kennan will be remembered as an extraordinary contributor to this Parliament, to his electorate and to the people of Victoria, but he will be most remembered as someone who was deeply committed to his family, whom I know he loved passionately. More than 40 years of marriage — if I have that right — to Janet, whom I have had the privilege of knowing for some time, is a great tribute to a wonderful family. My condolences and the condolences of all on our side of politics go to Janet, Laura, Edward and Andrew. Jim Kennan was a fine Victorian, and we honour him today.

I go back briefly to the poem of Les Murray, *Toward the Imminent Days*. What was read at the service was section 1 of a very long poem by Les Murray. In the last section there is a lovely passage which simply sums up Jim Kennan, his family and his life. It reads:

What lasts is the voyage of families down their name.

Vale Jim Kennan, a fine Victorian.

Mr HULLS (Attorney-General) — The late Jim Kennan, as we have heard, was a reformer and also a moderniser in the great Labor tradition as a member of the Labor Party, a Labor lawyer, an Attorney-General, a minister in various roles and of course as a Labor Deputy Premier. For me he was also a source of inspiration and advice. For a short time he was also my boss, and in all his varied roles I have to say it is a great privilege to have known him.

I first met Jim Kennan when I returned to Melbourne from the fray of federal politics in what was then a little-known seat called Kennedy! Looking to continue my passion for the Labor movement I applied for the job as chief of staff to Jim when he was Leader of the Opposition. Before I penned my application I knew a little bit about him and in particular of his passion for the Geelong footy club. I made it quite clear in my application that I also was a passionate Geelong supporter, and I think it was that more than my ability that actually got me the job!

In the short time I worked with him as opposition leader I saw many of his great skills and admirable qualities on display and came to understand pretty

quickly that he had a real passion for justice, law reform and making Victoria a much better place. He was up against a formidable Premier at the height of his power and popularity, yet Jim's great skill as an advocate on issues including quality education, health services, employees' rights to be treated fairly as well as his intimate knowledge of parliamentary tactics kept the then government on its toes.

He also kept the opposition staff on our toes, ensuring that we developed new ideas and worked on new policy. I recall in particular a 10-point plan he had for industry so that we would be seen to be doing more than just opposing things. He believed it was very important for an opposition to offer alternative policies and not just oppose. However, Jim was a person who did not believe in power for power's sake. You were there to make a difference.

It could of course be said, and it really has already been said, that the role of opposition leader did not sit comfortably with Jim, particularly after his being in government where, as Attorney-General and a minister in various portfolios, he was able to make that difference and bring about positive change in people's lives.

After a short time in the role, a new and different life beckoned, he resigned and left the Parliament. In doing so I might say he really signalled the need for and contributed to the process of renewal in the parliamentary Labor Party, a process combined with strong leadership, new ideas and hard work that brought about a historic victory in 1999.

As has already been observed, Jim Kennan was a man with a keen mind, an occasionally sharp tongue and a passion for justice in all its forms. However, Jim was also — and perhaps many in this house could take a leaf out of his book — someone with a perspective about life beyond politics. He was a man whose love of family, and whose passion for art, music, books, travel and the wider practising of the law, carried him through whatever profession he chose to pursue. He was also never afraid to stand out from the crowd or pursue what he thought was right. I thought it extremely fitting then that when this government abolished the office of Queen's Counsel and replaced it with the office of Senior Counsel, Jim Kennan was one of the first to relinquish the old for the new, adamant as he was about discarding the antiquities of legal ritual.

Jim understood the part the law could play in making people's lives better, in tackling disadvantage and in getting a fair hearing for people who appeared before a court. I heard a lovely story told by Dyson Hore-Lacy

about an occasion when Jim was acting in a very high-profile case. Jim had just addressed the jury and was very concerned about the looks he was getting from its members. He went back to his chambers; the judge had summed up and they were waiting for the verdict. Jim said to Dyson, 'It is just not going well, I can tell from the expression on the faces of the jurors, the trial is not going well'. Dyson was very surprised to see on TV the next night Jim striding towards the camera after the jury had delivered a not guilty verdict and saying, 'This confirms absolutely my faith in the jury system' — and that was Jim!

Jim was certainly there at the beginning of the Fitzroy Legal Service, which, as we know, is a grandparent of the community legal centres movement in Victoria and an important agitator for the cause of community justice. He was also a founding member of the Victorian Society of Labor Lawyers, which has had a role in influencing policy development and legal reform by governments of all persuasions. In government he was able to implement many of those reforms, such as modernising our courts, particularly the Magistrates Court, eradicating archaic convention and modernising the language of the law to open up the legal system to the public of Victoria.

The Premier has already mentioned the significant land rights legislation that Jim pioneered some five years before Mabo. The commonwealth Aboriginal Land (Lake Condah and Framlingham Forest) Act 1987 was the result of creative engagement with a Labor commonwealth government that got around some unfounded opposition to Victorian land rights legislation. Instead Victoria gave two parcels of Crown land to the commonwealth which, with the support of Lionel Bowen and Clyde Holding on the commonwealth's part, then legislated to give the land to the relevant traditional owners. This was enormously significant at the time, and 20 years later I am proud to say that this government has continued to advance Jim's legacy in relation to recognition for Victoria's traditional owners.

Jim Kennan was always passionate about human rights in all forms and continued to be so throughout his career following his time in Parliament. His versatility was clearly shown when he returned to the Victorian Bar after being in Parliament and at the bar he was able to turn his hand to a wide variety of matters in a wide variety of jurisdictions. He acted, as I said earlier, in many high-profile matters, including recently appearing before the 2009 Victorian Bushfires Royal Commission.

The tributes afforded to Jim Kennan at his funeral, the state memorial service, have already been spoken about, but there were also tributes afforded to him at a function at Owen Dixon Chambers in recognition of his legal career, and they were quite extraordinary. His good friend, Dyson Hore-Lacy, spoke to a large gathering of legal luminaries who, quite frankly, just adored him. His character was probably best summed up by the fact that one of the cleaners at Owen Dixon Chambers, who often chatted to Jim while he was working late at night in his chambers, was so upset by his passing that she turned up to console Jim's family. This was a bloke who could relate to anyone, anywhere at any time.

One area in which Jim was a little too broadminded for my liking was his consultative approach to football. Despite his lifelong support of the great Geelong Football Club, Jim generously tolerated his sons' rebellious support for Collingwood and frequently attended matches in their company. As a fellow Geelong supporter — and I am sure the Leader of the Opposition would agree — I can only read this as a symbol of the greatness of the man, a gesture of his bigger and better nature and preparedness to welcome all sorts. I suppose after all there are some amongst us who are tolerated despite similar afflictions.

Jim Kennan was a great Victorian. He was larger than life, which is why it seemed so shocking that life was denied to him at a relatively young age. Despite the ravages of his cancer, Jim never complained and never sought pity; he was grateful for all that he had achieved and for all that life had given him in return. He revelled in the family he loved so dearly, in his friends and in his various interests. It was an honour to have known him and by extension the family to whom we now offer our sincere condolences. He will be truly missed by all of us but especially by Janet and his kids, Laura, Edward and Andrew. Vale James Harley Kennan.

Mr RYAN (Leader of The Nationals) — James Harley Kennan passed away on 4 August this year at the tender age of 64 years, after a long and courageous battle against skin cancer. He had an outstanding career. He was awarded a master of laws from the University of Melbourne. He served in the Victorian Parliament from 1982 to 1993, in the Legislative Council and as the member for Broadmeadows in the Legislative Assembly. He held a number of portfolios, to which the Premier, the Leader of the Opposition and the Attorney-General referred. He was the Deputy Premier from 1990 until 1992, then in 1993 he retired from this place at a time when he was the Leader of the Opposition.

After his service in Parliament he completed the advanced executive program at UCLA (University of California, Los Angeles); he did so in 1997. The next year he completed a program on mergers and acquisitions, also at UCLA. As the Premier has remarked, he was the chair of an Australian government bilateral foreign relations council, the Australia-India Council, between 1995 and 1999, and he held many other positions of esteem during the course of his career. He returned to the law in 2003 and was appointed senior counsel. He was also eventually made an adjunct professor of law at Deakin University. He was the chair of the Victorian Institute of Forensic Mental Health, Forensicare, a role he undertook in 2002.

When he came to this Parliament in 1982 and made his inaugural speech — in the other place on 29 June of that year — Jim said in his opening commentary:

On my election I received a note from an eminent colleague of mine at the Victorian Bar. He said that to survive in politics one needs the hide of a rhinoceros, the constitution of an ox and a sense of humour like that of Groucho Marx.

I think that history will say that Jim Kennan was possessed of all three qualities.

I came to this place in 1992. Those were interesting days. They were long days, and indeed sometimes they were long nights. I have lasting impressions of the early period of the then incoming coalition government. One of those I must say is of Tom Roper, the leader of opposition business, who inevitably at 3.00 a.m. would rise to announce to the house that the opposition was opposed to the bill and would then deliver his contribution. That might not seem significant on the face of it, but this was in the days when there were no time limits on members' speeches.

I remember Jim Kennan well, particularly the time he was Leader of the Opposition. He spoke with conviction and he spoke with passion. He spoke from a place immediately adjacent to where I now stand. In pretty difficult circumstances he carried out his role in a manner which did him great credit. As the Leader of the Opposition has attested today, being Leader of the Opposition is a difficult gig at times — the Premier will also attest that this is the case — and Jim Kennan did it well. He resigned from this place in 1993 and returned to the Victorian Bar.

I also had the great honour of being present at the memorial service conducted on 13 August. There were many wonderful contributions that day; they truly were a testament to the man and a celebration of his life. Apart from the things that were said that day, a plethora

of material has been written about Jim Kennan. One of the facts of being in this place is that the spoken word is recorded forever. Out of all of that, there are impressions formed of this man. I do not profess to have known him well, and I knew him for the relatively brief period of time during which we both served here together, but on the day of his memorial service, 13 August, impressions were certainly able to be formed.

Jim Kennan loved the law; indeed it was his second-greatest love in life. He had an acute sense of fairness and justice. He had an absolute belief in the rights of the individual. He was a champion for the underdog. He was a voice for those less fortunate in society. He was an active participant in an array of causes and organisations. He was widely travelled, to India in particular. I am sure we all remember the collage of photographs that were displayed during the memorial service. He was very widely read and had a great love of music. He was passionate about the arts. He was a sportsman and a technophile; I gather he was possessed of every form of contemporary technological aid and, even more, he apparently knew how they all worked.

Dyson Hore-Lacy told a delightful story of his intention at a particular point in time to visit San Sebastián — at least I think it was San Sebastián. He spoke to the widely travelled Jim Kennan about whether Jim had any knowledge of this port of call, at which time Dyson was immediately taken to Jim's chambers. The technology was fired up and thereupon a display of about 250 photographs of San Sebastián was shown to Dyson. As Dyson remarked, about an hour and a half of this rendered redundant the need for him to visit San Sebastián, because he had seen every square inch of it over the course of the time he had spent with Jim.

Jim Kennan was a man of great humour and wit, and had the laugh to go with it. He was a man of reformist zeal. He had an esteemed career in politics and the law. He was a man of outstanding intellect. His greatest loves in life were his wife, Janet, and their three children, Laura, Edward and Andrew. On the day of his memorial service his three children spoke of their father with great composure and pride, and I am sure Janet was very proud of them — as I am sure Jim would have been. Together with other members of the house I offer my condolences to Janet, their three children and their extended family.

Mr BATCHELOR (Minister for Energy and Resources) — I join with the Premier, the Leader of the Opposition and other members of the Victorian Parliament to pay my respects to Jim Kennan and to

offer my condolences to his wife, Janet, and their three children, Laura, Edward and Andrew. It is a great honour to have Janet in Parliament today.

Jim Kennan will long be remembered as a figure in our community who worked tirelessly to support battlers. He was a fierce and gifted advocate for human rights, equal opportunity and environmental reform, and he was a lover of the arts. It was Jim's upbringing by his parents, Harley and Margaret, that taught him to be conscious and respectful of social justice values, and I think this shaped his views on society and ignited his passion for law.

It was not long after starting his law degree at the University of Melbourne that Jim became more aware of the issues that were dominating the community around him. It was these issues that continued to shape his view that the law was the best possible way for him to make society a fairer place and to protect the underdog. Having spent some 18 months in Europe with Janet, working as a clerk, teaching British history and even writing a paper that favourably assessed the rise of Gough Whitlam and was published by the Fabian Society, Jim then returned to Melbourne and went to the Victorian Bar. It was at this time that his passion for politics became apparent and he became a member of the Australian Labor Party.

He went on to become a founding member of both the Victorian Society of Labor Lawyers and the highly regarded Fitzroy Legal Service, which as we know is a volunteer-run shopfront service providing free legal aid. I think this really represented his true passion for social justice and for representing and trying to help the underdog.

After a number of unsuccessful attempts to gain Labor Party preselection, on one occasion for the then upper house province of Melbourne West, he went back to the bar and established a practice focusing on criminal and industrial law. It was in 1981 that he won preselection for the then upper house province of Thomastown, a seat that was created in 1976 and was abolished during the redistribution that took effect in 1988. He was then successful in gaining preselection and moving to this house as the member for Broadmeadows. It was during this period of his various attempts to gain preselection and enter Parliament that I first came to know Jim Kennan.

At the state memorial service John Cain referred to him as one of a group of people in the Labor Party who were hungry for government — people like John Cain himself, but there were others like Frank Costigan, John Button, Evan Walker and Michael Duffy. The members

of this group were part of Jim's political circle within the Labor Party, and they were determined to differentiate themselves from the ruling attitude that then existed. The house will recall that at that time the Labor Party was nearing the end of three decades in opposition — it was a long time. This group was determined to bring that to an end and was ultimately successful in 1982. Jim Kennan was an important part of that.

I am pleased that I have the opportunity today to speak on this condolence motion. It is really important to me in the sense that Jim previously held the upper house seat of Thomastown before moving to the lower house seat of Broadmeadows. We have travelled in common areas of ministerial responsibility; transport, major projects and the arts are all very familiar to me. Jim had a passion for the arts. Before and throughout his parliamentary career he was widely known for having that passion. He served as the Minister for the Arts, and I have no doubt that this influenced the decision to hold the recent state memorial service at the National Gallery of Victoria.

Jim was given the fitting role of Attorney-General under Premier John Cain but also went on to hold the positions of Deputy Premier and opposition leader. After a successful career as a member of Parliament and cabinet minister, fulfilling a number of his goals in a reforming government, Jim resigned from Parliament in 1993 and returned to his first passion, the law.

It was during his time in Parliament that Jim Kennan was responsible for introducing me to the delights of swimming. He and I would discuss the benefits of both lap swimming in pools and ocean swimming, as the Leader of the Opposition has referred to. Jim Kennan introduced me to an ocean swim that I know the Leader of the Opposition is very familiar with, that from Sorrento to Portsea. It is quite a distance — in excess of 4 kilometres — and a swim I was only able to complete a couple of times, but Jim Kennan and the Leader of the Opposition were regular participants.

Prior to his passing on 4 August, Jim held a number of positions, including adjunct professor of law at Deakin University, a position he had held since 2002. He was also the coordinator of the Asia-Pacific Roundtable at Georgetown University in Washington, D.C.

When looking back at Jim's contribution to the state prior to, during and after serving as a member of Parliament, it is really hard to capture all of his achievements in so few words. However, it is interesting to reflect on the number of tributes that have been paid to Jim since his passing. There have been

comments, for example, that he was a passionate advocate for social justice and law reform, courageous and inspirational in his advocacy, a committed fighter for the cause, a leader in every way, a reformist and a genuine member of Parliament. He is remembered as a champion for the working class and for being compassionate, wise, incisive, courteous to all, fearless for his clients, humble and generous.

Jim will always be remembered for the everlasting contribution he made to reform in the state of Victoria and will continue to be respected by all who worked with him or have seen the benefits of the changes and reforms he brought in. Once again I offer my condolences to his wife, Janet, and the family.

Mr CLARK (Box Hill) — I am pleased to have the opportunity to say a few words in support of the motion of condolence for Jim Kennan. Jim's time in Parliament overlapped with mine from 1988 until his departure in 1993. In particular our paths crossed from 1990 to 1992 when he was Attorney-General and I was a member of the coalition's Attorney-General's bills committee.

My memories of Jim are of someone who was urbane, quick witted and forceful. He was someone who was willing to engage on the issues rather than playing the man and who deployed his considerable intellect in trying to win an argument on its merits. There were times when his temper could be foul, but those times would pass like summer storms and he would be quickly back to his usual jovial and irrepressible self. He was often genuinely gracious and engaging, even with those with whose views he might passionately disagree.

He also had a genuine commitment to the law and a love and respect for it as an institution and for what it could achieve for people. He often wanted to make what he considered to be reforms. However, +++he did not seek to tear down and destroy our legal institutions but rather to improve them and build on the achievements of past generations.

Jim and I locked swords on legal issues from time to time, and needless to say we often did not agree, but he was genuinely willing to engage and respond with reasoned argument to issues raised by the opposition and by others. He did so in his considered remarks in the closing of second-reading debates, with his willingness to move amendments to his own bills in order to respond to concerns raised by the opposition and by others and even in being willing to accept amendments moved by the opposition in the course of the committee stage debate on his bills, as was the case, for example, with the Sentencing Bill in 1991. This

demonstrated that Jim had a real and confident command of the legislation he brought to the house, that he had done his homework and that he understood and was confident about his own legislation and the outcomes he was seeking.

As is so often the case, there was much about Jim Kennan's life, his attributes and his achievements that many of us only learnt about at his memorial service from the many glowing, heartfelt and often very moving tributes that were paid to him by his family, his friends and his colleagues. Jim certainly made a lively and very colourful contribution to Victorian politics and to many other aspects of Victorian life. His untimely departure is a loss to all of us, and I join with other honourable members in expressing my sympathy to Jim's family and to his friends.

Ms NEVILLE (Minister for Mental Health) — I rise to pay tribute to a great man, the Honourable Jim Kennan. I express my sincerest condolences to Jim's wife, Janet, and to his children, Laura, Edward and Andrew.

Over the last few weeks, including today, there has been much written and said about the contribution of Jim Kennan to our community. He made substantial contributions to public life, to the legal profession, to the Australian Labor Party and to mental health care in Victoria. Underpinning all of his roles was his commitment to social justice and a fairer society. That commitment was evident in the work he did as the chairman of the Victorian Institute of Forensic Mental Health council, and it was while he was in this role that I had the opportunity to get to know Jim better and to experience his great intellect and wise counsel. Jim was chairman of the council for almost 10 years, retiring only earlier this year. During that time Jim provided the council with the highest calibre of leadership, and his dedication and commitment to improving forensic mental health services within Victoria was unwavering. During his time as chairman the quality of treatment of people in the forensic mental health system, particularly those at Thomas Embling Hospital, grew immensely.

From a clinical, legal and practical perspective there are a range of equal yet often competing issues that need to be considered in the treatment of people in the forensic mental health system. It can be a challenging area of public policy, and it was for these reasons that it was so reassuring to know that Jim was in charge at Forensicare — the Victorian Institute of Forensic Mental Health. He actively encouraged and promoted participation in research programs in order to continually improve and strengthen the delivery of clinical services within the institute. It was of the

utmost importance to Jim that the clinical services provided by the institute reflected the changing needs of patients. His commitment to extending and improving mental health services within prisons was clear, and his role in establishing a service to provide essential post-release planning and support for prisoners with a serious mental illness was pivotal.

It is also important to acknowledge Jim's contribution to the establishment of the Centre for Forensic Behavioural Science, in conjunction with Monash University. This centre has become Australia's leading centre in the areas of forensic mental health and forensic behavioural science and plays a vital role in enhancing the knowledge and skills of professionals working in the field of forensic mental health.

His achievements were many and varied, and I have touched only briefly on a small number of them, but I am sure that all those who worked with and alongside Jim will agree with me when I say that his dedication and passion for driving change in the field of forensic mental health cannot be overstated. It is a true testament to Jim that under his leadership the centre gained national and international recognition as a centre of excellence in understanding and treating mental disorders associated with criminal behaviours.

He was always a strong advocate for promoting human rights, and he did this on behalf of some of Victoria's most vulnerable people. As Attorney-General Jim was in many ways a pioneer of the human rights agenda and an advocate for the role governments should play in making sure rights are enshrined and sit at the heart of decision making. This was clear when he ensured that the rights of people with a disability were recognised in the Equal Opportunity Act. Jim was also a strong advocate for the rights of indigenous Australians, and he played a key role on the board of Stolen Generations Victoria. His stewardship of forensic care was an example of strong reform, strong advocacy and ensuring that social justice was very much central to the decision making of that organisation, and I am grateful for his unquestioned willingness to take up the task.

I put on record my personal appreciation for the advice and counsel he offered me when I first became Minister for Mental Health. Again I wish to extend my deepest sympathies to Jim's family, friends and former colleagues. He will be missed.

Mr McINTOSH (Kew) — I cannot say I knew Jim Kennan well, but certainly over my career as a lawyer there were short interludes when I had some dealings with him. It was as an associate to former Chief Justice of Victoria Sir John Young that I first met him, and my

last recollection of speaking with Jim was at the state funeral of another chief justice, John Harber Phillips.

During those days I ran into Jim quite often. When I first met him I was an associate to a chief justice, and Jim, as Attorney-General, was a very visible person around the courts. Even as a young solicitor, associate and barrister I would often see him walking around chambers or the courts as a regular visitor to the Supreme Court, meeting formally with the chief justice.

I know the chief justice was quite enthusiastic when Jim became Attorney-General because before that the Attorney-General was the Premier, which meant that because the chief justice, on the totem pole of seniority, was lower than the Premier, he had to go and see the Premier about Attorney-General matters rather than the other way around. But when Jim Kennan was appointed, Jim had to come and see him, so Chief Justice John Young was very enthusiastic about that. The regular meetings took place approximately once or twice a month, and no doubt many important things were discussed. I was never privy to those private conversations, but I was always dispatched by the chief justice to formally welcome the Attorney-General to the court and escort him upstairs to the chief justice's chambers.

My first experience of having to meet the Attorney-General was as follows: the courts consisted of a formal front entrance and a number of back entrances. There was not the same security as there is now, and despite the fact that a person who was familiar with the courts could get in a number of different ways, I was always dispatched to the front of the building to meet the Attorney-General in his car. On the first occasion I stood out there, in my full regalia as an associate, for some 10 or 15 minutes and there was no show from the Attorney-General. Luckily, the chief justice's tipstaff came down and put me out of my misery by saying that he had come in through a back entrance. From then on there was a continual challenge to discover which door he would enter through.

On those occasions I would often have the opportunity of talking to him briefly, and when I did manage to find out which door he had come through and escort him up to the chambers, it was always a very pleasant and interesting conversation. The return journey was not always as good. Standing outside the chief justice's chambers, notwithstanding the soundproofing, you could always tell if the meeting was going well because you might hear Jim's booming laughter every couple of minutes as he enjoyed a conversation with the chief justice. If there was no booming laughter, you knew the meeting had not gone well so you would then have to

wait until he came out. Normally he would then scurry out and you would have to scurry out of the way, bowing and scraping as you do with an Attorney-General.

As a young barrister I noticed — and this is an interesting aside about Jim Kennan — that he never turned up to a meeting in a car; he would always be walking and was a familiar character around the courts. I remember as a young barrister returning from some very important case up at the Melbourne Magistrates Court — having adjourned a crash-and-bash case' — and I would be walking back with a couple of colleagues when we would run into Jim Kennan. One of the things about Jim Kennan was that he always said, 'Call me Jim', so I would be walking down the street with my colleagues when we would see the Attorney-General and I would say, 'G'day Jim, how are you?', which lifted my street credibility enormously until he turned around and said, 'How are you, Eric?' or something like that. I was then eminently forgettable and my street cred was totally destroyed.

I was also present at a later stage when Jim took silk and announced his appointment as a Queen's Counsel in front of the then chief justice, and as I said I had numerous conversations during that time. He was also a close friend of David Harper, who became a close friend of mine. David was a former chairman of the bar council and used to meet regularly with Jim during his second stint as Attorney-General. I was then secretary of the bar council, so I too participated in those meetings. Jim was a fine man and a fine lawyer and was highly regarded amongst the profession. The esteem in which David Harper held him was evident, and I shared that opinion.

Our conversations were brief: they were usually an adjunct to some other activity, and I knew him more as a lawyer than I did as a politician. I never served in this place with him, but I knew him as an Attorney-General, and it was more in the capacity of meeting as lawyers that I knew him. He was highly regarded, he will be sorely missed and I pass on my condolences to Janet and his family.

Mr LUPTON (Pahran) — I also wish to pass on my condolences to Jim Kennan's family — to Janet, Laura, Edward and Andrew. It was about 30 years ago that I first had the pleasure and privilege of meeting Jim Kennan. At the time I was a young law student and Jim was at the bar, a little before his election to this Parliament in 1982. A short while after that, while Jim was Attorney-General, I was serving as the Labor Party law reform policy committee chair. Jim played a significant part in getting me into that role, and through

the course of his years as Attorney-General I chaired that committee for a period of time.

We had the opportunity of getting together quite a bit to discuss our party and the government's law reform program and policy development. He was very keen on policy development; it was something he put a lot of time into before his election to Parliament, and the work that he and a number of others did over those years before 1982 set up our party extremely well for the tasks of an incoming government in 1982.

A number of significant lawyers were associated with that work; some of them have been mentioned already, but there were so many that it was regarded as something of an Owen Dixon faction at the time because most of them operated out of Owen Dixon chambers. Jim was a leading light in that group.

One of the first things anyone recognised about Jim was of course that extraordinary laugh — the great belly laugh — and when I heard the sad news of Jim's death the first thing that came to mind was that laugh and the incredibly effervescent nature of Jim's personality and the way it infected people so very deeply. You could not have anything to do with him and not be infected with his positive personality and the almost larger than life character of the man.

Whether in the courts as a barrister, in his work as Attorney-General in modernising the legal system and the legal profession — work that is continuing now — or in the broader elements of his political career, you could describe Jim in those roles as a happy warrior. He was the sort of fellow who enjoyed the cut and thrust of advocacy, of debate and of the challenge of ideas, and I think he was really happy to be advancing those arguments for a better, fairer society and for a fair go for people, which he so passionately believed in.

In that sense he was a real optimist. He believed that through our work — the work of government — we could in fact make our society a better place, a fairer place, a place where people could reach their potential. He did not just think about these ideas; he got into it, and he achieved. He made a lot of things possible for many people.

It was very appropriate, as has been mentioned, that the state memorial service on 13 August was at the National Gallery of Victoria. Jim was a political figure and a legal figure, but the broad range of his interests, activities and knowledge was able to be summed up in the way that memorial service was conducted at the National Gallery of Victoria. His interest and involvement in and knowledge of the arts and of music

were profound, and in that sense he was every bit a Renaissance man. He brought an enormous range of qualities to public life.

I also want to pay tribute to the people who spoke at the memorial service, because I think they gave everyone there who had known Jim in one aspect or another of his life a full and rounded understanding of who Jim Kennan was. The Premier spoke, as did former Premier John Cain, Michael Duffy, Dyson Hore-Lacy, SC, and Jane Dixon, SC, with Janet Whiting as the master of ceremonies. The fact that hundreds of people turned up from so many walks of life was an enormous tribute to Jim as a man.

Previous speakers have made a number of references to football. Many of us who are passionate about football in this state understand that we are in a real sense born into a football club. Jim had the distinction, dubious or otherwise, of being born into the Geelong Football Club. However, as a parent he had the opportunity to seek at least some form of personal redemption through the involvement of his children in the Collingwood Football Club and through allowing them to fulfil their destiny in that way. As a supporter of Collingwood, I understand this must have caused some positive and negative reflections on Jim's part, but as a result of that involvement with Collingwood his understanding of life, community and society was broadened and deepened!

As was mentioned at the memorial service, through his following Geelong and his children following Collingwood he was able to see the greatness of Gary Ablett and also the greatness of Peter Daicos. That was something Jim got a lot out of. He understood the way in which involvement in football and other social activities was a great thing for families. He was a great family man, and that was just one piece of evidence of that.

It should also be said that his illness must have been devastating for him and his family during a long and trying time. However, right throughout that period he faced those difficulties with courage, with determination and with optimism. As the Attorney-General mentioned, he continued to work, appearing only very recently at the Victorian Bushfires Royal Commission on behalf of Christine Nixon — and doing a superb piece of work on her behalf in that forum. Jim was obviously not well at the time, having had multiple operations, but he carried out his work with distinction and at the highest level, which he always attained.

He lived life well. In many senses he lived many lives in one. He made a great contribution to our state, and it is tragic that his life was so short. He was a great Victorian, and the work we do today continues his legacy.

Ms CAMPBELL (Pascoe Vale) — I also rise today to pay tribute to Jim Kennan. Jim Kennan's personal, legal and political attributes and strengths have been eloquently presented by those who knew him well and worked with him. I have had the opportunity to work with those who worked with Jim Kennan at an electorate level, and I asked them if they would like to have their voices heard in this house today. I would like to present to this house the contribution of Len Barry, Anne Leahy and Wendy Spencer, who worked with Jim as his electorate staff. Those three people were in an electorate office adjoining mine, and we knew each other very well — and through them I knew Jim Kennan.

I would like to quote from what they want to put on the record in this house today:

When Labor came to power in 1982 Jim Kennan was elected as the MLC for Thomastown Province, which included the Broadmeadows area. At that time Broadmeadows was an outer suburb of Melbourne lacking infrastructure. The area had seen minimal development despite having a large population housed in public housing.

Jim was a parliamentarian who became a driving force in the government's plans to make a difference to the lives of the people whom he represented; he took a real interest in improving government facilities in the area.

In 1982 all that was notable about the Broadmeadows city centre was the town hall, a rather rundown railway station, inadequate roads and a small shopping centre. During the time that Jim represented the area, Broadmeadows began to grow. In the city centre a new police station was constructed, the Kangan College of TAFE was conceived as the Broadmeadows college of TAFE, the Broadmeadows community health centre was upgraded and moved to a new building to eventually become part of the Broadmeadows hospital.

That was further enhanced under the Bracks and Brumby governments.

The Broadmeadows station was redeveloped with state government assistance and with some government offices moving out to the station development. Government investment in the area attracted private investment, and gradually throughout the 80s and early 90s Broadmeadows was transformed into a thriving hub.

Jim not only supported these developments; he actively sought them for the area, helping to convince his colleagues of the necessity of these projects. The way the centre of Broadmeadows looks today is in no small part due to Jim's efforts.

On a personal level all of Jim's local staff in Broadmeadows enjoyed working for him; he had a wonderful personality, and we all really felt as though we were part of exciting developments. His vision, humanity and energy inspired and supported many people in this community to strive for a brighter and vibrant future.

On election night in October 1992 when Labor had a humiliating defeat, Jim Kennan achieved a swing of 5 per cent in his favour. We remember him standing on a chair in the backroom of his electorate office giving quite an emotional speech to his supporters. He had not expected the support and affection he had received that night from the community.

That is the tribute from his former electorate staff, Len Barry, Anne Leahy and Wendy Spencer. Together with Len, Anne, Wendy and members of this house I offer condolences to Janet, to Jim's family and to his friends.

Mr SEITZ (Keilor) — I also want to pay my respects to Jim Kennan's family. I had known Jim for quite some time before I entered politics. I was introduced to him in the early 1970s when he started at the Fitzroy Legal Service. He introduced me to the book put out by the legal service, which I update each year. I use it to give advice to my constituents. I am not a lawyer, and if they want an opinion I tell them I cannot give them one, but I loan them the book so they can find out for themselves.

Jim was always the same; he did not change from the day I met him even as he grew in status and reputation. His door was always open; you could always speak to him. You could contact him at home; he was available to his friends and to people he knew. I am sure he was always available to the broader community. That time was completely different from today. You could knock on the door of his office, walk in and talk to him even if he was busy in a conference, or he would come out to see you.

Jim had a feeling for his job in this place and he was committed to it. He shifted from an upper house seat to the lower house seat of Broadmeadows. My seat of Keilor then encompassed the whole region. It went from Geelong Road right across to the Hume Freeway. arc and included the upper house seat of Thomastown. I had many meetings with Jim's constituents. He would say to them, 'On any of the local issues you should see George. He will bring it to the attention of the upper house members, and we will take it up with the government on his behalf'. That was a common response from Jim. His door was always open, and he always followed up on matters, as did Bill Landeryou, who was a former member for the upper house seat of Doutta Galla. In that sense it was a different era.

I will not go into different dates and times, because others have mentioned them, except to say that his friends in the legal fraternity and others in the union fraternity were affectionately nicknamed by a group of us as the Owen Dixon Chambers mafia, because they helped rewrite the constitution of the Labor Party. After the intervention by Gough Whitlam we had to rewrite the constitution, which took quite some time; it went on for about two years before it was finally adopted. Again, Jim and his group of Labor lawyers were at the forefront. Frank Costigan was the leader, but Billy Lyster and Lou Hill were also there. There was union input and legal input in all that work, and that is where my association with Jim began — discussing those matters.

We used to meet in a cafe at the Queen Victoria Market on the corner of Victoria Street. I was young, eager and only learning at the time, but he treated me as someone on the same level. I was from a teaching background not a legal background, but he extended the same courtesy to all of us, not just to people from a legal background. Those of us in the trade union movement were treated with the same respect, and our views and input were accepted by him.

I would like to say to his wife, Janet, that whenever I saw them at a function, even after he left Parliament, Jim would always make sure he came to say hello to me or he would wave to me if we were seated in different rows.

Jim caused the Speaker at the time, John Delzoppo, a lot of grief because when he raised a point of order and took on the Speaker he tied him up in knots. The Speaker would have to leave the chair and close down the Parliament for half an hour in order to get an opinion from the Clerk on how to make his ruling. Sometimes it happened at 2 o'clock or 4 o'clock in the morning. Jim was sharp and fast on his feet. He would always refer to his documents, as most lawyers do. He always carried a briefcase with him, and he would open up the standing orders and the books here and tie everyone up in knots. That frustrated the Kennett government, which prorogued Parliament and changed the rules of Parliament. That was the Jim I knew and enjoyed working with.

In my humble opinion his greatest achievement was the Western Ring Road. I was encouraged to help change the Labor Party's policy of being opposed to freeways. Under the Premier of the time, Henry Bolte, they were all called freeways, but their names were changed to arterial roads on one side of the city and ring-roads on the other side to enable us to build them. Tom Roper was then the transport minister, and he played around

with Pascoe Vale Road by making indented parking spots so semi-trailers could go through without the road becoming blocked. Steve Crabb, who was the Minister of Transport at the time, allocated about \$40 million to fund the proposal for the road, but it was not until Jim got the job of transport minister that the documents were signed to allow the building of the ring-road from Sharps Road to the Hume Freeway, which was a large commitment, because in the meantime we had the Mickleham Road works for trucks delivering things to the Ford factory at Geelong, where there had been accidents.

The traders in Glenroy were up in arms and constantly submitted petitions against us for not getting the trucks off the road. Then when the ring-road was built, the traders in Glenroy were opposed to it, as were a number of councillors and union leaders. They said it would divide Broadmeadows and the Glenroy shopping centre. They said the traders would go broke, and the pressure was on Jim because he held the seat of Broadmeadows. Even on election day people were collecting signatures for a petition, and there were banners out in the streets. But Jim persisted; he did not weaken, and naturally with the change of government — when we lost — the new government took on the job.

I will just finish with one thing that I should mention — Jim's humanity. I was in the room with him, discussing the ring-road, the tramways and all the industrial problems we were dealing with because at that time I had the job of handling that situation, when the phone rang. It was Evan Walker calling to say, 'Jim, I am stepping down as minister to give Cain a chance to reshuffle the ministry to give us a better chance to come back at election time'. I saw tears in Jim's eyes, because that was the kind of commitment to the greater good and the benefit of the community that men of those days had. That group of people, who were part of Jim's circle, were dedicated and they committed to their task with feeling. They were not just technocrats and administrative people; rather they had grown up with real feeling for the betterment of the community and the state and what they could do for our society.

With those words I say to Janet and the family that they should always be proud of Jim, because he was one of the greatest people that I have met, not just among politicians and the legal fraternity but as a human being. He never forgot his humanity, and he served the people of Victoria. My condolences go to his family.

Mr THOMPSON (Sandringham) — There are three members of the legal profession who remain in practice today due in part to the assistance of Jim

Kennan. As a consequence of reforms to fidelity insurance arrangements relating to the Solicitors Guarantee Fund in the mid to late 1980s, there was a gap in the period of coverage that went undetected until a law firm accountant misappropriated the funds of a Melbourne law firm. During the 1990s retrospective amendment was sought to particular provisions of legislation governing the Solicitors Guarantee Fund and indemnity insurance.

It was a difficult task to achieve an amendment that had a retrospective impact, and a number of representations were made to the then Victorian government to bring about a change. Approaches were made to Mr Kennan, who was at the time at the Victorian Bar, to amplify on the circumstances pertaining to the act at the time he served as Attorney-General. He wisely conveyed in a distilled fashion his recall of his work as Attorney-General and also applied his legal mind as a Senior Counsel in Melbourne. His contribution, among others, was then submitted to the cabinet office. Unexpectedly, but fortunately to the benefit of a number of members of the legal profession, and three in particular, retrospective enactment was made in relation to a law firm that enabled them to be the beneficiaries of an extended guarantee or insurance cover under the Legal Profession Practice Act.

I recall seeing Mr Kennan in the car park on one occasion after he had retired. One aspect was slightly incongruous, which was the motor vehicle that he had just parked. It was not a Ford Territory and it was not a hybrid vehicle — it was a black car that was something akin to a Corvette. I had some difficulty matching that with his legal personality, but it may be that he picked it up on the west coast of America when he was studying over there.

My final comment relates to his retirement from this place, which was somewhat unexpected from the point of view of our numbers on the then government benches. They were turbulent days with long sittings, as was alluded to earlier by other members. I remember that not long after Mr Kennan ascended to the position of Leader of the Opposition debate in the house was very robust. Whilst the government benches were strong, I nevertheless remain surprised that he made the decision at that point to retire from the Parliament and to move back to the legal profession. He did make a difference. While the words of Les Murray have earlier been quoted that it is only our wake that may live on, the judgements we make here do have implications for the wider world, and the contribution that he made to the reform of the Legal Profession Practice Act was greatly appreciated by a number of members of the legal profession.

Mr PANDAZOPOULOS (Dandenong) — It is an honour to speak on this condolence motion as we recognise the contribution to public life that Jim Kennan made over a number of years as a member of Parliament, as a minister and as a figure in the community and in the law, and as we pay respect to his family and loved ones. As a young activist in the Labor Party I first got to know Jim Kennan, as many of us did, through the work he had been doing in helping to modernise the Labor Party, being part of what were called the Participants, which became the Independents faction. That period really typified Jim's whole life and his contribution as a reformer and moderniser.

That reforming and modernising really started in his work behind the scenes in the Labor Party. He was one of a few people — and I think we also saw this in his role as a member of Parliament and as a minister — who saw what to him was an obvious truth but which a lot of people at that time did not see, which was that the Labor Party was never going to be in government unless it reformed and modernised itself. The Labor Party needed to move away from the shackles and comfort of opposition and make some hard decisions about restructuring its organisation and about what were good and appropriate public policies that would be acceptable to the public. It also needed to find a way to be respectful to the diversity of opinions within a party and make some decisions about how to align all those things to reach the common goal of forming government. When government was formed in 1982 a lot of those hard lessons for Labor of the 1970s bore fruit in the form of what was at the time the longest period of Labor government in Victoria. Jim Kennan was a key part of that.

Jim continued that zeal for reforming and modernising in all his portfolio areas. He obviously did it in the area of law, which was his key passion and interest, but he also did it in other policy areas. I used to be really impressed seeing Jim at state conferences and different party activities. Because he was a man of integrity and passion he inspired a whole lot of other people who saw that good things can be done from a progressive platform and the public can accept it as being a mainstream position. That is why we saw long-term Labor government in Victoria, and that has continued on as a legacy and has influenced the Bracks and Brumby governments in many regards.

One of the legacies Jim identified and inspired is young people themselves. This government has had two Deputy Premiers who worked for Jim Kennan: John Thwaites and Rob Hulls. He obviously identified their skills and talent, and I think a lot of his passion rubbed off on them. We all very much benefit from that.

When you come from a working class background the area of law reform is very important, because accessible law is very important. Jim was the member for Thomastown Province in the Council. I lived in Thomastown for most of my primary school years before my family moved out to the south-eastern suburbs. When you are growing up you tend to identify with and have an affinity with those people who represent certain areas where you grew up, and you maybe follow them a bit. I got to know Jim not only on the floors of conferences as a conference delegate but also when I was a local councillor and mayor in what was then the City of Berwick between 1987 and 1991. As it was in a growth area and had a lot of significant transport projects, Jim as the Minister for Transport was a frequent visitor. He listened to us on road and transport projects of importance in the region and also came out to announce the results of all of our hard work whereby he as minister and the government at the time recognised the needs of the area. Then I had the wonderful opportunity to be in this chamber and see that continuing inspiration through serving with him while he was Deputy Leader of the Opposition and then Leader of the Opposition.

When we debate condolence motions in the house it is very rare that we have the opportunity to speak about people we served in this chamber with. It is rare because people rarely leave this life at such an early age and with so much unfinished business; 64 is too young to pass away. Those of us who saw that inspiration of Jim Kennan's reforming zeal also saw what he started in the Labor Party in moving into being a senior minister in a Labor government and holding three portfolios at all times — he was a very busy minister over that whole ministerial period — and then seeing that again when he was in opposition. In opposition he was not going to let the government ride roughshod over Parliament and the people of Victoria, and he was not going to allow the government to be arrogant over long-established parliamentary procedures.

We learnt a lot from Jim Kennan and Tom Roper using their legal minds in that time. Jim used his legal mind in exploring and highlighting the Labor Party's rules when members of his group were trying to modernise the party. They saw how they could reform so many areas of the public sector and public life in Victoria. He also saw the value of the tools of Parliament, including something we have not used in this chamber for many years — that is, *Erskine May's Parliamentary Practice*, that really big, thick green book that seemed to be the daily bible in that first year in opposition. Jim was very good at quoting from it, as was Tom Roper, in some of those very long late-night debates, as the member for Keilor highlighted to us.

In many regards that first year in opposition, continued by John Brumby when he became the Leader of the Opposition in this house, was really what drove us to government some seven years later. The thing that drove Kennett out was the perception of the way he started government as being arrogant and riding roughshod. It took seven and a half years, but those perceptions connected well with the community over a number of years. The reality is that we could not have done that without people like Jim Kennan saying, 'We have to work hard because it is this first year of a new government that will determine how quickly we will get rid of them in the future'. We need to thank Jim for that.

There are a couple of other areas I want to touch on. One is Jim's passion for community legal centres. Those of us who represent working class and low-income electorates very much know now the important work of community legal centres in our electorates. After my 18 years in Parliament I can only reflect that if we did not have local community legal centres like those in my electorate, where else could people turn to? We need to remember and thank people like Jim Kennan who put these things on the agenda, things that we now take for granted but which at the time were seen as being radical by some and totally unnecessary by others. Reformers are often attacked for those sorts of things, but then later we all sit and take the credit for many things that they did which are accepted in the community, including Jim's early reforms in land rights — the unfinished business that our Minister for Aboriginal Affairs and the Attorney-General are continuing to progress in this state. The Lake Condah and Framlingham bill was immensely important in that it recognised that that was one of the oldest inhabited human settlements in the world, something that we as Victorians and Australians should be particularly proud of and something I think should be a world heritage site sometime in the future. Recognising that important site above and beyond the land rights issues would be a great legacy to Jim Kennan.

He was also a reformer of antidiscrimination laws. Again those of us who grew up in working class areas or are from migrant backgrounds or different religious backgrounds have seen the benefits and legacies of reforming those laws. Having been a student of public policy at Monash University, I remember very well those debates, and it might be worthwhile for us to reflect in *Hansard* on some of those sorts of debates, particularly seeing some of the opposition to what we now consider basic and essential reforms. Again, that is a legacy of Jim Kennan's work.

I also want to highlight that obviously he did not end his public life once he left Parliament. I think if any of us could achieve only half the things that Jim Kennan did, not just as an MP and a minister and in his public life, we would all be leaving Victoria a much better place. Of course he did not stop once he left elected public life. He continued that at the bar and by being one of the first to stand up, knowing that symbolism was so important for modernisation, where he was one of the first. He championed getting rid of the QC title and having the Senior Counsel title, and he wanted to show that in practice by being one of the first to stand up to show that it was part of modernising the law and making it seem less stuffy and much more accessible. He also highlighted the unfinished work of our own region through the Australia-India Council and then the Asia-Pacific Roundtable out of Washington, DC.

There is a lot of unfinished business. In some of my work since I have left the ministry I have noted that one of the things we do not do enough of is engage with politicians and governments in our own regions, or not to the level that we should. If you spoke to Jim Kennan about that, he would say that we as Australians need to do a lot more to be closer to our big regional neighbours in China and India, as well as Indonesia and other countries in the Asia-Pacific region.

I want to thank Jim for the way he influenced all of us and for the contribution he made to public life and to pay my respects to him and his family, who obviously loved him very much and will miss him.

Mr NARDELLA (Melton) — I also wish to pass on my condolences to Janet and the family of Jim Kennan. I knew Jim through the party through the 1980s when I was an organiser with the Australian Labor Party and then as a candidate from about 1991. I remember the difficult preselection that Jim had in 1988 when he went for the seat of Broadmeadows and defeated Jack Culpin and the difficulties that were faced at that time, but Jim made a decision to come down into the lower house, like others, to rejuvenate the government, to rejuvenate the party at that time and to take it forward.

In 1992 I campaigned with Jim, especially around Broadmeadows and the Broadmeadows community health centre, because I was a candidate for Melbourne North Province in the upper house and Jim was the member for Broadmeadows. We went through a difficult time. We worked with the Honourable Maureen Lyster, the Minister for Health at the time, in regard to some difficulties that were being experienced at the community health centre, but one of the important aspects of that period was that Jim always held the view that we had to do more and had to do the

best for our residents — my prospective residents and constituents but his residents and his constituents in Broadmeadows — and to make sure that their needs, especially their health needs, were looked after. He and the government had to make some difficult decisions, but Jim did that on the basis of looking after his residents and his constituents at the time, as has been said before.

Jim was also part of the resurgence of the Labor Party post 3 October 1992. Honourable members, certainly many on this side of the house, did not experience the difficulties, and I will put it in those terms, we then faced in both houses of Parliament when we needed the leadership of, certainly in this house, people like Jim Kennan and Tom Roper to get us through but also to mentor a number of the MPs who were then to take over the reins of government. Those times were very difficult. We had in that first term in opposition 26 out of the 88 seats in this house. In the upper house we had 14 out of 44.

Jim worked with people like David White, Tom Roper and others like John Thwaites to build the team and then to work through building that team to government, which took seven years, and that was really hard. It was really hard for him and it was really hard for the party, and in going through with Jim at that time and in his period of leading the opposition it was extremely difficult to understand the forces that were wrought upon us and the abuse of power at the time when he had to muster everything within himself and within the party and his members at the time to make sure that we were positioned to move forward both in 1996, with the present Premier as Leader of the Opposition, and then in 1999 to win back government.

I believe one of the most difficult things was when he made the decision to leave the Parliament, but I think he would have made that decision on the basis of understanding and knowing that the parliamentary wing was in a very good position, that he had done his job as the Leader of the Opposition at the time, in conjunction with others, to upskill his MPs and to position the party as best he could, and then he, I think, made that decision, with that clear conscience, to move on with his life.

One of the things I always appreciated with Jim was that you could always say hello to him; he would always recognise you when you were walking around, when you met at various functions or just in the street, and he always had that really bubbly personality about him. I will miss him, and I extend my sincere condolences to Janet and the family.

Motion agreed to in silence, honourable members showing unanimous agreement by standing in their places.

ADJOURNMENT

Mr BRUMBY (Premier) — I move:

That, as a further mark of respect to the memory of the late Honourable James Harley Kennan, SC, the house now adjourn until tomorrow.

Motion agreed to.

House adjourned 3.53 p.m.

