The Governor
His Excellency the Reverend DR JOHN DAVIS McCAUGHEY, AC

The Lieutenant-Governor
The Honourable SIR JOHN MCINTOSH YOUNG, KCMG

The Ministry

Premier ....................................................... The Hon. John Cain, MP
Deputy Premier, and Minister for Industry, Technology and Resources

Minister for Agriculture and Rural Affairs
Minister for Health ........................................ The Hon. E. H. Walker, MLC
Minister for the Arts, and Minister Assisting the Minister for Education with responsibility for Post-Secondary Education

Minister for Labour, and Minister for Police and Emergency Services
Minister for Education .................................... The Hon. C. J. Hogg, MLC
Treasurer ..................................................... The Hon. R. A. Jolly, MP
Minister for Transport ..................................... The Hon. J. H. Kennan, QC, MLC
Minister for Conservation, Forests and Lands

Minister for Community Services ....................... The Hon. C. R. T. Mathews, MP
Attorney-General ......................................... The Hon. Andrew McCutcheon, MP
Minister for Planning and Environment, and Minister for Consumer Affairs

Minister for Local Government ......................... The Hon. J. L. Simmonds, MP
Minister for Property and Services, Minister for Ethnic Affairs, and Minister Assisting the Minister for Labour

Minister for Sport and Recreation ...................... The Hon. N. B. Trezise, MP
Minister for Housing and Construction................ The Hon. R. W. Walsh, MP
Minister for Water Resources, and Minister for Tourism

Parliamentary Secretary of the Cabinet ............... Dr K. A. Coghill, MP
### Members of the Legislative Council

**FIFTIETH PARLIAMENT—SECOND SESSION**

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**President:** THE HON. R. A. MACKENZIE  
**Chairman of Committees:** THE HON. G. A. SGRO


**Leader of the Government:** THE HON. E. H. WALKER  
**Deputy Leader of the Government:** THE HON. D. R. WHITE

**Leader of the Opposition:** THE HON. B. A. CHAMBERLAIN

**Deputy Leader of the Opposition:** THE HON. HADDON STOREY, QC

**Leader of the National Party:** THE HON. B. P. DUNN  
**Deputy Leader of the National Party:** THE HON. W. R. BAXTER
Heads of Parliamentary Departments

_Council_—Clerk of the Parliaments and Clerk of the Legislative Council: Mr R. K. Evans

_Assembly_—Clerk of the Legislative Assembly: Mr R. K. Boyes

_Hansard_—Chief Reporter: Mr L. C. Johns

_Library_—Librarian: Mr B. J. Davidson

_House_—Secretary: Mr W. E. C. Ward
Tuesday, 8 March 1988

The PRESIDENT (the Hon. R. A. Mackenzie) took the chair at 3.3. p.m. and read the prayer.

DEATHS OF THE HONOURABLES DONALD PATRICK JOHN FERGUSON, SIR JOHN FREDERICK ROSSITER AND VALENTINE JOSEPH DOUBE

The Hon. E. H. WALKER (Minister for Agriculture and Rural Affairs)—I move:

(a) That this House expresses its sincere sorrow at the death, on 6 December 1987, of the Honourable Donald Patrick John Ferguson, a former member of this House, and places on record its acknowledgment of the services rendered by him to the Parliament and the people of Victoria as member for the South-Western Province from 1952 to 1958, Minister of Forests and Mines from 1954 to 1955 and Minister of Transport in 1955.

(b) That this House expresses its sincere sorrow at the death, on 18 January 1988, of the Honourable Sir John Frederick Rossiter and places on record its acknowledgment of the valuable services rendered by him to the Parliament and the people of Victoria as member of the Legislative Assembly for the electoral district of Brighton from 1955 to 1976, Assistant Minister of Education from 1964 to 1970, Minister of Immigration from 1965 to 1967, Minister of Labour and Industry from 1967 to 1970, Minister of Health from 1970 to 1973 and Chief Secretary from 1973 to 1976.

(c) That this House expresses its sincere sorrow at the death, on 18 January 1988, of the Honourable Valentine Joseph Doube and places on record its acknowledgment of the services rendered by him to the Parliament and the people of Victoria as member of the Legislative Assembly for the electoral districts of Oakleigh from 1950 to 1961 and Albert Park from 1970 to 1979 and as Minister of Health in 1955.

The Honourable Donald Patrick John Ferguson passed away suddenly on Sunday, 6 December 1987, in Geelong. A State funeral was held in Highton, Geelong, where he lived, on Wednesday, 9 December 1987.

Donald Ferguson was born in Geelong on 18 September 1907. He attended St Patrick’s College in Geelong West and St Mary’s Christian Brothers College in Geelong; later he attended the Gordon Institute of Technology where he trained as a fitter and turner and toolmaker.

He worked at such well known Geelong establishments as Donaghy and Sons, who were rope and cordage makers, and the Ford Motor Company of Australia Ltd. For eight years during the depression of the 1930s he was a wheat and sheep farmer in the Mallee, an occupation which no doubt tested his considerable array of practical skills.

Donald Ferguson was a member of the Legislative Council for South Western Province from June 1952 to June 1958. He had earlier contested the seat of Barwon in the Legislative Assembly in 1945 and 1949. During 1954 and 1955 he held the portfolios of forests and mines and transport in the Ministry of John Cain, senior.

A sportsman of considerable prowess, he played football for Geelong West Football Club and the Newtown club, as well as cricket for Geelong West. His active interest in sport continued into his later life, when he joined the Highton Bowling Club.

Donald Ferguson was an active unionist. He was a long-term member of the then Amalgamated Engineering Union and, after years as an office-holder in the union, he became an executive member of the Geelong Trades Hall Council and the disputes committee. He was also a member of the provincial Trades Hall Association.

He was a staunch advocate of a strong decentralisation policy. He was the first member of Parliament to seek assistance from Parliament for the establishment of a university for Geelong. This worthy goal was realised with the establishment of Deakin University and it was representative of his desire to improve the opportunities for the younger members of the community.

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His concern for the community included the aged and this was evident through his involvement with the Grace McKellar House committee. He later became an executive member of that committee.

The government offers its sincere condolences to Mrs Dorothy Ferguson and to Donald Ferguson’s sons and daughter.

Sir John Rossiter died suddenly at his Sydney home on 18 January this year. Sir John, a former member of the Legislative Assembly, was a prominent member of this Parliament and was for some twelve years a Cabinet Minister serving under Premiers Sir Henry Bolte and Sir Rupert Hamer.

Sir John was first elected to Parliament as the member for Brighton in the election of 1955. He held that seat until 1976 when he stepped down. From 1964 until 1976 he held five Ministerial portfolios, starting with education and later including immigration, labour and industry, and health, and he then served as Chief Secretary. Upon retiring from the Victorian Parliament he spent three years as Agent-General for the State of Victoria in London.

I first met Jack Rossiter, as he then was, when I was a student at Royal Melbourne Institute of Technology and he was a lecturer in a related faculty. He lectured in English. I cannot claim to have known him well then, as a lecturer of mine at one point, or later, but I do have a clear memory of his personal style and manner which was, to say the least, impressive. No doubt, others who knew him better than I will elaborate on that.

I was impressed by Sir John’s tenacity in seeking to represent his party in Parliament. He contested a by-election in Brunswick in 1949 and then, equally optimistically, the seat of Moonee Ponds in 1950. In 1952 he ran for the South-Eastern Province and, later that year, for the Federal seat of Flinders in a by-election. It was with the success of the first Bolte government that his Parliamentary ambitions were realised when he became, as I indicated earlier, the member for Brighton.

Jack Rossiter’s records show that he was a fine athlete and sportsman; a worker on school committees; a supporter of Carry-On (Vic.), which no doubt followed his years in the Royal Australian Air Force; a churchman; and a strong supporter of the State Library. Sir John was clearly a colourful, indeed larger than life, character. Stories about him are legion, although not all are verifiable. He contributed to this community in many ways and will be long remembered for those contributions. His passing will be a great sadness to his widow and family. On behalf of the members of this House, I offer them our sincerest condolences.

It is with sadness that I indicate to this House the passing away of the Honourable Val Doube on 18 February this year. Val Doube would have been known to a significant number of present-day members because he sat as a member of the Legislative Assembly until the election of 1979. He was elected to the Assembly at different times for two different electorates: Oakleigh from 1950 to 1961 and Albert Park from 1970 to 1979, totalling twenty years. He served for a short period as Minister of Health late in the fourth government of John Cain, senior.

Val Doube was much admired as a member of Parliament and as an individual. I enjoyed a close relationship with him through the 1970s when he advised and counselled me in my early attempts at winning a seat in the Victorian Parliament, a record not unlike Jack Rossiter’s. He was a very thoughtful and fair man with a wonderful sense of humour. He was also a man of strongly held principles, as epitomised by his stand taken in the campaign against capital punishment.

His other activities, which point to his sense of social justice, were his executive membership of Amnesty International; his work for mentally retarded children through the Victorian Council for Mentally Retarded Children and the Oakleigh Mentally Retarded Citizens Welfare Association; his membership of the Victorian Relief Committee; and his position as national public relations officer for the Guide Dogs for the Blind Association.
He was awarded a silver medal from the Royal Humane Society for rescuing a man who had fallen onto the train track one evening when he was waiting for a train at Flinders Street station—an incident he was loath to talk about, but which reflected in-built courage.

Val Doube was initially a physical education teacher. When the war came he served in the Australian Imperial Forces and the RAAF from 1941 to 1945. After the war he became actively involved in politics. He joined the Labor Party in 1945 and contested a number of seats, both State and Federal. He was successful in 1950 for the seat of Oakleigh by the narrow margin of three votes on a second recount. He was secretary of the Parliamentary Labor Party from 1955 to 1961 and again when he was the member for Albert Park from 1970 to 1979.

The death of Val Doube is a great loss to the community and a sadness to those who knew him. The consolation is that he made such a positive contribution during the course of his life. I offer my personal condolences and the condolences of the members of this House to Val Doube's widow and sons.

The Hon. B. A. CHAMBERLAIN (Western Province)—The Opposition is pleased to be associated with this motion in which the House mourns the deaths of the Honourables Donald Ferguson, John Rossiter and Val Doube.

As the Leader of the House said, Sir John Rossiter was clearly a larger than life character. He was one of the great characters of this Parliament and I understand he was happy to have the nickname of "Punchy Jack", and he did not seem to mind whether the stories told about his desire to settle disputes outside the House rather than inside the House were apocryphal. He was a man of warmth.

My first encounter with him was when I was running for the Legislative Assembly seat of Dundas in 1973. He was assigned to launch me at a public meeting in Murtoa, a small but thriving community. John Rossiter, two organisers of the meeting and I turned up at the public meeting. We waited for a while and after a short time John Rossiter said, "This is no ruddy good; let's go to the pub", so we went to the hotel.

John Rossiter was a great storyteller and a gregarious man. A public meeting of about 50 people was quickly convened in the hotel. The meeting went on for hour after hour, with story after story, and little politics being discussed. That was my introduction into politics. He was a warm man, particularly with new members of Parliament. He took a close interest in young members with families and children. He was one of those characters about whom one has great satisfaction at having met and known them.

The Leader of the House has dealt with Sir John Rossiter's public career, which included representing Victoria in London where he was a popular Agent-General. He left his mark on this State in many ways. We express our sincere condolences to Lady Rossiter and Sir John's children.

The late Donald Patrick John Ferguson was a Geelong man in many ways, although he had been a Mallee sheep farmer in the 1930s. Many farmers left the Mallee during desperate times in the 1930s to start up elsewhere, and he was one of those. He was strongly involved in the Geelong Trades Hall Council and the trade union movement in Geelong. The Opposition expresses its condolences to his family.

The Honourable Val Doube was a man I regarded as a friend. My association with him was through his committed work for Amnesty International. Val Doube was very much part of the introduction of Amnesty International to this Parliament by a group of us in about 1974. He maintained his interest in the work for Amnesty International even after he left Parliament and was often in Amnesty's office doing voluntary work. The Victorian branch of Amnesty International is now the strongest in the Australian States, and Val Doube made a significant contribution to it.

The Leader of the House has spelt out Val Doube's war service and indicated that he was awarded a silver medal for bravery in peacetime. It was difficult to draw out of him
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details of the circumstances that led to that medal. He was embarrassed to be reminded of that award when many of us would have been proud to be in the same circumstances.

Val Doube was totally committed to the Labor Party. Although many of his colleagues are prepared to give the Opposition titbits of information to titillate Opposition members, Val Doube was always circumspect. I got on well with him personally, but he knew where to draw the line with matters of the party. I extend the best wishes and condolences of the Opposition to his family.

The Hon. B. P. DUNN (North Western Province)—Members of the National Party support the motion, which expresses sorrow at the deaths of three former members of this Parliament.

Donald Patrick John Ferguson served in this Parliament 30 years ago, so not many members of Parliament today would have known him. I certainly did not know him personally, but if he came from a Mallee sheep farm, he must have been a good man because it would not have been easy living on a Mallee sheep farm in the 1930s. It seems that he made the correct choice. My folks moved from the Western District to the Mallee.

He was a community worker of some note, and he brought that wide experience to the Parliament. He was a primary producer, a Parliamentarian and a union official; he served his State very well. On behalf of the National Party, I extend condolences to his widow and his family.

Sir John Rossiter was a great character; once you met him you never forgot him. When I was elected to the Legislative Council as a 25-year-old country boy in 1969, I was amazed at the characters in this place. Sir John Rossiter certainly was one of them; he made a great impression on me.

He was a happy-go-lucky individual who always had a friendly greeting for all who knew him—and Mr Chamberlain has mentioned that. I remember well Sir John’s habit of putting his head down and looking at people over the top of his glasses!

When Sir John was a Minister honourable members felt that he became involved in whatever matters were taken to him. I took many deputations to him when he was Chief Secretary; one would leave his office with the impression that he gave every consideration to the matters brought before him. He would get involved personally and take an interest in any problem that was raised with him. I always appreciated that.

Sir John Rossiter was a member of the Victorian Parliament for 21 years, during which time he held Ministerial positions. Later he became Agent-General for Victoria in London. He had an outstanding record of service to the State of Victoria. On behalf of the National Party, I pass on my condolences to his widow and his two children.

Val Doube was a quiet and thoughtful member who considered his views deeply. He held strong views and he was respected by all sides of Parliament for those views. His service to Victoria was extensive—it included his Parliamentary service and his service to the community. As well, he served his country in wartime.

When Val Doube departed from Parliament he carried his convictions into his community work. When he left Parliament he did not stop working; he continued to work, particularly for his major interest, which was the handicapped children of this State.

The leader of the National Party in the other place represented the National Party at Mr Doube’s funeral. He was impressed with the closeness of the Doube family, which was shown particularly by the involvement of Val Doube’s two sons in the funeral service.

Val Doube was a great Victorian, like the other two gentlemen about whom this motion is moved today. On behalf of the National Party, I extend condolences to his widow and his family.

The Hon. D. E. HENSHAW (Geelong Province)—I wish to join this condolence motion in respect of Mr Donald Ferguson. I knew Donald Ferguson during only the last six years
of his life and in that time I gained enormous respect for him. He was a man who was devoid of pretention; he was a man with whom there was a sense of immediate mutual respect. He was a very charming man.

He had a long association with the Geelong area and he contributed to the Geelong community in many ways. He contributed to the Labor movement in Geelong for over 50 years. He was the secretary of the Geelong district committee of the then Amalgamated Engineering Union, and he was an executive member of the Geelong Trades Hall Council.

He was involved with the Labor Party in Geelong from the 1930s through to the early 1960s. The minutes of the Corio campaign committee of the late 1940s and early 1950s show the contributions made by both Don Ferguson and John Dedman; the names of those two gentlemen are still well known in the Geelong area.

He fought elections on behalf of the Labor Party in 1945 and 1949; he was unsuccessful on both occasions. In 1952 he was elected to represent South Western Province. It is my understanding that he carried the gold pass that I now have. It is labelled “South Western”, and I deem it an honour to carry that pass.

As a Minister he held several portfolios in the first Cain government. He was defeated in 1958. In 1961 he won preselection for the seat of Geelong West. Unhappily, some weeks before the election he was taken ill and he had to withdraw from that contest. Neil Trezise achieved preselection for that seat; in a subsequent election in 1964 Mr Trezise won that seat, and holds a seat still.

Don Ferguson was well known and respected in sporting circles in Geelong. As a footballer he played for the Geelong West Football Club. He also played cricket in the area; and later in his life he played bowls. He was a well-known spectator when the Geelong Cats played at home.

Don Ferguson was an initiator, and in some cases the founding member, of some important organisations in the Geelong district. He was involved in the setting up of Grace McKellar House, once known as the Grace McKellar aged people’s home. He was involved with the Geelong Hospital; and, as has been mentioned, he helped prepare the case for a university in the Geelong area.

On behalf of the Geelong people, I support the motion of condolence.

The Hon. G. P. CONNARD (Higinbotham Province)—I join with my colleagues in expressing the sympathy of the House to the families of the three former members of this Parliament—Mr Ferguson, Mr Doube and Sir John Rossiter.

I did not know Mr Ferguson or Mr Doube personally; but I have learnt a great deal about them from the previous speakers.

I knew Sir John Rossiter longer than I have known any other member of this Parliament. I first became associated with him when he stood as the Liberal Party candidate for the South Eastern Province in the election of June 1952. He had previously stood for election as the Liberal Party candidate in the electorates of Brunswick and Moonee Ponds.

The election of 1952 was held at a difficult time for the Liberal Party. John Rossiter was the endorsed Liberal candidate, but he was standing against the Honourable Charles Gartside, who was a member of the House. Because of those difficulties John Rossiter did not win the seat; it was won by the Honourable George Tilley.

At that time John Rossiter was a young man—as I then was, too. I was then treasurer of the Liberal Party electorate committee. John Rossiter had not been married for very long at that time and he had a young family. He was a school teacher. He waged an election for a province which ran from Moorabbin and Sandringham, through to Leongatha and into Gippsland, and from Berwick to Phillip Island. He waged that election on his bicycle because he did not have a motor car. They were different days when politics was not as sophisticated as it is now, and the candidate had to become known in his electorate.
What came through in those early days was John Rossiter's humanity, modesty, and compassion. Although he was defeated in that election he earned popularity in his party. Following the death of Colonel Rupert Ryan in the same year, a by-election was held for the Federal seat of Flinders in October 1952. Because of the high esteem in which he was held by local people who got to know him during the South Eastern Province campaign, John Rossiter was selected to represent the Liberal Party in that election.

As I said, John Rossiter had his difficulties in winning a seat for the Liberal Party—in particular, when standing for the South Eastern Province in the Legislative Council and for the Federal House of Representatives seat of Flinders, where he was defeated by a Mr Ewert, a member of the Labor Party, who held that seat for two years.

People who knew John Rossiter in those early days found him to be a person who identified with the community and with the people whom he was endeavouring to serve.

John Rossiter, surprisingly perhaps, had two bites at blue-ribbon Liberal seats and failed to win either of them, before being finally elected to the Legislative Assembly seat of Brighton in 1955; so Mr Murphy may yet have an opportunity of standing for another seat.

I have the privilege to represent in this Chamber the community of Brighton whom John Rossiter represented so well for more than twenty years. Irrespective of the Ministerial portfolio that John held, he maintained his interest in teaching. Many people still associate John with the high and technical schools in the Brighton area and remember him affectionately, even though he has not represented the Brighton electorate for more than twelve years.

John Rossiter's continued service on the council of Monash University is well remembered by that community. Although John has been referred to as a character who was larger than life—indeed he was a happy and cheerful person—underneath that outward exterior was a genuine, compassionate and modest person who represented his community to the best of his ability.

I mourn his passing, and I support the motion moved by the Minister for Agriculture and Rural Affairs.

The Hon. W. A. LANDERYOU (Doutta Galla Province)—I join my colleagues in supporting the motion to express the condolences of the House and make my remarks in particular with respect to the Honourable Val Doube. Val taught many of the new members of Parliament about the Parliamentary process. I was one of those people whom Val took under his wing when I first became a member of this Chamber in 1976. Val took me through the legislative process in a way that led me to understand the process with a depth of knowledge that I could never have gained without his help.

Although I do not wish to traverse the same issues that have been raised by other speakers, I should say that I am the proud owner of a collection of Labor Party memorabilia that contains the photographs of State and Federal Leaders of that party since its formation. Val Doube collected these treasures over the years, and I was selected by him to be the curator, if you like, of those treasures on behalf of the Labor movement. I am honoured to do that, and I am also honoured that I was chosen by Val Doube to maintain those memorabilia.

On a lighter note, I also have Val's collection of privately bottled Parliamentary wine that he had collected as a member of Parliament for some time. Val collected a sample of every bottling under the Parliamentary label. Although I have never tasted one of those bottles, as I have only one of each, I am the proud holder of that collection and, when my time comes, I shall pass that collection on to someone else.

I remember Val as a man who impressed everyone by his compassion for other people, not just for the community of Oakleigh or the intellectually disabled or Amnesty International, but for his genuine humanist point of view and his endeavour to improve
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the given situation that was confronting him at the time, for the betterment of his fellow man. In that sense I believe the Labor movement in this State is the poorer for his passing and I, too, pass on my condolences to Freda and to their children.

I only ever had one official experience of Sir John Rossiter, and that was shortly after I became a member of the Government of this State in 1982. I received a telex from the Victorian Agent-General in London only a few days after I had taken on a portfolio that I had only just received.

The telex from Sir John, the Victorian Agent-General in London at that time, was a lengthy telex outlining his role in that position. It was dutifully put on my desk by Mr Ritchie and, having read it, I thought that this had nothing to do with me and it was despatched to the Premier's office. When I came in the next day I received a further telex with the simple question, "Has the twit read the telex?" That introduced me to John Rossiter in more ways than one!

The Honourable Don Ferguson was a part of the Labor movement for a considerable period, and I remember talking about Don with Father Brosnan—the Brosnan family is very controversial within the Labor movement—who expressed his deep respect of Don Ferguson. I pass on my condolences to the relatives of Don Ferguson.

The Hon. A. J. HUNT (South Eastern Province)—I desire to pay my tribute, in particular, to the late Sir John Rossiter, with whom I served in the party room concurrently for some fifteen years and in the Cabinet, under two successive Premiers.

In addition to the attributes that members have noted in talking of John Rossiter, he had one which is exceedingly rare: he did not waste words. He somehow was able to get straight to the point, even though sometimes rather bluntly. Whether it was in discussion of a Bill in the Cabinet room or answering questions in the party room or the House, he did not find it necessary to go into long discussions on the issue; he got straight to the core of the matter in very simple language, and that was much approved by those who knew him.

Whenever John was in a room or a group, there was life about it. He somehow gave life to any occasion or any gathering at which he was present. He was a colorful character. Honourable members have heard something of the nickname "punchy". I believe it originated in part because he was an amateur boxer in university days and was later a vice-president, if I recall correctly, of the Victorian Amateur Boxing Association and, in part, because of his manner of speech, which was indeed punchy.

Nevertheless, John Rossiter had a fine grasp of the English language, which people did not always realise because of the manner of his speech. When the need arose John used language positively, beautifully and with great grasp of classical erudition. Underneath his gruff exterior was a very astute political brain. He never lost a fight in the party room—something I guess other Ministers sometimes wish had been their lot. John Rossiter was able to set the ground for any debate by taking aside those most likely to disagree with him and explain issues in advance of getting their support.

I can recall that shortly before he was elected to Cabinet in 1964, he came to me at my home and said, "Alan, Roberts Dunstan thinks I should stand for Cabinet; what do you reckon?" I said, "Of course, John". From that moment I was committed to support him. It was a much more effective tactic than asking me for my support. I do not know how many people he did that to, but he was elected to Cabinet very convincingly. Perhaps that indicates something about his approach.

It was quite natural that John Rossiter had the habit of involving other people in the things he was doing and in the decisions he made. That possibly was part of the very secret of his success. That is why he was so successful with deputations. He really did listen, and he threw up questions and took notes during deputations that showed that he was listening. He took into account what was being said and frequently met the requests of the deputations or met them halfway. He was certainly very quick to relieve the consequences of any
bureaucratic indifference to the public. He was a fine member, a fine representative and an effective Minister of the Crown. He was not a credit claimer; he did his job effectively with as few words as possible, and he got results. I am proud to have known him and to have worked closely with him. I remember him with deep and fond affection.

I knew Don Ferguson only slightly, but his personal integrity came through always; no one ever doubted that integrity. He was a victim of the 1955 split in the Labor Party, and, although he went on in the following election in 1958, from the time of the split his fate in the seat was sealed.

I knew Val Doube quite well over a number of years when we served together in this Parliament. His personal integrity and depth of feeling on a wide range of issues were always apparent. In most of his retiring years he lived in the Town of Mornington where I also reside, and he became a well-loved figure, for the quality he brought to Parliament, he brought to his life there in the town, even in retirement.

To the families of those who have gone, I extend my personal condolences.

The Hon. F. J. GRANTER (Central Highlands Province)—I associate myself with this condolence motion and wish to speak briefly about the three men concerned. The late Honourable Sir John Rossiter was well known to me over many years. Those years go back to 1948-49 when I first met him at Brighton. Later he came to visit my family quite often at our home in Highett.

I worked with John Rossiter on the South Eastern Province committee when he stood for that seat. He was a most lovable character to all people, but a real character in himself. In those days he was a wonderful back-of-the-truck orator. This applied especially when he was a candidate for the South Eastern Province. I well remember him speaking at Black Rock one Saturday morning and his words became rather colourful. John Rossiter was at his best speaking from the back of the truck.

John Rossiter was well known to me and many people for his hand-crushing handshake. He always had a very definite handshake and many people will remember him for that. As Mr Hunt said, we remember him in the party room and in Cabinet during the Dick Hamer era. He was a great friend and a great supporter of his colleagues in this Parliament and outside it.

He was interested in the Association for the Blind at Brighton and gave a lot of service to that institution. He entered politics as the representative for the seat of Brighton and, if my memory serves me correctly, he competed with Brigadier Ray Tovell for the seat. As the Leader of the House said, we mourn his passing and, no doubt, all honourable members express their sympathy to his wife, Lady Rossiter, and to his children.

As has been correctly said, Val Doube was a quiet, sincere man who did a lot of good in the community. Although I did not know him well, I knew him when he was the member for Albert Park and, on the occasions when he came to me with problems, I was happy to assist wherever I could. He will be remembered in this Parliament and outside it for his sincerity to other people.

Don Ferguson was not well known to me but, after his retirement from this place I saw him in the gallery and around Parliament House on a number of occasions. He was always ready to assist the people of Geelong as well as his colleagues. I offer my sympathy to the relatives of both Val Doube and Don Ferguson.

The Hon. G. R. CRAWFORD (Jika Jika Province)—I desire to be associated with the motion expressing sorrow at the deaths of three former members of this place. I shall not canvass their careers in detail because this has already been done by earlier speakers.

I simply point out that I had a close personal involvement with Val Doube and Don Ferguson over a long period, not as a member of Parliament, but as a member of the Labor Party.
I was not personally associated or involved with Sir John Rossiter, although, as other speakers have said, he was well known to the community generally and I can certainly recall many of his quotes that hit the headlines.

The three former members that the House is honouring today all made a substantial contribution to and had a large involvement with the life of the community. There is widespread respect for the work they undertook.

If my memory serves me correctly, Val Doube first attempted to gain a seat in Parliament either during or just after the end of the second world war. If I recall, he stood for the seat of Henty during a by-election following the tragic death of Sir Henry Gullett. Val Doube contested that election against Sir Henry’s son John, who was known as Joe.

On his discharge from the Air Force, Val continued his activities in the Labor Party. As Mr Hunt said, the split in the Labor Party cut short, or minimised, the contribution that both Val and Don Ferguson could have made to Parliament.

Val had a break in his membership of Parliament and it curtailed his involvement. Both of these members demonstrated their capabilities and had a tremendous commitment to the Labor movement as well as to the community. They did a splendid job.

The Hon. H. R. WARD (South Eastern Province)—I knew Don Ferguson personally over a number of years. He gave particular support to the community. He was a gentleman; he would always listen if a member of Parliament took a deputation to him—as I often did with regard to education—and he would take action on that deputation. He was a great supporter of the community, particularly in the field of education.

I well recall those friends of mine who were in the Australian Labor Party during the split. Don Ferguson suffered some trauma during that time and it affected his health. Don was a great supporter of the Geelong Hospital. That support is worth recording on this occasion.

Val Doube was a very kind man and was highly respected. In 1950 he set out to ensure that handicapped people were supported and that something was done for them. Val Doube was in the forefront of establishing a place for handicapped people in his electorate and he subsequently became a life member of the Oakleigh Mentally Retarded Citizens Welfare Association. His contribution in that area was part of his life; he attended functions and helped to meet the needs of the less fortunate people of this world.

Val Doube was one of seven brothers who served in the second world war. He made a magnificent contribution in his service to this nation but he did not talk about that service a great deal. As has been mentioned earlier today, he was a great man.

I knew Sir John Rossiter over many years. What Mr Hunt said about him was short and to the point. Mr Landeryou referred to him as well and to the message to be derived from the newspaper article. For those who do not read newspapers from other parts of the world, I point out that a story was written in The Times newspaper in London about agents-general and their activities. A reporter interviewed the agents-general and met Sir John Rossiter. He was greeted with colourful language and after sitting down he discovered Sir John was a student of the classics. When the reporter left, Sir John’s words were, “I do not want that bloody-well quoted.” He was a man of humour and enjoyed reading the classics.

I extend my condolences to the families of all three men. I fully support the motion.

The PRESIDENT—Before putting the motion, I should like to make comment on the motion before the House.

The Honourable Don Ferguson was known to me for some twelve years as a personal friend. I came to know him in 1976 as a candidate. I can well remember going to see Don for the first time to seek advice as a newly elected candidate and I well recall the sound and sensible advice he gave me.
Don Ferguson won the South Western Province seat, which was not an easy seat for the Australian Labor Party to win. What is now the Geelong Province then encompassed a great deal of the Western District, which is not known to be comprised of supporters of the Labor Party. Don Ferguson spent six months of his time going from farmhouse to farmhouse in the Western District. He introduced himself and met the farmers personally, and won that seat for the Labor Party. That was no mean effort and it gives some idea of the persistence of the man and how strongly he felt about the need for the Labor Party to govern.

Don Ferguson was a very gentle and kind man. His hobby was growing camellias and often when he came into town on business he would have a bunch of camellias for my secretary to place on the desk.

Don Ferguson was a great family man. I had the honour of representing the House at his funeral, which was a very moving service. It was quite obvious that his family felt deeply the loss they had suffered. He was a great man.

When I was Minister for Conservation, Forests and Lands, I met some members of the Forests Commission who had been members over the past 40 years. To this day they remember Don Ferguson as being interested in the then Forests Commission.

I also had the honour of representing the House at the funeral of Val Doube. As has been mentioned, it was a most moving service. The record of Val’s contribution was a moving story.

I had contact with Val Doube in the early days of being a member. He was another member of the Labor Party who in his quiet and sensible way gave sound advice to new members of Parliament. Val Doube was a supporter of the Victorian Parliamentary Former Members Association and he was fighting for that association up to the time of his death.

I did not have the opportunity of meeting Sir John Rossiter. Honourable members have outlined the contributions he made.

I pass on my condolences to the families of the three former members. Their records show that they made a tremendous contribution to the State of Victoria.

The motion was agreed to in silence, honourable members showing their unanimous agreement by standing in their places.

ADJOURNMENT

The Hon. E. H. WALKER (Minister for Agriculture and Rural Affairs)—I move:

That, as a further mark of respect to the memory of the late Honourables Donald Patrick John Ferguson, Sir John Frederick Rossiter and Valentine Joseph Doube, the House do now adjourn until eight o’clock this day.

The motion was agreed to.

The House adjourned at 3.58 p.m.

The PRESIDENT took the chair at 8.4 p.m.
EXHIBITION (AMENDMENT) BILL

This Bill was received from the Assembly and, on the motion of the Hon. C. J. HOGG (Minister for Education), was read a first time.

VICTORIAN ARTS CENTRE (DEBT TRANSFER) BILL

This Bill was received from the Assembly and, on the motion of the Hon. C. J. HOGG (Minister for Education), was read a first time.

VICTORIAN RELIEF COMMITTEE (AMENDMENT) BILL

This Bill was received from the Assembly and, on the motion of the Hon. E. H. WALKER (Minister for Agriculture and Rural Affairs), was read a first time.

NATIONAL PARKS AND WILDLIFE (AMENDMENT) BILL

This Bill was received from the Assembly and, on the motion of the Hon. J. E. KIRNER (Minister for Conservation, Forests and Lands), was read a first time.

BUILDING CONTROL (GENERAL AMENDMENT) BILL

This Bill was received from the Assembly and, on the motion of the Hon. E. H. WALKER (Minister for Agriculture and Rural Affairs), was read a first time.

WORKCARE COMMITTEE

The PRESIDENT announced the receipt from the Assembly of the following resolution with which they desired the concurrence of the Council:

That the resolution of the House of 13 November 1987 appointing the WorkCare Committee and requiring the committee to report upon a review of the transitional proposals contained in clause 72 of the Accident Compensation (Amendment) Bill as introduced into the Assembly on 17 September 1987 regarding contributions of insurers towards compensation paid by the Accident Compensation Commission; conduct of common law proceedings; and supplementation payments from the Accident Compensation Fund by no later than 1 March 1988, be amended so far as to require the committee to report on these matters by 22 March 1988.

The Hon. E. H. WALKER (Minister for Agriculture and Rural Affairs)—I move:

That the Council concur with the Assembly and amend the resolution adopted by the Council on 14 November 1987 appointing a WorkCare Committee and requiring it to report upon a review of the transitional proposals contained in clause 72 of the Accident Compensation (Amendment) Bill as introduced into the Assembly on 17 September 1987 regarding—

• contributions of insurers towards compensation paid by the Accident Compensation Commission;

• conduct of common law proceedings; and

• supplementation payments from the Accident Compensation Fund—

by no later than 1 March 1988, so far as to now require the Committee to report on these matters by 22 March 1988.

The motion was agreed to.

It was ordered that a message be sent to the Assembly intimating the decision of the House.
QUESTIONS WITHOUT NOTICE

CHEMICAL RESIDUE IN CATTLE

The Hon. R. I. KNOWLES (Ballarat Province)—The Minister for Agriculture and Rural Affairs will recall that, four months ago, I brought to his notice a case of excessive dieldrin residue in cattle being identified by his department in the Gembrook area in 1978—ten years ago. The Minister undertook to investigate that case and I ask: what inquiries, if any, did the Minister initiate into that case and by whom? Are the inquiries completed and, if so, what are the results of the inquiries about the departmental knowledge of the issue?

The Hon. E. H. WALKER (Minister for Agriculture and Rural Affairs)—I am happy to respond to the question. It is true that the matter to which Mr Knowles has referred was brought to my attention in this House, and I believe it was on the date he suggests; I have no reason to doubt the date. An investigation did ensue and the honourable member will receive a written response.

However, the matter has been investigated. It is of some significance and concern and will become part of a report to me which I requested of the department last week, along with a report on another similar issue that came to my attention last week and any other matters of similar kind which may arise from a search of files that I have had instigated by the chief general manager of my department. That search of files is the result of a direction from me and will be followed by advice on any incidents that arise.

The Hon. R. I. Knowles—You have established that that has actually occurred?

The Hon. E. H. WALKER—Yes, that did occur. I have also asked for any further advice on any action or disciplinary action that may need to be taken. When that advice is received at the end of next week, I shall be happy to make the matter public, as I have indicated, and I shall report on the matter in this House.

In the meantime, Mr Knowles may wish to receive a response to that specific matter or he may prefer to have it handled in the more comprehensive manner I have mentioned.

The Hon. R. I. Knowles—I will have both.

SALE OF RAILWAY LAND IN BENDIGO

The Hon. B. P. DUNN (North Western Province)—I welcome the Minister for Transport into this House and ask: does the government still intend to auction off land currently leased by V/Line in the City of Bendigo? In the case of one lessee, the Northern Seed Supply Co. extensive improvements have been made on the site following a letter from the Treasurer to that company last year stating that the land was surplus to requirements and that it did not appear that it would be sold or auctioned off in the near future. In September last year, six months later, that decision was overturned by a letter from V/Line saying that the land was to be auctioned.

I ask whether the existing tenants will be allowed first right of refusal on that property at a valuation price and whether the Minister will visit Bendigo in the near future to meet face to face the persons affected and discuss the issue.

The Hon. J. H. KENNAN (Minister for Transport)—I am eating more whole wheat and burghul to do what I can for Mr Dunn’s and other producers’ crops. However, in relation to the matter he raises, the government has made it clear that where there are exceptional circumstances—and I have said that those exceptional circumstances may include representations by officers of V/Line or the railway authorities in the past as to
what the expectations may be in the future—we would take that into account. The
government will consider the issue on a case-by-case basis.

At the request of Mr David Kennedy, who represents Bendigo West in another place
and who has done such an outstanding job on employment in the Bendigo area and the
establishment of the Maldon prison, I shall be visiting Bendigo in the next couple of
months to discuss with him this and other matters. I would hope that the matter raised by
Mr Dunn would be processed through—

The Hon. B. P. Dunn—Will you meet the tenants?

The Hon. J. H. KENNAN—I am happy to receive representations. There are a
considerable number of tenants, possibly more than 2000, and I cannot guarantee that I
can meet all of them, or, indeed, any specific one of them. I think they will find that in due
course fair treatment will be accorded.

I shall be visiting the North Eastern Province in the not-too-distant future because Mr
Baxter and Mr Evans have made vigorous representations to me about the tremendous
damage done—they say—by the timber industry to roads in that area.

I had not realised that their green souls were emerging. I know they have problems with
mining because last year I had to go to Bright to impose controls on mining in Bright. In
the near future I shall be happy to return to Bright and take up some of the expressed
concerns.

SUBURBAN BUS SERVICES

The Hon. M. J. ARNOLD (Templestowe Province)—I direct a question to the Minister
for Transport. Honourable members would realise that over recent years bus services in
their electorates have dramatically improved because of the initiatives of the Labor
government. Those services have improved as a result of the requirement of efficient and
timely services from those bus companies.

As part of that process, can the Minister advise why the government has moved to
public tender and what will be the implications for further improvement of suburban bus
services?

The Hon. M. A. Birrell interjected.

The Hon. J. H. KENNAN (Minister for Transport)—I understand Mr Birrell’s
consternation over this matter because it is an attempt to privatise the private sector—
something the Liberal Party always shies at. In 1982 the government funding for private
buses was approximately $20 million; in the current financial year it is $89 million—an
increase of 345 per cent over six years. Approximately $9 million of the additional $68
million was allocated for the expansion of suburban bus route services. This vast increase
has been due to cost explosions.

As Mr Arnold pointed out, the government is committed to an expansion of the public
transport sector, especially to an expansion of bus services in the areas that are not served
by fixed rail transport. For that reason the government believes it is appropriate to allocate
the $89 million worth of taxpayers’ money by way of public tender. That will create real
competition.

This proposition has been opposed by the Bus Proprietors Association (Vic.) Inc., which
represents some but not all existing private contractors. The government has said to them
what it has said to the public: that, to achieve the best value—in terms of a competitive
return—for the $89 million, it is in the public’s interest and the interests of any contractor
who may wish to compete properly on a level playing field to put the $89 million up for
public tender.

It may not have been understood that under the current arrangements the government
pays monthly and in advance the full operating cost of the service. That includes wages,
leasing costs, maintenance of the fleet, fuel and oil, depot costs, administrative costs, lease payments on buses and a margin for profit.

Today, I received a submission from the Bus Proprietors Association that opposes putting the $89 million up for public tender because it will tend to erode the bus proprietors’ profits. That is not good enough. Of course, competition in the private sector may tend to erode profits. For the life of me, I cannot understand why a spokesperson on the Opposition side of the House wants to say that there is something wrong with open and free competition in the private sector.

As is acknowledged by the bus proprietors, for some years the government has given notice that it intended to do this. No doubt the bus proprietors are worried about their profits but to carry on an advertising campaign predicting what they want to become a self-fulfilling prophecy and orchestrating a campaign about bus chaos is hardly responsible. Similarly, their attacks on Quince’s bus services were unjustifiable slurs on the capacity of that well-established bus operator. Ironically, that operator ran bus routes in the 1950s.

There is no justification for any honourable member to make the mistake of saying that the $89 million allocation will do other than invite anyone who was interested to participate in the private sector on a level playing field.

There is no justification for any government in this State any longer to tolerate a situation where $89 million of public money—the taxpayers’ money—is allocated to the private sector in a way that assists only a defined group of people in the private sector—the incumbents—who are eligible to add to their profits in that way. What they are saying to the government is, “If you go to tender you will affect our profits, and we are not prepared to get out and compete in the marketplace”.

For that reason, the government is standing firm on this issue in the public interest, and the greater efficiency and competitiveness we get will enable us better to expand bus services in the future.

HAMILTON TECHNICAL SCHOOL

The Hon. B. A. CHAMBERLAIN (Western Province)—My question is directed to the Minister for Education, and I congratulate her on her appointment. I raise with the Minister the case of Doug Benson, a teacher from the Hamilton Technical School who has been fighting a rare form of cancer. Mr Benson has fought this disease for eighteen months and achieved a remarkable recovery.

Mr Benson has been certified as fit to teach, but has been told that his position at the Hamilton Technical School is no longer available because of an oversupply of teachers at that school. As the school regards Mr Benson as never having left but merely having been on sick leave and wants him to stay, will the Minister make arrangements to provide appropriate facilities to enable him to stay at that school?

The Hon. C. J. HOGG (Minister for Education)—It is with interest that I note that Mr Chamberlain has some concern in the very unfortunate case of Mr Benson. I join with him in being delighted that Mr Benson is able to return to duty and sorry that his return has been marred by unfortunate circumstances.

The facts, as Mr Chamberlain presented them are substantially correct: there is an oversupply of teachers at the Hamilton Technical School. As I understand it, Mr Benson is a mathematics and science teacher and there is probably an excess of 2 to 2.5 mathematics and science teachers at the Hamilton Technical School, whereas there is a shortage of one teacher in that discipline at the Hamilton High School.

I have listened to the substance of Mr Chamberlain’s question, and I shall continue tonight and tomorrow to give close attention to the circumstances of the case. The last thing that anybody in the Ministry of Education would wish to do would be to place Mr Benson in a stressful and distressing situation when his recovery has been a remarkable
one, and one that his colleagues and people who know him in that town are certainly delighted about.

I shall look carefully at the details. Mr Chamberlain will appreciate that there are difficulties when there are excess teachers at some schools and shortages at others. I shall follow up those circumstances and speak with Mr Chamberlain as soon as I have investigated the matter thoroughly.

**SUBURBAN BUS SERVICES**

The Hon. R. M. HALLAM (Western Province)—I direct a question to the Minister for Transport and congratulate him on his promotion to that portfolio. I take the position broached by Mr Arnold one step further; given that the bus proprietors are obviously strongly opposed to the concept of tendering for contract renewals, has the Minister had face-to-face discussions with the Bus Proprietors Association (Vic.) Inc.? If discussions have not been held, can the Minister explain why not, given that the government’s proposals promise absolute chaos in the public transport sector?

The Hon. J. H. KENNAN (Minister for Transport)—Those discussions were held six weeks ago, prior to the highly irresponsible action on the part of the bus proprietors in going out and promising chaos. If one is delivering a service in any sector, be it the public or private sector, and one wants to create chaos within that particular field, it is within one’s power to do so, but I regard it as highly irresponsible. Nothing could better justify our going to open public tender than the behaviour of those people.

I met them myself directly some weeks ago and reiterated the government’s position, after which they went out and used taxpayers’ money out of the profits that they have made to promise chaos. That shows their gratitude for building up those profits, yet they say, “Don’t go to public tender because it will erode our profits”.

After spending taxpayers’ money promising to visit chaos on the taxpayer, there have been further discussions at officer level. The new Director-General of Transport, Mr King, met the bus proprietors again this morning and suggested that they should behave themselves, that the government will not wilt and that it will not resile from its intention to go to open public tender.

Therefore, the matter has been made abundantly clear, just as their submission handed to me today makes clear. They have known the government’s intentions. They have met with me and the director-general. They have made what can be said are obviously handsome profits out of that system, and they are now spending those profits on a publicity campaign designed to terrorise the population and to impose chaos. If that is what they believe is the proper way to conduct the delivery of a service, I say they are irresponsible. When the public understands the facts, which will be made abundantly clear in the next few days, the government will achieve significant support on this issue.

**FLORA AND FAUNA GUARANTEE BILL**

The Hon. L. A. McARTHUR (Nunawading Province)—The Minister for Conservation, Forests and Lands has had detailed in-depth consultation on the Flora and Fauna Guarantee Bill with interest groups, farmers and all sorts of people.

The Hon. W. R. Baxter—With some help from Mr Evans!

The Hon. L. A. McARTHUR—Yes, and it was also raised in that marvellous publication *Stock and Land*, in which Heather Mitchell and other people advertise. Can the Minister inform the House of the outcome of those negotiations and say when the Bill will be introduced?

The Hon. J. E. KIRNER (Minister for Conservation, Forests and Lands)—I thank Mr McArthur for his question and obvious interest in this matter. Honourable members will
recall that the Flora and Fauna Guarantee Bill was introduced into the other House during the last sessional period. Concern was expressed by the Liberal Opposition and by the President of the Victorian Farmers Federation, Heather Mitchell, that although there had been urban consultation, perhaps there had been insufficient consultation with rural communities.

I was happy to take up the suggestion that there should be rural seminars on the Flora and Fauna Guarantee Bill. Six public seminars have been held around the State at Bendigo, Nhill, Wangaratta, Hamilton, Geelong and Sale. I spoke at four of those seminars and Barry Pullen represented me at two others. More than 550 people participated in the seminars. I am delighted to report that at least one Liberal Party member, Dick de Fegely, and one National Party member, David Evans, were present. As the opposition parties had pushed for this consultation to take place, I was amazed not to find others present, although Mr Knowles apologised for not attending.

The seminars were successful in a couple of areas: firstly, in calming the unfounded fears of the rural community, based on misinformation about the purpose of the Bill and the impact it would have on their livelihood. It was pleasing to me that all of the participants in the seminars said they would have no problems with the purpose of the Bill. However, they did suggest how the Bill could be improved. I thought their suggestions were reasonable, and over the next week I shall be writing them up as amendments and will discuss them with both organisations, the Conservation Council of Victoria and the Victorian Farmers Federation, and show them to the opposition parties.

The most important suggestion which I shall take on board includes the ability for farmers to be assured—indeed, for land-holders not necessarily farmers—that they will be part of any management plan developed for any specific critical habitat and that they would be notified when the management plan is about to be developed.

The other significant point is that there has been some concern that advice to me by a scientific advisory committee, while important in itself, was perhaps not sufficient to ensure that all practical matters were taken into account.

I am happy to take that on board and refer the listing to the Conservation Advisory Committee and to the land-holders' based Land Protection Council.

Other suggestions were made about machinery. The only other amendment that I wish to mention is the one on compensation which has been raised with me by honourable members opposite as well as at the seminars. It seems that people would be far more comfortable with appeals on compensation being handled through the Land Valuation Boards of Review rather than the Administrative Appeals Tribunal, as the boards seem to be more appropriate in those matters.

I will discuss these propositions with honourable members and with representatives of the various organisations. I look forward to the further development of the Bill.

**DIELDRIN SPRAYING**

The Hon. R. S. de FEGELY (Ballarat Province)—My question is directed to the Minister for Agriculture and Rural Affairs. In view of the government’s banning of the chemical dieldrin and the continuing problems that this chemical is causing through residues in livestock and soil on farming properties, why is the Department of Agriculture and Rural Affairs still advocating the use of dieldrin for termites in housing and buildings in country areas? What research has the Minister for Agriculture and Rural Affairs set in place to find an alternative chemical to take the place of dieldrin for the control of these pests?

The Hon. E. H. WALKER (Minister for Agriculture and Rural Affairs)—I would be very surprised if my departmental officers were giving advice, for example, as to spraying under a slab in a house, or advice that ought to come from a building specialist or surveyor from local government or from the Ministry of Planning and Environment, which has
control of the Building Control Act. I am not denying that advice may have been given on occasions, perhaps to do with a fence post.

The Hon. R. S. de Fegely—they are still giving it; you ring up an officer and ask!

The Hon. E. H. WALKER—On 1 August last, as honourable members will remember, all DDT and dieldrin for agricultural use was banned. If there is any evidence that an officer of my department is advising the use of dieldrin products for agricultural usage, I must be advised immediately, because that is entirely improper.

The Hon. R. S. de Fegely—I said, for termites in buildings.

The Hon. E. H. WALKER—If advice is being given for the legal use of dieldrin for termite control, that is another matter. It is not considered to be agricultural use when it is within a building, under a slab or, in some cases, in a shed.

The Hon. R. S. de Fegely—What about research?

The Hon. E. H. WALKER—There is a need to look at building uses—I continue to call them "building uses"—of dieldrin. That is not a direct responsibility of the Department of Agriculture and Rural Affairs but a government responsibility.

I accept that my colleague, the Minister for Planning and Environment in another place, has responsibility for the Building Control Act and should be advising me on alternatives for any use of dieldrin that remains in the building industry. Some uses still remain, and are legal and legitimate.

The question was: are there alternatives? I am not sure, but I will investigate the matter.

KOSCIUSKO NATIONAL PARK FIRES

The Hon. D. M. EVANS (North Eastern Province)—I address a question to the Minister for Conservation, Forests and Lands and refer to the fire that occurred in the Kosciusko National Park during the summer and endangered the Tingaringy area. In view of the very predictable risk of such an event happening, as has happened previously, were any plans for a fuel reduction burn or firebreak or similar protection prepared by the Department of Conservation, Forests and Lands? If not, why not? If so, why were those plans not implemented to save the State many hundreds of thousands of dollars?

The Hon. J. E. KIRNER (Minister for Conservation, Forests and Lands)—I thank Mr Evans for the question, because I should like to take this opportunity of congratulating officers of my department, particularly those of the Orbost region, for the way in which they handled the Kosciusko National Park fire.

The situation highlighted some differences in the way in which my department handles fire compared with the way it is handled by non-integrated departments in New South Wales. The Victorian department was quite concerned about the extent to which the fire was allowed to burn before coordinated action was taken. The matter was then taken up with the New South Wales department, and an agreed position was finally reached on the way in which the fire should be tackled.

The effort that my department put into containing the fire, which was mostly on the other side of the border—although there was a small part that came across to the Victorian side—was quite remarkable. It demonstrated that the Victorian department's methods of containing fires were most successful indeed.

In terms of fuel reduction burning, the east Gippsland region completed a successful series of fuel reduction burnings in the spring. Fuel reduction burning was most useful in ensuring that fires in the east Gippsland region that could have flared up—I am not talking about the Kosciusko fire but about other fires—and which could have been serious were, in fact, contained.
However, I believe some of the nonsense that National Party members talk about parks being a problem in terms of fires should really be put to rest. Very few fires come out of national parks into private land.

The majority of fires that spread onto private land come from private land or are fires caused by lightning. Some 60 per cent of fires in Victoria are caused by lightning; 20 per cent come from private land; and approximately 7 per cent come from any kind of public land or park area. The remaining small percentage represents fires resulting from arson.

If honourable members are to be serious about fuel reduction burning and proper management of fire suppression, Mr Evans should give credit where credit is due and cease spreading misinformation about where fires actually begin.

**MATHEMATICS AND SCIENCE TEACHER SHORTAGES**

_The Hon. M. A. LYSTER (Chelsea Province)—_ There have been expressions of praise and congratulations tonight, and I should like also to give praise and congratulations in my question to the Minister for Education and formally place on record the expressions of support for her appointment that have been made to my electorate office from parents, teachers and students.

The question that I ask the Minister is perennial at this stage of the school year, and it relates to shortages or possible shortages of mathematics and science teachers. I ask the Minister whether there is a shortage of those teachers in 1988; if there is, where those shortages have occurred; and, if there is a shortage, what steps the Minister is taking to address the situation.

_Honourable members interjecting._

_The PRESIDENT—_Order! There is far too much disorder and too much after-dinner conversation. It is difficult for the Minister to answer the question in those circumstances.

_The Hon. C. J. HOGG (Minister for Education)—_ I thank Mrs Lyster for her remarks and for her question. I suspect she is right, that it is a perennial question at this time of year. The figures, although certainly not perfect at this time—unfortunately—are definitely an improvement on last year.

When talking about mathematics and science teacher vacancies, one would have to say that the figures for 1988 are far better than those for last year. At this time last year there were a total of 203 vacancies for mathematics and science teachers, 142 in the metropolitan area and 61 in country Victoria. This year, the total number of vacancies is 93, of which 63 are in the metropolitan area and 30 in country Victoria. I hope that, by this time next year, the number of vacancies will be significantly reduced from 93.

A number of the steps that have been taken by the Ministry of Education are beginning to work. For years there have been newspaper reports about the number of maths/science teacher vacancies in almost every region. I hope that, by term 2, or perhaps halfway through term 2, I shall be able to report to the House that the figure has been even further reduced.

Several of the actions that have been taken have begun to make a difference to the number of vacancies. The first program has been the sponsored country teaching rounds program, which has given student teachers a chance to find out what it is like doing teaching rounds in a country high or post-primary school. It is often the final placement that is extremely attractive to students when they are putting their names down for jobs. It is a good strategy that will continue to be used.

A course has been conducted at the Victoria College, Hawthorn campus, for several years, which has offered special training opportunities to people who have wanted to become maths/science teachers and, each year, approximately 30 to 40 people have been
trained at the institute. Emphasis has been placed on young primary teachers who have wanted to upgrade their academic and teaching qualifications to become secondary maths/science teachers. That scheme is now beginning to work.

Non-bonded studentships have been provided for graduates to complete a Diploma of Education and most Diploma of Education placements have been completed in country areas. That scheme is also beginning to work.

The final step I mention is that a number of currently employed teachers have had the opportunity of taking study leave to upgrade their teaching qualifications, such as their maths/science qualifications or perhaps computer science qualifications, so that they will be able to take up jobs where they are needed.

Although I admit that the figures are not perfect, we are moving solidly and perhaps much more quickly than people imagined in the right direction. The issue of maths/science teaching is of crucial importance not only in this State but also nationally. All the steps I have explained add up to the right kind of pattern.

**LICENCES FOR PROCESSING LOGS**

**The Hon. M. T. TEHAN** (Central Highlands Province)—I direct a question to the Minister for Conservation, Forests and Lands. The *Snowy River Mail*, a newspaper circulating in east Gippsland, of 10 February 1988, reported the granting of new licences for processing of surplus D-grade logs in east Gippsland. Were tenders called for those licences in accordance with a memorandum dated 4 June 1987 from the Department of Conservation, Forests and Lands, Orbost; if not, what was the selection process for the granting of those licences?

**The Hon. J. E. KIRNER** (Minister for Conservation, Forests and Lands)—I am pleased to welcome the question by the new shadow Minister for Conservation, Forests and Lands, Mrs Tehan. I am delighted to have her as the shadow Minister, for more reasons than one: it certainly makes a considerable improvement to the line-up of the Opposition front bench. She finally succeeded in having Mr Reid shifted, which is something the Minister for Transport has been trying to do for some time!

The issuing of licences for D-grade logs is an important issue. The reason why the department has had to ensure that D-grade logs are used in the timber industry is that many people would have been out of work because of the reduction in the sustainable yield and the reduction in the availability of A-grade and B-grade logs, which are the better quality logs. D-grade logs are now part of the allocations to a number of millers. In the past, those logs were called optional logs.

Sawmillers had the logs in their coupes, and they would decide whether they took them or not. That is no longer the situation within the timber industry. Sawmillers receive allocations of logs, which now include D-grade logs.

**The Hon. M. T. Tehan**—They are surplus logs.

**The Hon. J. E. KIRNER**—They are not surplus logs. Two millers asked for the supply of D-grade logs. I understand Mr Long has undertaken some investigations on this issue in east Gippsland. The first miller was Mr Humphries, who is well known to members of the Liberal Party. He has been a long-time sawmiller in east Gippsland with Mr Ladner. They have taken the opportunity of installing new machinery to maximise the use of the logs.

The other miller who has agreed to do so is Mr Andrews, whose mill is at Newmerella in east Gippsland. Both millers are doing what the government wants the timber industry to do—that is, to make the best use of their logs. There has been an interesting ploy by some people who wish to keep the timber industry under the control of those who have always controlled it in east Gippsland. Those people want to keep Mr Andrews out of the area.
I am surprised that the honourable member for Central Highlands Province should suggest that the government should not have made a proper allocation of logs available to the persons who wished to make the best use of wood in east Gippsland—Mr Humphries, Mr Ladner, and Mr Andrews.

SALE OF SITES AT LYNCH'S BRIDGE

The Hon. B. T. PULLEN (Melbourne Province)—My question is directed to the Minister for Agriculture and Rural Affairs in his capacity as the Minister responsible for major projects; the question concerns the housing development at Lynch's Bridge in Flemington. I understand a number of building blocks are to be sold at what appears to be a relatively high price, given the government's announced policy to have a development at Lynch's Bridge that is compatible with the surrounding community. I take it that the policy is to have a balance of different house prices and lots, because that is the type of surrounding community that exists in Flemington. Will the Minister explain how those sales will fit into the overall concept of the site?

The Hon. E. H. WALKER (Minister for Agriculture and Rural Affairs)—The first stage of the important development at Lynch's Bridge, which every honourable member knows about, was released by me a day or two ago on behalf of the government. Selected builders are being asked to submit architectural sketch plans for the 29 single-residence sites and the two multi-unit sites in the first stage.

Stage 1 represents about 20 per cent of the total land sales that the government expects overall. Builders will be asked to submit sketch plans for seven blocks that will be sold for a fixed price.

By this means the major projects unit will ensure that the new homes are built to a high standard of design sympathetic to existing homes in the area. It is an important issue, which is a result of consultation over the years with the local community. All blocks in stage 1 are expected to be fully serviced by the end of March.

In response to the specific question asked by Mr Pullen, building blocks suitable for single houses range in price from $63,600 to $84,000 for large corner blocks. The two multi-unit blocks on Epsom Road are priced at $120,000 and $252,000. The prices reflect the market value in the area for fully serviced land close to the city. They are not high by comparison with the prices of similar blocks elsewhere.

Approximately 20 per cent of the houses in the saleyards subdivision will be sold to the Ministry of Housing and Construction for use by the Ministry for what might be called social housing. In other words, 20 per cent of the development will be purchased back by the Ministry and made available for people on the Ministry's waiting list. Taking the whole development into account, including the Angliss development, more than 50 per cent of the site will be handled by the Ministry of Housing and Construction. Part of the site will be developed by private enterprise and then purchased by the government.

I do not think the prices are out of hand. The government has catered for the needs of local people by making a high proportion of the houses available for those on the Ministry of Housing and Construction's waiting list.

QUESTIONS ON NOTICE

Suspension of Standing Orders

The Hon. E. H. WALKER (Minister for Agriculture and Rural Affairs)—By leave, I move:

That so much of the Standing Orders as require answers to questions on notice to be delivered verbally in the House be suspended for the sitting of the Council this day.

The motion was agreed to.
PERSONAL EXPLANATION

The Hon. J. L. DIXON (Boronia Province) (By leave)—I wish to make a personal explanation relating to an article in the Age of Saturday, 5 March this year. The article is relevant to debate in this place because it refers to a Bill that is currently listed on the Notice Paper for this House.

In his article the journalist, Mr Tony Burchill, constantly describes the Bill as the “Euthanasia Bill”. I have never believed that it was a euthanasia Bill, and I did not state to him that it was a euthanasia Bill. I find the article both offensive and misleading. In the several discussions I had with Mr Burchill I said to him that is was a Bill about the refusal of medical treatment and not a Bill about euthanasia.

The subheading implies that doctors in the survey supported euthanasia—“Majority found to be in favour, says MP”. That refers to a survey conducted by a group at Monash University about which I know very little.

The article states that I said that members of the committee were told that the doctors were in favour of euthanasia. I do not know if the majority of doctors were in favour of euthanasia or not.

The journalist has been misleading in what he has written. He has damaged the debate. He has damaged my credibility, the credibility of the people who have worked on the Bill, and the credibility of the members of the Social Development Committee who worked on the inquiry into options for dying with dignity.

CORRECTION OF BILLS

The Hon. E. H. WALKER (Minister for Agriculture and Rural Affairs)—By leave, I move:

That, where a Bill has passed through both Houses and any title of the Bill includes a reference to a calendar year earlier than that in which passage of a Bill was completed, the Clerk of the Parliaments be empowered to alter the calendar year reference in the Bill title and any corresponding reference within the Bill itself to accord with the year in which its passage was completed.

Honourable members will be aware that there are still current, in the Houses, several Bills that were introduced in a previous calendar year.

Any of those Bills which is passed into law from now on will require adjustment so that the year expressed in the title reflects the year of enactment.

By this motion, the Clerk of the Parliaments will be empowered to effect those minor changes prior to presenting Bills for Royal Assent and so relieve the Houses of passing purely formal amendments and exchanging messages on that account.

A similar motion has been agreed to in another place. It is a normal motion for this time of the year and I commend it to the House.

The motion was agreed to.

SOCIAL DEVELOPMENT COMMITTEE

The Hon. E. H. WALKER (Minister for Agriculture and Rural Affairs)—By leave, I move:

That the Honourable R. I. Knowles be discharged from attendance upon the Social Development Committee, and that the Honourable R. S. de Fegely be added to that committee.

The motion was agreed to.
PUBLIC BODIES REVIEW COMMITTEE

The Hon. E. H. WALKER (Minister for Agriculture and Rural Affairs)—By leave, I move:

That the Honourable M. J. Sandon be discharged from attendance upon the Public Bodies Review Committee, and that the Honourable M. A. Lyster be added to that committee.

The motion was agreed to.

PETITION
Sporting shooters' rights

The Hon. N. B. REID (Bendigo Province) presented a petition from certain citizens of Victoria praying that, in any reform of the firearms laws, the rights of the many thousands of law-abiding and genuine sporting shooters be recognised and protected. He stated that the petition was respectfully worded, in order, and bore 41 signatures.

It was ordered that the petition be laid on the table.

BLF CUSTODIAN

The Hon. E. H. WALKER (Minister for Agriculture and Rural Affairs)—By leave, I move:

That there be laid before this House copies of reports No. 1 dated 30 November 1987 and No. 2 dated 28 February 1988 given to Mr President, pursuant to section 7A of the BLF (De-recognition) Act 1985, by the custodian appointed under section 7 (1) of that Act.

The motion was agreed to.

The Hon. E. H. WALKER (Minister for Agriculture and Rural Affairs) presented copies of the reports in compliance with the foregoing order.

It was ordered that the reports be laid on the table.

ADMINISTRATIVE ARRANGEMENTS

The Hon. E. H. WALKER (Minister for Agriculture and Rural Affairs)—By leave, I move:

That there be laid before this House copies of Administrative Arrangement Orders Nos 55 to 57 made pursuant to the Administrative Arrangements Act 1983.

The motion was agreed to.

The Hon. E. H. WALKER (Minister for Agriculture and Rural Affairs) presented the orders in compliance with the foregoing order.

It was ordered that the orders be laid on the table.

COAL MINERS' ACCIDENTS RELIEF BOARD

The Hon. D. R. WHITE (Minister for Health)—By leave, I move:

That there be laid before this House a copy of the report of the Victorian Coal Miners' Accidents Relief Board for the year 1986–87.

The motion was agreed to.

The Hon. D. R. WHITE (Minister for Health) presented the report in compliance with the foregoing order.

It was ordered that the report be laid on the table.
The Hon. HADDON STOREY (East Yarra Province) presented the Eleventh Report from the Legal and Constitutional Committee on Subordinate Legislation, Statutory Rules 266 and 275 of 1987, together with appendices, extracts from the proceedings of the committee and subcommittee and a minority report.

The Hon. HADDON STOREY (East Yarra Province)—I move:

That they be laid on the table and be printed.

In support of the motion I indicate that this is an important report dealing with two regulations which the majority of the committee were of the view should be disallowed. Earlier I gave notice to disallow those regulations.

The committee also recommended that the regulations be suspended so that they would not come into operation pending the time between the making of the committee's report and the sitting of Parliament. I regret to say that the government did not accept that the regulations should be suspended, withdrew the Order in Council and took procedures available to the government to prevent the regulations from being suspended.

So, if the regulations come into operation, it is important that honourable members read the report and understand the reasons given by the majority of the committee for its views. It is an all-party committee and members of all parties agreed with the majority report. I commend the report to the House and look forward to the opportunity of debating the provisions in the report.

The motion was agreed to.

On the motion of the Hon. HADDON STOREY (East Yarra Province), it was ordered that the report be taken into consideration on the next day of meeting.

PAPERS

The following papers, pursuant to the directions of several Acts of Parliament, were laid on the table by the Clerk:

Annual Reporting Act 1983—Treasury’s advice of exemptions granted to departments from the Annual Reporting (Administrative Units) Regulations 1985 and exemptions granted to public bodies from the Annual Reporting (Business Undertakings) Regulations 1984.
Arts Centre Trust—Report and statement of accounts for the year 1986-87.
Coal Mine Workers’ Pensions Tribunal (Victoria)—Statement of accounts for the year 1986-87.
Emergency Services Superannuation Board—Report and financial statements for the period ended 30 June 1987.
Geelong and District Water Board—Accounts and statements for the year 1986-87.
Geelong Performing Arts Centre Trust—Report and accounts for the year 1986-87.
Hospitals Superannuation Board—Report and financial statements for the year 1986-87.
Labour Department—Report and financial statements for the year 1986-87.
Land Conservation Council—Final recommendations to the Minister regarding the Latrobe Valley.
La Trobe University—Report of the Council, together with statutes approved by the Governor in Council, for the year 1986 (ten papers).


Melbourne and Metropolitan Board of Works Superannuation Scheme—Report and financial statements for the year 1986–87.

Melbourne University—Report of the Council, together with statutes and regulations allowed by His Excellency the Governor for the year 1986 (ten papers).


Patriotic Funds Council—Report and accounts for the year 1986.


Police Service Board—

Determinations Nos 481 to 492.

Determinations Nos 7 and 8 for Police Recruits.

Determination No. 1 for Protective Services Officers.

Determinations Nos 7 and 8 for the Retired Police Reserve.


Prevention of Cruelty to Animals Act 1986—

Code of Practice relating to the Welfare of Horses.

Guidelines for the First-Aid and Short-Term Care of Wild Animals and for the Killing and Emergency Euthanasia of Wild Animals, incorporated in the Code of Practice relating to the Use of Small Steel-jawed Traps.

Road Safety Act 1986—

Order in Council under section 3—"Motor Vehicles declared not to be Motor Vehicles" (Gazette s. 15, 1 March 1988, Instrument 1).

Notice of Standards required for Registration of Motor Vehicles and Trailers made pursuant to section 10 (Government Gazette S.15, 1 March 1988, Instrument 2), together with copies of the following documents, as required by section 32 of the Interpretation of Legislation Act 1984 to accompany the notice.


Australian Design Rules for Motor Vehicles and Trailers (Third Edition)—1, 2, 3, 4, 5, 6, 7, 8, 10, 10/01, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 28, 29, 30, 31, 33, 35, 36, 37, 38, 39, 41, 42, 43, 43/01, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 57, 58, 60.

AUSTRALIAN STANDARDS

AS R1–1965 Safety Glass for Land Transport

AS R1–1968 Safety Glass for Land Transport

AS CC1 Part 1–1969 SAA Wiring Rules (as amended)

AS CB2–1960 SAA Crane and Hoist Code

AS CB4–1969 SAA Gas Cylinders Code (as amended)
Seven Pin Electrical Connectors for Vehicle-Trailer Jumper Cables
Hose Couplings for Use with Vacuum and Air Pressure Braking Systems on Prime Movers, Trailers and Semi-trailers
Fire Precautions in Arc or Flame Cutting and Arc or Gas Welding Operations
Code for Gas Cylinder Test Stations (as amended)
Tube Fittings with Dry Seal American Standard Taper Pipe and Unified Threads for Automotive and Industrial Use
New Pneumatic Passenger Car Tyres
Seat Belt Assemblies for Motor Vehicles
Portable Warning Signs for Motor Vehicles
Sound Level Meters Type 2—Precision
Child Restraining Devices and Seat-restraining Devices, Accessory Type, in Passenger Cars
Webbing for Restraining Devices for Occupants of Motor Vehicles
Dry Chemical Type Portable Fire Extinguishers (as amended)
ISO Metric Hexagon Precision Bolts and Screws
SAA Code for the Use of LP Gas in Internal Combustion Engines
SAA Automotive LP Gas Code (as amended)
Copper Tubes for Water, Gas and Sanitation
Seamless Copper and Copper Alloy Tubes for General Engineering Purposes
Methods for Measurements of Textile Fabrics (as amended)
SAA LP Gas Code (as amended)
Fire Precautions in Cutting, Heating and Welding Operations
Protective Helmets for Vehicle Users
Protective Helmets for Vehicle Users
Description and Use of Elemental Traffic Control Devices
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Fifth Wheel and Turntable Assemblies (as amended)
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Hose and Hose Assemblies for Liquefied Petroleum Gases (LPG), Natural Gas and Town Gas
Safety Chains for Trailers and Caravans
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### GOVERNMENT GAZETTE

Extract from *Government Gazette* No. 76, 17 September 1986, page 3570, Exemptions from fitting of Seat Belts

Extract from *Government Gazette* No. 80, 1 October 1986, page 3813, Exemptions from fitting of Seat Belts

Extract from *Government Gazette* No. 86, 15 October 1986, pages 3966-8, Notice of Approval to fit Rear Marking Plates

Extract from *Government Gazette* No. 107, 18 December 1968, page 4089, Exemptions from fitting of Seat Belts

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Statutory Instruments (Gazette S. 15, March 1988)
Approval under regulation 1205 (1) of the Road Safety (Traffic) Regulations 1988—“Portable Warning Devices” (Instrument No. 3)
Approval under regulation 1206 (1) of the Road Safety (Traffic) Regulations 1988—“Reflectors on Bicycles” (Instrument No. 4)
Approval under regulation 1207 of the Road Safety (Traffic) Regulations 1988—“Reflectors on Animal-drawn Vehicles” (Instrument No. 5)
Approval under regulation 1501 of the Road Safety (Traffic) Regulations 1988—“Approved Child Restraints” (Instrument No. 6)
Approval under regulation 105 of the Road Safety (Vehicles) Regulations 1988—“Load Sharing Suspensions” (Instrument No. 8)
Approval under regulation 801 (1) of the Road Safety (Vehicles) Regulations 1988—“Approved Modifications” (Instrument No. 11)
Approval under regulation 821 of the Road Safety (Vehicles) Regulations 1988—“Number Plate Covers—Temporary Approval” (Instrument No. 12)

(Certain of the above Statutory Instruments refer to documents attached to the Notice of Standards required for Registration of Motor Vehicles and Trailers (Document No.2).

Statutory Rule No. 28/1988, together with copies of the following documents, which by section 32 of the Interpretation of Legislation Act 1984 are also required to be laid upon the Table:
Paragraph 4 1.155 of the Victoria Police Manual 1986
Commonwealth National Instrument Act 1960
Speed Camera IDMS—SAC/1 Manufactures Circuit Design
Digerector DG2 Series Manufactures Circuit Design
Kustom HR4, Kustom Falcon and Muni-Quip MDR 1 Track Radar Manufactures Circuit Design
Guidelines for Weighing of Vehicles 1987
National Association of Australian State Road Authorities Extract from the Commonwealth Repatriation Regulations—regulation 104
Testing Specifications of Dynamic Axle Weigher
Victoria Police Speed Camera Detector Switch Approval

Statutory Rule No. 29/1988 together with copies of the following documents, which by section 32 of the Interpretation of Legislation Act 1984 are also required to be laid upon the Table:
(a) Proposals for Magistrates’ Courts Civil Procedure Rules 1987
Commonwealth Interstate Road Transport Act 1985
Commonwealth Interstate Road Transport Regulations 1986 (as amended)
Commonwealth Veterans Entitlements Act 1986 (as amended)

Extract from the Commonwealth Repatriation Regulations—regulation 104

(b) Certain documents referred to in the Notice of Standards required for registration of Motor Vehicles and trailers made pursuant to s. 10 of the Road Safety Act 1986 dated 1 March 1988 as listed and attached to the Notice. (Instrument No. 2)

(c) Statutory Instruments (Gazette s. 15, 1 March 1988):

Determination under regulation 628 of the Road Safety (Vehicles) Regulations 1988—"Exemption of Certain Vehicles from Certificates of Roadworthiness" (Instrument No. 9)

Notice under regulation 724 of the Road Safety (Vehicles) Regulations 1988—"General Mass and Dimension Permits" (Instrument No. 10) together with the following Australian Standards

AS 1744–1975 Standard Alphabets for Road Signs

Notice under regulation 1101 of the Road Safety (Vehicles) Regulations 1988—"Prohibition on Sale of Certain Equipment" (Instrument No. 133) together with certain documents attached to the Notice of Standards required for Registration of Motor Vehicles and Trailers (Document No. 2)

Notice under regulation 715 of the Road Safety (Vehicles) Regulations 1988—"Height Limit on Certain Highways" (Instrument No. 14)

(d) Instrument Nos. 7, 8, 11 and 12 previously tabled in Statutory Instruments under the Road Safety Act 1986 (Gazette s. 15, 1 March 1988).

Statutory Rule No. 30/1988, together with copies of the following documents, which by section 32 of the Interpretation of Legislation Act 1984 are also required to be laid upon the Table:

(a) Certain documents referred to in Notice of Standards required for registration of Motor Vehicles and trailers made pursuant to s. 10 of the Road Safety Act 1986 dated 1 March 1988 as listed and attached to the Notice.

(b) Instruments Nos 3, 4, 5, 6 and 7 referred to previously in Statutory Instruments under the Road Safety Act 1986 (Gazette s. 15, 1 March 1988).


Statutory Rules under the following Acts of Parliament:


Dangerous Goods Act 1985—No. 369/1987, together with copies of the following documents, which by section 32 of the Interpretation of Legislation Act 1984 are also required to be laid upon the Table:
Australian Code for the Transport of Dangerous Goods by Road and Rail (Commonwealth of Australia Gazette No. P. 15, 7 April 1987)
AS 1563—1974 General Purpose Freight Containers (International Sizes)
AS 1727—1975 Tank Containers (International Sizes)
AS 2430.1—1987 Classification of Hazardous Areas Part 1—Explosive Gas Atmospheres
AS 2809.1—1985 Road Tank Vehicles for Dangerous Goods Part 1—General Requirements
AS 2809.2—1985 Road Tank Vehicles for Dangerous Goods Part 2—Tankers for Inflammable Liquids
AS 2809.3—1985 Road Tank Vehicles for Dangerous Goods Part 3—Tankers for Compressed Liquefiable Gases
No. 370/1987, together with copies of the following documents, which by section 32 of the Interpretation of Legislation Act 1984 are also required to be laid upon the Table:
AS 1727—1975 Tank Containers (International Sizes)
AS 1942—1984 Refrigerant Gas Cylinder Identification
AS 1943—1984 Industrial Gas Cylinder Identification
AS 1944—1984 Medical Gas Cylinder Identification
SAA Miscellaneous Publication MP48—1984 Approved Gas Cylinder Test Stations.
Environment Protection Act 1970—No. 293/1987, together with a copy of the following documents, which by section 32 of the Interpretation of Legislation Act 1984 are also required to be laid upon the Table:
AS 1259—1982 Sound Level Meters.
AS 1861—1981 Refrigerated Room Air Conditioners.
Automation Environment Council Technical Basis for the Regulation of Noise Labelling of New Air Conditioners in Australia.
No. 399/1987; and Nos 36 to 38/1988.
Latrobe Valley Act 1958—No. 39/1988, together with a copy of the Public Service Determinations 1985, which by section 32 of the Interpretation of Legislation Act 1984 is also required to be laid upon the Table.
[And see pages 2 to 13 for Statutory Rules Nos 28 to 30/1988 under “Road Safety Act 1986” in general alphabetical sequence.]
State Electricity Commission Act 1958—No. 397/1987, together with a copy of the Code of Practice for Tree Clearing, which by section 32 of the Interpretation of Legislation Act 1984 is also required to be laid upon the Table.
Supreme Court Act 1986—
No. 380/1987, together with copies of Determination 7.1 and Table 6 of Appendix E of the Public Service Determinations 1985, which by section 32 of the Interpretation of Legislation Act 1984 are also required to be laid upon the Table;
No. 15/1988;
No. 17/1988, together with a copy of section 196A of the Commonwealth Income Tax Assessment Act 1936–1973, which by section 32 of the Interpretation of Legislation Act 1984 is also required to be laid upon the Table.
Weights and Measures Act 1958—No. 6/1988, together with a copy of Schedules 31 and 32 of the Commonwealth National Measurement Regulations, which by section 32 of the Interpretation of Legislation Act 1984 are also required to be laid upon the Table.
Town and Country Planning Act 1961—
Bacchus Marsh Planning Scheme—Amendments No. 40, Part 1; and No. 43, Part 1.
Bairnsdale—Town of Bairnsdale Planning Scheme—Amendment No. 71.
Ballarat—City of Ballarat Planning Scheme—Amendments Nos 94, 99 and 102.
Ballarat—Shire of Ballarat Planning Scheme 1987 (with maps).
Bass—Shire of Bass Planning Scheme—Amendment No. 41.
Benalla—City of Benalla Planning Scheme—Amendment No. 48.
Buninyong—Shire of Buninyong Planning Scheme 1987 (with maps).
Eaglehawk—Borough of Eaglehawk Planning Scheme—Amendment No. 8.
Euroa—Shire of Euroa Planning Scheme 1984—Amendment No. 1.
Geelong Regional Planning Scheme—Amendments No. 157; No. 161, 1986; No. 175, 1987; No. 176, 1987; No. 183, 1987; No. 192, 1987; and No. 198, 1987.
Grenville—Shire of Grenville Planning Scheme 1987 (with 15 maps).
Hamilton—City of Hamilton Planning Scheme—Amendment No. 30.
Hastings—Shire of Hastings Planning Scheme—Amendments Nos 30A and 34A.
Korumburra—Shire of Korumburra Planning Scheme—Amendment No. 37, 1986.
Lillydale—Shire of Lillydale Planning Scheme 1958—Amendments Nos 179, 220 and 237.
Melbourne Metropolitan Planning Scheme—Amendments No. 166, Part 2 (with maps); No. 363 (with 16 maps); No. 371 (with six maps); No. 379, Part 2 (with maps); No. 400; No. 428, Part 2 (with maps); No. 428, Part 3 (with maps); No. 430, Part 1 (with maps); No. 433, Part 1 (with maps); No. 463 (with map); No. 481 (with maps); No. 490 (with maps); No. 492 (with maps); No. 493 (with maps); No. 494 (with 3 maps); No. 505; No. 506; No. 507; No. 511 (with maps); No. 513; and No. 515.
Moe—City of Moe Planning Scheme 1966—Amendments No. 97, 1986; No. 98, Part 1; No. 98, Part 2; and No. 100.
Myrtleford—Shire of Myrtleford (Myrtleford Township) Planning Scheme—Amendment No. 17.
Pakenham—Shire of Pakenham Planning Scheme Part 1—Amendments Nos 51 and 57.
Phillip Island Planning Scheme—Amendment No. 22A.
Shepparton—
City of Shepparton Planning Scheme—Amendment No. 118.
Shire of Shepparton Planning Scheme 1983—Amendment No. 6, 1986.
Traralgon—City of Traralgon Planning Scheme 1957—Amendments Nos 72 and 84.
Warrnambool—City of Warrnambool Planning Scheme—Amendments Nos 22 and 24.

Proclamations of His Excellency the Governor in Council fixing operative dates in respect of the following Acts:
Adoption Act 1984—Sections 3 (1), 3 (3) to 3 (7), 6 to 8, 65 to 67, 69 to 78, 80, 81, 105 to 111, 114 to 129, Parts II and III and the Schedule—16 November 1987 (Gazette No. G.42, 28 October 1987).

Adoption (Amendment) Act 1987—Sections 1 to 7 and 9 to 13—22 December 1987 (Gazette No. S.59, 22 December 1987).


Crimes (Amendment) Act 1987—Sections 1, 2, 3, 5, 6 and 7—6 December 1987 (Gazette No. G. 47, 2 December 1987).


National Parks (Amendment) Act 1987—Section 4 (5)—27 November 1987 (Gazette No. G. 45, 18 November 1987); Section 4 (7)—17 December 1987 (Gazette No. G. 47, 2 December 1987; Sections 4 (9), 5 (1) and 5 (2)—17 December 1987 (Gazette No. G. 49, 16 December 1987).


Road Safety Act 1986—Sections 34 to 46, 59 (1) (c) and (d), 59 (6), (7) and (8), 76 (1), 85 to 90, 98, 99, 103 (4) and (5), Item 12 of Schedule 3 and Items 20.2, 20.3, 28.1, 28.4, 28.13 (a), 28.13 (d), 28.13 (A), 28.14,
On the motion of the Hon. HADDON STOREY (East Yarra Province), it was ordered that the reports and financial statements tabled by the Clerk be taken into consideration on the next day of meeting.

CORRECTIONS (REMISSION) BILL

This Bill was received from the Assembly and, on the motion of the Hon. J. E. KIRNER (Minister for Conservation, Forests and Lands), was read a first time.

The Hon. J. E. KIRNER (Minister for Conservation, Forests and Lands)—I move:
That this Bill be now read a second time.

The purpose of the Bill is to remedy a drafting error in the remissions calculation provisions of the Corrections Regulations 1988.

The Corrections Act 1986 was recently proclaimed on 1 March 1988. The Act consolidated the law relating to adult correctional administration in this State. The Act provides a comprehensive legislative framework to ensure the effective management and security of prisons and the welfare of prisoners. Section 60 of the Act provides that every prisoner is entitled to remission on sentences of imprisonment.

Section 112 (1) (r) provides regulating powers concerning the administration of remissions. Regulation 97 (4) of the Corrections Regulations 1988 contains a formula for calculating remissions for prisoners undergoing a sentence of imprisonment at the time the new regulations came into force.

There is an error contained in the formula. The reference in B of regulation 97D should be a reference to regulation 97DA. The effect of the error is that those persons to whom the regulation applies will receive a significantly greater remission than they would otherwise have done.

On 8 March 1988 the Governor in Council approved the making of a new regulation to amend the reference to regulation 97D to read 97DA. This regulation, however, cannot be made retrospective.
Regulation 97 (4) is expressed to entitle persons to whom it applies to a remission, the period of which is ascertained by the application of the formula specified. Regulation 97 (4) (b) provides that the entitlement must be credited at the date of the commencement of regulation 97 (4), which came into operation on 1 March 1988.

Regulation 97 is expressed to apply only to persons in respect of whom a sentence of imprisonment had been imposed before the commencement of the regulation. It has no application to a person who has been sentenced since its coming into operation. In effect, regulation 97 (4) confers rights of remission of sentence on prisoners. Those rights were to be credited at the commencement of regulation 97; that is, the first moment of 1 March 1988. In other words, regulation 97 (4) conferred rights at the time it commenced to operate and will confer no further rights thereafter.

This Bill will remedy the error in terms of giving to prisoners rights which were not intended. The alteration of the formula will return the level of remissions to that originally intended when the Corrections Regulations 1988 were being drafted and will be consistent with the regulatory impact statement.

I commend the Bill to the House.

The Hon. B. A. CHAMBERLAIN (Western Province)—The Opposition is happy to support the measure. It was approached by the government this afternoon with the indication that, unless this action were taken, there would be chaos in the prison system because many prisoners would be entitled to remissions way beyond what anyone expected their entitlements to be.

The Hon. A. J. Hunt—More than the length of the sentence, in one case!

The Hon. B. A. CHAMBERLAIN—That is right. In the sense of the number of letters it contains, the Bill is quite minute, but its ramifications are enormous. Anyone can make an error; the Opposition is not pointing the finger at anyone. However, the implications are so drastic that this remedial action is necessary.

In saying it supports the measure, the Opposition should recall that the remission system generally is a matter of much adverse public comment and unease. Both Mr Baxter and I have expressed concern on that subject in the past.

The concept of remissions which are automatically accrued when someone walks into a prison needs to be considered again. We must examine a system whereby remissions are earned before they are credited. It is interesting to note that recent work by the Australian Law Reform Commission is making that very point—that it is perhaps better to take more account of the expression of the judges of what a minimum term should be, even if that means reducing the nominal maximum sentence, rather than having a situation where the public loses confidence in the sentencing system.

I reiterate that there is great unease in the Victorian community about sentencing. The Liberal Party flagged that matter in its law and order policy which it made public last year and it will have more to say on it. Be that as it may, the Opposition is not prepared to have remissions over and above what is generally accepted by some people as their entitlement, particularly of the massive proportions allowed in the regulations. For that reason, the Opposition supports the Bill.

The Hon. W. R. BAXTER (North Eastern Province)—The National Party has no option but to support this measure which might be called an emergency measure. It is clear that an error was made in the regulations promulgated on 1 March by leaving out the letter "A" from the description of regulations. It is ironic that what would appear to be a minor oversight is having such a drastic effect.

As the Leader of the Opposition said, everyone is capable of making mistakes. It is possible to accept that an error has been made on this occasion. There is intense embarrassment in the Office of Corrections and I am quite sure the officer who actually made the error is similarly embarrassed and contrite about the error.
If is fair to say that perhaps a coincidence of circumstance allowed the error to get through without it being identified, in that the regulation being dealt with both in the current regulation and the old regulations under the Community Welfare Services Act happened to be No. 97. If one regulation had been 104 or some other numeral, the error might well have been picked up before, but it was an understandable oversight, even if it is a matter of regret that Parliament has to pass a measure which will have a retrospective impact, at least in some regard.

The Hon. B. A. Chamberlain—It is just as well we are sitting!

The Hon. W. R. BAXTER—Yes. The consequences which might have flowed had Parliament not been in session are perhaps too horrendous to contemplate.

I share the position of the Leader of the Opposition in respect of remissions. I have spoken on this matter on two occasions and have on the Notice Paper a notice of motion going to that matter among others.

I am concerned that prisoners are now credited with a 33 per cent remission immediately they enter the prison portals. I agree that a one-third remission immediately—rather than the fifteen days in every calendar month served, which was the previous remission mechanism—can give the governor of the prison a greater disciplinary weapon against a prisoner, in that if a prisoner kicks over the traces early in his term he already has a large remission credit which can be overturned, whereas under the previous remission system he might not have accumulated enough remission at the time of his misdemeanour for its cancellation to be a sufficiently salutary penalty.

The change in the remission system is a change for the better; I am happy to agree with that but I am concerned about the generosity of the remission system. I am also concerned that the previous Minister in charge of corrections appears to have extended the bonus available to prisoners at the time of disruption and strikes in gaol from three days to four days for each day that the officers are on strike. That means that, as a result of the recent five-day strike, every prisoner has accrued an extra twenty days' remission. I suspected it was the application of that formula that brought about the discovery of the error in the first place and has necessitated the rectifying of it by this Bill.

I have been assured in discussions today that such was not the case, and that the recent strike was not related to the discovery of this error. The error was discovered by other means, in the computer programming that was being put into effect to take account of the regulations promulgated on 1 March. However, I do express some concern that the recent incumbent of the corrections portfolio does seem to have been somewhat generous in remissions to prisoners during strike action.

Having made those remarks, I indicate that the National Party would not want to be party to allowing prisoners extra remissions through some unfortunate oversight in the bureaucracy.

The Hon. HADDON STOREY (East Yarra Province)—While I approve of the purpose of the Bill, I have read clause 3 (2)—and I do not wish to take up the time of the House and have the matter moved into Committee—which is not in accordance with the spirit of the simple English concepts of the previous Attorney-General.

The Hon. J. E. Kirner—You cannot expect a Scot to present a Bill in accordance with plain English.

The Hon. HADDON STOREY—Certainly. I just want to be sure that it does what the second-reading notes say the Bill does. One wonders when one reads:

Anything done or omitted to be done on or after the date of commencement . . . and purporting to have been done or omitted to be done . . .

is deemed for all purposes to have been validly done or omitted to be done.
I should like an explanation of that. What exactly does that mean and how does it work?

The motion was agreed to.

The Bill was read a second time.

The Hon. J. E. KIRNER (Minister for Conservation, Forests and Lands)—By leave, I move:

That this Bill be now read a third time.

I promise to take up the matter Mr Storey raised with the Minister for Police and Emergency Services in another place. I thank the opposition parties for their support.

The motion was agreed to, and the Bill was read a third time.

BUILDING CONTROL (GENERAL AMENDMENT) BILL

The Hon. E. H. WALKER (Minister for Agriculture and Rural Affairs)—I move:

That this Bill be now read a second time.

The Bill replaces legislation that was introduced in the autumn sessional period.

To ensure that the Bill meets the government's policy to simplify and expedite the building approvals process, a review was undertaken during the period between sittings. A working party made up of people experienced in the building industry examined the previous Bill to ascertain whether changes were required to make it more effective. This Bill is a result of the working party recommendations.

BUILDING APPROVALS

The government intends to speed up the building approvals process principally by means of extending the concept of certification of structural designs to complete architectural documentation. This means that suitably qualified private practitioners will be able to check plans and certify that they comply with the Victoria Building Regulations. The certified plans can then be submitted to the development approvals co-ordinator at the local council who will not need to have the application checked by a relevant authority, for example, the building surveyor.

This innovation will reduce the problems and delays that have often been experienced by applicants who have approached the municipal council with documentation that has required considerable amendment in order to indicate compliance with the Victoria Building Regulations. Such amendments and rechecking at the council can cause considerable delays.

It is intended to extend the powers of the Building Qualifications Board to relate to qualifications required by private practitioners who may provide such certification, and to all relevant aspects of the conduct of the certifiers. The names "building surveyor", "building inspector" and "certifier" will be given statutory protection. In addition, the membership of the board will be increased for it to be better able to take on this role. The name of the board is to be changed to the Building Control Qualification Board.

Applicants for building approval have often indicated dissatisfaction that a council has not responded to their application within the usual 28-day time limit. There has been no effective power in the Building Control Act to enforce council compliance with such a time limit. In order to remedy this situation, it is intended that a mechanism will be provided for the applicant to refer the matter to the Minister, who may appoint a suitable person to determine the application. Where the Minister appoints a person, the reasonable fees of the appointed person are to be paid by the council.

The Act provides that either the coordinator or the applicant may apply to a relevant authority such as the Chief Fire Officer of the Metropolitan Fire Brigade for consent to
proposed building work. If the application is forwarded by the coordinator, the relevant authority has 21 days in which to consent to or to refuse the application, otherwise it is deemed to have consented. If the consent is sought by the applicant direct, no time limit is imposed. It is proposed that the deemed consent provision should also apply when the applicant applies direct to the authority.

MODIFICATIONS CONDITIONAL UPON AGREEMENTS

Regulations require setbacks from allotment boundaries unless walls are fire-rated, to ensure that fire and smoke do not spread between buildings. The regulations cannot take account of the existing or proposed structures on the adjoining site. In the past, the building referees have granted modifications close to allotment boundaries, on the condition that the concession be redressed when and if a building on the adjoining land is constructed without fire-rated walls.

For example, the referees have allowed windows in central city buildings close to boundaries on the condition that the windows be bricked up if an adjoining building is constructed with windows. This has meant that there are fewer blank walls on city buildings, but it has also resulted in some difficulties when construction on the adjoining site is proposed.

The purpose of the agreements power is to allow for modifications subject to agreements about future building form. This may involve arrangements between owners so that an agreement will be entered into. The working group has endorsed the need for a referees' board to be able to direct the council to enter a particular agreement in cases where council's refusal would frustrate the legitimate determination of the board.

The registered agreement protects purchasers and, as it can only be altered with the referees' and the council's consent, ensures that the purpose of the agreement is not defeated.

PROTECTION OF ADJOINING BUILDINGS

In instances where the building surveyor requires protective works for an adjoining property during construction, it is proposed to streamline the procedure. The provisions relating to arbitration where there are disagreements will involve the referees or a professional arbitrator. The proposal will eliminate the possibility of an unnecessary delay to the commencement of a project.

DANGEROUS BUILDINGS

The provisions in the Victoria Building Regulations dealing with buildings that are structurally unsafe are not adequate to deal expeditiously with problems that require urgent action. This is because a council is required to receive a report from the building surveyor before it can serve a notice on the owner.

The Metropolitan Fire Brigades Act provides powers for the shoring up, pulling down, destroying or removing of buildings at the time of fighting fires and for the chief fire officer to return to the scene of a fire which has been recently extinguished and take any of the above actions where he reasonably believes the building is dangerous.

There is a need to have similar provisions for dangerous and ruinous buildings in instances other than those provided in the Metropolitan Fire Brigades Act. Therefore, the Act is amended to confer power on the Minister and the municipal building surveyor to ensure that the necessary works are carried out, in circumstances where immediate action is required.

OCCUPATION OF BUILDINGS BEFORE DECLARED SAFE

The Bill now contains the separate offence of unlawfully occupying a building other than a dwelling and prescribes deterrent penalties, as well as providing for injunctions restraining such behaviour. This has become necessary to deter developers from putting
people at potential risk by letting them use buildings such as shopping centres and office blocks before a certificate of occupancy is issued and the buildings are declared safe.

The Hon. A. J. Hunt—You have made that apply to houses as well.

The Hon. E. H. Walker—It does not seem that way to me.

The Hon. A. J. Hunt—That is what the Bill says.

The Hon. E. H. Walker—I will have a chat with Mr Hunt about that.

NEIGHBOURS AND SITING OF DWELLINGS

The current provisions of the Act and the Victoria Building Regulations preclude any direct involvement of an adjoining owner in applications for building approvals for houses and outbuildings. In recent times, there have been a number of cases where adjoining owners have indicated strong dissatisfaction with a neighbour’s “non-standard” siting proposals but have not been able to be involved to the extent that they felt was justified. This matter has been taken up by the Ombudsman on behalf of adjoining owners. It is proposed to provide for the involvement of adjoining owners in approvals for houses and outbuildings in prescribed circumstances. There will be a right of objection to the council and appeal against the giving of consent to the application if the consent allows a variation of a siting requirement set out in the building regulations or a by-law made under the building regulations.

COMMENT ON REGULATORY CHANGES

In order to more appropriately represent and reflect the nature of the Victoria Building Regulations, it is proposed that the membership of the Building Control Technical Advisory Council be altered by replacing the representatives of the Ministers for health and water resources with two nominees of the Minister in charge of the fire services. The Minister administering the Act will nominate a person experienced in government buildings, since these must now comply with the building regulations. In addition the Minister may appoint up to three additional members. One of the members will be appointed the chairperson by the Minister.

It is intended to revoke the public comment provision from section 9 of the Act as the Subordinate Legislation Act also has mandatory requirements for public comment. The technical advisory council will be no less involved in the process. The Bill also provides for a number of important minor changes to assist the industry.

The government will continue to monitor the building control system and bring in changes as required to meet the needs of the industry for speed and certainty and the needs of all Victorians for safe and habitable buildings in which to live and work.

I commend the Bill to the House.

On the motion of the Hon. A. J. Hunt (South Eastern Province), the debate was adjourned.

It was ordered that the debate be adjourned until Tuesday, March 15.

NATIONAL PARKS AND WILDLIFE (AMENDMENT) BILL

The Hon. J. E. Kirner (Minister for Conservation, Forests and Lands)—I move:

That this Bill be now read a second time.

This Bill provides for various changes to the National Parks Act 1975 and to the Wildlife Act 1975 in order to achieve five main purposes, as follows:

1. A Point Nepean National Park to be declared as an Australian Bicentenary project, as a result of cooperation between the Federal and State governments.
2. Prohibition of live keeping and display of whales and other cetaceans and to improve the law relating to their protection, along lines following recommendations of the 1985 Senate Select Committee on animal welfare.


4. Other necessary but minor changes to the boundaries of three national and State parks and to the National Parks Act.

5. A method of temporary closure of particular waters or areas to hunting.

DEVELOPMENT OF THE PARK SYSTEM

The Bill continues the government's program of developing a Statewide system of national and State parks to ensure that representative samples of Victoria's major natural ecosystems are permanently protected. This process ensures that representative components of Victoria's natural landscape—the land types, vegetation, flora and fauna, and the soil and water support systems—are included in the park system. Representative ecosystems can therefore be protected to ensure that:

- competing land uses such as forestry and agriculture that would affect their evolutionary potential are minimised;
- plant and animal communities, including rare and endangered species, can be protected by protecting their habitats;
- areas of high wilderness quality are included;
- there is access for public use for recreation and inspiration, education and scientific inquiry; and
- sympathetic tourism is encouraged.

These principles are part of government policy outlined in the conservation strategy and the flora and fauna conservation guarantee program.

Development of the park system has resulted in substantial growth in the area set aside as parks. Some 1.4 million hectares or 6 per cent of Victoria was reserved under the National Parks Act as at 31 December 1987. This is an increase of 45 per cent in area since the Labor government came to office in 1982. The new parks and additions in this Bill total 118,436 hectares. This represents a relatively small area in which there are no timber resource conflicts.

To place these additions in context, I would like to foreshadow the extent of the park system still to come on the basis of Land Conservation Council investigations and recommendations and subsequent decisions of the government. This includes the Errinundra National Park in east Gippsland, the Rodger River-Bowen Ranges addition to the Snowy River National Park and, of course, the Alpine National Park. There are also some eight State parks—Mount Granya, Bunyip, Enfield, Paddy Ranges, Lake Tyers, Mount Buangor, Dergholm and Lake Mountain—a number of small parks and various additions to existing parks yet to be legislated for.

These parks, when created, will give the State of Victoria one of the most accessible and diverse systems of parks in the world taking into account the relatively small size of Victoria and the wide range of environments found here. Equally important, it will be the first time anywhere in the world that such a representative system of parks has been established, and will be a system of which Victoria can be justifiably proud.
RESOURCING THE PARKS

The government will continue to provide resources to manage parks as they are proclaimed. The 1987–88 Budget figures show there is a 10·8 per cent increase in funding to the recreation and conservation resource use program compared with 1986–87 expenditure. Staffing of parks is being increased by the appointment of fourteen additional rangers and ten Aboriginal trainee rangers in 1987–88.

POINT NEPEAN NATIONAL PARK

The Bill provides for proclamation of a Point Nepean National Park of 2200 hectares, to be proclaimed during the national bicentenary year 1988. There are three main components of this new national park:

- 296 hectares of the Commonwealth area at Point Nepean to be acquired by the State;
- Cape Schanck Coastal Park of 1095 hectares; and
- 809 hectares being the Greens Bush–Highfield sector of Nepean State Park.

POINT NEPEAN COMPONENT

Agreement has been reached in principle for the State to acquire from the Commonwealth land at Point Nepean for national park purposes. This land does not become a national park until the transfer is completed. It is expected that transfer arrangements will be completed by the end of this year.

Point Nepean is a very significant nature conservation area as a remnant of the original vegetation of the Mornington Peninsula and as one of the few extensive areas of natural vegetation on the Port Phillip foreshore.

Point Nepean commemorates the name of Sir Evan Nepean who, as Secretary of the Admiralty, commissioned Flinders' ship, the Investigator, and was associated with sending Victoria's first colony to Sorrento in 1802. Point Nepean contains the ruins of defence fortifications originally constructed in 1882 for the protection of Port Phillip Bay and later enlarged over two world wars. A Fort Nepean gun fired the first Allied shots in both world wars. These sites are of national and, to some extent, international significance.

Development of the park is being funded by a $2 million grant from the Commonwealth–State Bicentennial Program. A ranger is being funded by the department. A steering committee was formed to assist in planning of the park, which involved Commonwealth and State agencies and the Shire of Flinders. A draft plan of management was prepared in March 1987. Some 60 submissions were received and the plan is now being finalised.

Planning and development of visitor facilities at Point Nepean is now being carried out. Public access and safety are of paramount concern. Interpretation of the historical and natural themes in the park will be integrated with the additional park areas and the adjacent quarantine station and associated museum.

CAPE SCHANCK COASTAL PARK COMPONENT

Cape Schanck Coastal Park abuts the Point Nepean area and includes all the ocean coast between London Bridge and Bushrangers Bay, and from Stockyard Creek to Flinders. It is renowned for the scenic rocky headlands and sandy beaches along Bass Strait. A coastal walk of 26 kilometres from London Bridge to Cape Schanck is one of the features.

NEPEAN STATE PARK COMPONENT

Nepean State Park consists of several separate bushland areas on the Mornington Peninsula that contain precious samples of the natural valley, escarpment and ridge landscapes of the peninsula. Since 1974 the State government has purchased well in excess of 1000 hectares of land for the park. The Greens Bush–Highfield sector is to become part of the new national park, while the remaining area will be renamed Arthurs Seat State
Park. The government has recently purchased a further 170 hectares of the Green family's land, which will be added to this component of the Point Nepean National Park at a future date.

The proposal to establish the national park involving these three components was widely canvassed in the draft management plan for Point Nepean and accepted. The combination of these three areas gives a park of sufficient size—2200 hectares—to meet criteria of the International Union for the Conservation of Nature.

**WHALES AND DOLPHINS**

In accordance with the government's recent policy decision to give greater protection to whales and dolphins, the Bill will contain provisions to totally prohibit the live display of whales and dolphins anywhere in Victoria and to outlaw their capture in Victorian waters.

These changes reflect the concerns expressed in the 1985 Senate Select Committee Report on Whales and Dolphins in Captivity and the government's own view that available scientific evidence and opinion do not overcome all of the doubts raised concerning the well-being in captivity of these highly specialised mammals.

Specifically, the Senate Select Committee recommended:

That no further facilities for keeping captive cetacea be permitted to be established in Australia and that no further permits be issued for the capture of cetacea in Australian, Commonwealth or State waters.

The Victorian Government has adopted this recommendation, but is retaining those parts of the Wildlife Act 1975 which allow and control the rescue, rehabilitation and benign study of stranded whales and dolphins, as well as research on dead specimens obtained as a result of natural mortality.

The government has considered the Senate Committee's recommendations and is legislating to abide by them.

**EXTENSIONS TO UTILE DESERT NATIONAL PARK**

The Little Desert National Park of 35,300 hectares was established in 1968 and currently includes the eastern section of the Little Desert from Kiata to Dimboola. The expanded Little Desert National Park will be one of the State's great national parks. Covering 132,000 hectares, it will be Victoria's second largest park, after the Grampians.

I turn briefly to the proposed amendment of the Wildlife Act relating to temporary closure of waters to hunting. The government has taken note of the concerns raised during the debate in another place and will be moving some appropriate amendments in this regard during the Committee stage of the Bill. The government also acknowledges concerns regarding access to gravel resources at Terrick Terrick State Park and intends to resolve this issue before the proposed legislation is passed.

I seek leave of the House to have a description of Little Desert National Park and the remaining parks and of details regarding temporary closure of waters by this Bill incorporated in Hansard.

The Hon. K. I. M. WRIGHT (North Western Province)—I ask the Minister to make the maps of the extensions of the parks available to honourable members.

The Hon. J. E. KIRNER (Minister for Conservation, Forests and Lands)—I have no problem with making the maps available. Both opposition parties have been fully briefed on the boundaries of the parks, but I have no problems with placing them in the Library as well.

The Hon. M. T. TEHAN (Central Highlands Province)—It is my understanding that the maps are currently in the Parliamentary Library.
Leave was granted, and the description of Little Desert National Park and the remaining parks and the details regarding temporary closure of waters by this Bill were as follows:

Stretching from the South Australian border to the Wimmera River, the park comprises the three large blocks that incorporate most of the remaining native vegetation of the Little Desert.

Little Desert National Park contains diverse and significant flora and fauna. One-fifth of the State's native flora are found there in vegetation communities that range from low heath in the drier eastern block to tall yellow gum woodlands in the wetter western section. A wide variety of fauna, particularly birds and reptiles, is found in the park, including the famous Mallee fowl.

Visitors can enjoy the park in a variety of ways, including camping, picnicking, walking, nature study, horseriding and four-wheel drive touring. Several groups already use the area for educational purposes. One of the park's highlights that attracts visitors is the brilliant spring wildflower display which turns parts of this somewhat subtle landscape into a blaze of colour.

The government's introduction of legislation to expand the Little Desert National Park is an historic occasion for conservation in Victoria. The legislation flows from the government's acceptance of the Land Conservation Council's recommendations for the Wimmera area.

The occasion is historic because the recommendations for the Wimmera area mark the completion of the Land Conservation Council's first examination of public land use in the State, and because it was the controversy in the late 1960s over proposed subdivision and clearing for agriculture in the Little Desert that led to the creation of the current Little Desert National Park and the establishment of the Land Conservation Council in February 1971 under the Land Conservation Act 1970. The council's process has significantly raised the standard of land use decision making in Victoria. It is a process that has been marked by its systematic attention to all pieces of public land, extensive public participation, and the high degree of acceptance of the council's recommendations by successive governments.

The acceptance of these recommendations by successive governments has led to a conservation reserve system being established that is the envy of many other States. The enlarged Little Desert National Park will further enhance the system's value and reputation.

TEMPORARY CLOSURE OF WATERS

In recent years, as part of an ongoing program to improve the management of waterfowl hunting in Victoria, the government has closed certain waters to hunting. This measure has proved very successful in protecting colonies of breeding birds and certain non-game species. The current procedural requirements prevent the closure and opening of waters at short notice. This short notice is required for the following reasons:

1. The occurrence in Victoria of large flocks of the uncommon freckled duck is often unpredictable. This species is also fairly mobile on Victorian wetlands in late summer and, therefore, may occur in large flocks on wetlands open to hunting a few days prior to the start of the season. Also, because of identification problems, large flocks of this species may remain undetected until just before, or after, the season starts.

2. The discovery of colonies of breeding waterbirds just prior to the start of the season will necessitate rapid closure of wetlands. Although the locations of many of these breeding colonies are known, it is often difficult to estimate when the young birds will reach the flying stage and, therefore, the decision to close waters holding such colonies may have to be made at short notice.

3. Large concentrations of other protected species, some of them uncommon, may be vulnerable to hunting activity when they congregate on popular hunting waters that historically hold a high density of hunters over the opening weekend. The occurrence of large numbers of protected birds on wetlands is, again, unpredictable because of the mobility of these species once the main breeding season has finished.

The decision to close waters to hunting is not taken lightly and waters considered for closure must satisfy strict criteria which have been developed in conjunction with hunting organisations and other conservation groups. The mechanism proposed in this Bill to facilitate closure of waters would obviously also enable waters to be promptly reopened again, once the reason for closure had passed.

TERRICK TERRICK STATE PARK

Terrick Terrick State Park is located on the granitic Terrick Terrick Range, a major landmark and scenic feature on the flat northern plains near Mitiamo between Bendigo and Kerang. The park is a valuable remnant of the northern plains flora, which elsewhere in the region has substantially been cleared for agriculture. It is the largest and most significant area of white cypress pine forest and woodland formation remaining in Victoria.

Its reservation makes a major contribution to the establishment of a representative system of parks in Victoria and will add to the opportunities for visitors to enjoy parks in the Bendigo region. Visitors to the park currently enjoy activities such as viewing the scenic vistas from Mt Terrick Terrick and Reigels Rock, picnicking and nature study.
LERDERDERG STATE PARK

Lerderderg State park is a significant park located just to the west of Melbourne. It includes a major portion of the Lerderderg River watershed between the historic goldmining township of Blackwood and Bacchus Marsh, as well as the spectacular 300-metre-deep Lerderderg Gorge.

The park is of considerable importance for nature conservation because it is an isolated tract of almost undisturbed bushland. It supports forests of messmate, red stringybark and red ironbark as well as several rare plant species. Raptors such as the peregrine falcon and species of kites, eagles, hawks and kestrels occupy the gorge habitats.

Popular forms of recreation include day walks along the river and overnight camping walks through the gorge, recommended for the experienced only. Picnicking and fishing are favourite pastimes where park roads meet the river, such as at O'Briens Crossing. The park, in conjunction with the roads and townships of the region, is already popular as a day trip and overnight getaway from Melbourne.

The attractiveness of the region is found in its combination of the natural and semi-remote experiences offered by the park, the sense of history conveyed by the townships of Blackwood and Simonds Reef, and the spectacular land forms and panoramic views, which can be observed from roads and lookouts around the park.

CARLISLE STATE PARK

The park is on the north-western side of the Otway Ranges nestled between the Gellibrand and Carlisle rivers. It includes an unusual range of vegetation communities from extensive wet heathlands and woodlands of shining peppermint and brown stringybark to small pockets of tall mountain grey gum and messmate forest.

The heathlands are part of a mosaic of heaths found in the Otways which are important habitats for the ground parrot—a vulnerable species in Victoria. The parrot requires specific heathland plants which are regenerated by fire.

Survival of the ground parrot is therefore dependent on maintenance of a suitable fire regime and the department is implementing an ecological burning program.

On the motion of the Hon. M. T. TEHAN (Central Highlands Province), the debate was adjourned.

It was ordered that the debate be adjourned until Tuesday, March 15.

VICTORIAN ARTS CENTRE (DEBT TRANSFER) BILL

For the Hon. C. J. HOGG (Minister for Education), the Hon. E. H. Walker (Minister for Agriculture and Rural Affairs)—I move:

That this Bill be now read a second time.

In the 1986–87 State Budget, the Treasurer announced the government's debt centralisation policy, which will bring about the progressive reduction in the interest costs of the Budget sector. Subsequently, the government enacted the Transport (Amendment) Act, which centralised part of the debt of the Budget sector transport authorities with the Victorian Public Authorities Finance Agency.

The Victorian Arts Centre Trust's indebtedness at 1 September 1984 was approximately $79.2 million and the trust is currently meeting the interest payments, estimated in excess of $11.5 million in 1987–88, through the annual works and services appropriations in the State Budget.

The purpose of the Bill is to transfer the Victorian Arts Centre Trust's long-term debt, consisting of long-term loans and car park debentures, to the Victorian Public Authorities Finance Agency. In addition, the debt of the trust owed to the Victorian Public Authorities Finance Agency in the form of promissory notes and long-term loans will be extinguished. Simultaneously, the debt will be converted to government equity in the books of account of the trust. The debt of the Victorian Public Authorities Finance Agency will then be serviced direct from Budget appropriations and managed more efficiently as part of the total public sector debt.

As previously mentioned, part of the Victorian Arts Centre Trust's long-term debt to be centralised by the Bill consists of long-term loans and car park debentures. Unlike the long-term loans which are guaranteed by the government of Victoria, the car park
debentures issued to secure borrowings from the State Insurance Office are not guaranteed. 
The Bill therefore provides that, on the date of centralisation, the car park debentures will 
be guaranteed by the government of Victoria. In turn, the Bill provides that any moneys 
required to fulfil these guarantees will be appropriated from the Consolidated Fund.

Finally, the Bill allows the trust to continue to be able to obtain short-term financial 
accommodation for cash management and liquidity purposes.

I commend the Bill to the House.

On the motion of the Hon. H. R. Ward, for the Hon. J. V. C. GUEST (Monash 
Province), the debate was adjourned.

It was ordered that the debate be adjourned until Tuesday, March 15.

PRINCE HENRY'S INSTITUTE OF MEDICAL RESEARCH BILL

The debate (adjourned from October 27, 1987) on the motion of the Hon. D. R. White 
(Minister for Health) for the second reading of this Bill was resumed.

The Hon. M. A. BIRRELL (East Yarra Province)—The Liberal Party supports the Bill. 
In broad terms, its aim is to establish as a body corporate the Prince Henry's Institute of 
Medical Research at the Prince Henry's Hospital campus of the Monash Medical Centre.

The Prince Henry's Medical Research Centre has been in existence for 28 years and has 
a well-deserved reputation both in Australia and overseas for its outstanding medical 
research programs. As the Minister indicated in his second-reading speech, the centre is 
well known for its pioneering work in the field of endocrinology and, in particular, in 
dealing with problems associated with stress and human growth and fertility. The aim of 
the Bill is to establish the Prince Henry's Institute of Medical Research on the same basis 
as other well-known research institutes—the Howard Florey and the Baker institutes—
have been established.

Melbourne is, of course, the Australian capital for medical research and is regarded by 
many as being one of the most outstanding medical research centres in the Western World. 
That is a well-deserved reputation, given the work over the past 50 or so years of researchers 
and scientists who have either gained their skills in Melbourne or have come to Melbourne 
to practise after gaining skills overseas or interstate. Victoria is enriched by the presence 
of this medical research and I am pleased to add the support of the Liberal Party to the 
formal establishment of the Prince Henry's Institute of Medical Research.

The Liberal Party also wishes to place on record its belief that it is more than appropriate 
that the name of the institute include the words “Prince Henry's”. Although the hospital 
has been taken over by the Monash Medical Centre conglomerate, the Victorian community 
well understands and cherishes the work that Prince Henry's Hospital has done and it will 
be pleased to see the name of Prince Henry's being kept in the title of this important 
institute. The Liberal Party is therefore happy to add its support to the proposal.

The Hon. K. I. M. WRIGHT (North Western Province)—The Minister, in his second- 
reading speech, and Mr Birrell have most adequately detailed the reason for the Bill. As 
usual, the National Party has contacted most or all of those people who are involved with 
the Bill and it has found that the Bill has widespread support.

I join with other honourable members in congratulating Prince Henry's Hospital and 
the Monash Medical Centre. The National Party supports the Bill.

The Hon. REG MACEY (Monash Province)—I support the Bill. It certainly gives me a 
great deal of pleasure to see the government doing something right in dealing with Prince 
Henry's Hospital. On this particular occasion, the remarks made in the second-reading 
speech and by Opposition members who have supported the Bill are endorsed by me.
I am especially pleased to note the reference to Professor Burger and the members of his eminent team at Prince Henry's Medical Research Centre and the acknowledgment in the second-reading speech of the fine work that they have done over the past 28 years.

The name "Prince Henry's" is a proud name, and without in any way reflecting on the marvellous work done by this organisation—an organisation that by this government's action will continue to exist independently and continue to have its activities carried out as they have been in the past in relation to investigations and research—I point out that the Bill enables it to be incorporated rather than acting, as it has in the past, as an unincorporated body.

The opportunity for the centre to raise funds and collect bequests and donations is worthwhile. Many people will want to continue to do something for an organisation that bears the proud name of Prince Henry's.

I hope there is no cynicism in the decision by the government in naming the institute, and that it is not a marketing exercise designed to use the goodwill of the name "Prince Henry's" to overcome some of the damage that has been done by the government policies aimed at destroying the hospital responsible for the establishment of the now famous Prince Henry's Institute of Medical Research.

The Bill deserves support. It is supported by the Opposition, and I wish the organisation well in the future. I am pleased that the name "Prince Henry's" is associated with such a worthy body.

The Hon. G. P. CONNARD (Higinbotham Province)—I have pleasure in supporting the Bill. As Mr Birrell and the Minister have said, Victoria has institutes of scientific excellence which are well known to Australia and the international community. Without doubt, Victoria leads Australia and this region of the Pacific in institutes of scientific excellence. I refer to institutes such as the Walter and Eliza Hall Institute of Medical Research, the Baker Medical Research Institute and the Macfarlane Burnet Centre of Medical Research, of which I am proud to be the chairman.

The reason for the Bill—with which the Opposition disagrees—is the imminent closure or absorption of Prince Henry's Hospital into the Monash Medical Centre. That does not deprecate the excellent work done by the Prince Henry's medical research team. I encourage that team to continue on the path it has followed in the past because it has a unique niche that is expanding in scientific and medical research.

I wish to make a few general comments on the Bill. Clause 5 (2) (b) states:

To hold industrial and intellectual property rights relating to inventions or discoveries made by or on behalf of the institute;

That is an innovative idea for this State. The Minister should in the future make a Ministerial statement to the House about what he anticipates from the recently formed organisation known as AMRAD—Australian Medical Research and Development—a special organisation in Victoria to develop the commercial capacity of research institutes in this State.

That organisation has received reasonable acclaim and is being accepted as leading in research in Australia and, in the future, will undoubtedly lead in the Western World. Clause 5 will provide the means for the institute to obtain income arising out of scientific research within our institutes. It is a first in its field and it is encouraged by scientific medical institutes.

I think I am correct in saying that Prince Henry's Institute of Medical Research is not yet a shareholder or a participant in AMRAD. I hope the Minister will make a statement in the House explaining AMRAD so that its significance is understood by the community, and I encourage the institute to develop the commercial aspects provided by this clause.
I am apprehensive that, in the provision for the setting up of the board, the Prince Henry's Institute of Medical Research may be severed from its traditional hospital function which has been so closely associated with Prince Henry's Hospital over the years.

Clause 9 (2) (b) provides for one person nominated by the committee of the Monash Medical Centre. I note that other board members can be appointed at the wish of the board, and I strongly suggest that the new board continues its close association with the Monash Medical Centre. The link between medical research and clinical institutions such as major hospitals—of which Monash Medical Centre undoubtedly will be one—is extremely important because of the value of on-campus scientific and medical research in clinical results.

I encourage the board to take up the provisions in clause 9 (2) (b) to continue to have members of the Monash Medical Centre on the board. I note that clause 9 (2) (c) provides for one person to be nominated by the council of Monash University. Because of the close links between Prince Henry's Hospital and the Monash University, people of professorial rank should be appointed by the university to be on the board of the proposed new institute.

I suggest to the Minister that the proposed new board should extend its membership and encourage and appoint under clause 9 (2) (f) an appropriate professor from the University of Melbourne. Melbourne and Monash universities, of course, are the two universities with medical components.

No mention has been made in the Bill—nor should there be—of an ethics committee. I am sure that this excellent organisation will have an appropriate ethics committee and an appropriate research committee to evaluate the work being done by the institute and the results of that work.

I am surprised that clause 15 provides that the financial year of the institute is to commence on 1 January. A more appropriate time for its reporting would be the traditional date of 30 June.

My surprise extends to clause 18, which provides that the accounts must be audited by the Auditor-General. Honourable members will remember recommendations about the Auditor-General made recently by the Economic and Budget Review Committee. I have difficulty accepting that the accounts and records must be audited annually by the Auditor-General. The Minister should listen to what the Opposition has to say in debate on a Bill that is proposed to be introduced by the Minister later this sessional period.

Clause 18 (4) provides that the board must pay to the Consolidated Fund an amount determined by the Auditor-General to defray the costs and expenses of any audit. That is an open cheque for the Auditor-General to charge what he likes.

I have a high opinion of the Auditor-General but the proposed legislation applies not only to the current Auditor-General but also to succeeding Auditors-General. I have difficulty accepting that a blanket sum of no fixed amount must apply as provided in clause 18 (4). I respectfully request the Minister for Health to consider the provisions relating to the Auditor-General and his role in checking the books of the Prince Henry's Institute of Medical Research.

Part 5, clause 19, deals with by-laws which are important to this institute. Can the Minister explain what is meant by the words "the Board may make by-laws for or with respect to the custody and use of the official seal", and other appropriate matters for which the institute must have rules? I should have thought the Minister would have included the words "shall make by-laws" rather than "may make by-laws". That would be more appropriate.

I support the Bill and encourage the Prince Henry's institute not only to continue the excellent work that it has done in the past but also to do more work in the area of medical research. The Opposition looks forward to reading the reports of the institute and seeing
to what good use it is putting public money in the interests of the community in clinical and medical matters.

The Hon. J. V. C. GUEST (Monash Province)—I support the Bill. I take this opportunity of expressing my admiration for the work of the Prince Henry's Institute of Medical Research and the people who have made it the great institute that it is. My colleague, Mr Macey, managed to make his speech before I had the opportunity of speaking, and he said all that really needs to be said. I endorse his remarks.

The Hon. M. A. Birrell—What about mine?

The Hon. J. V. C. GUEST—That is a matter of faith. Mr Macey's remarks were entirely apt. I support the Bill.

The Hon. D. R. WHITE (Minister for Health)—I thank honourable members for their contributions and for their support for the measure. I have noted Mr Connard's remarks. Clause 19 gives the board the power to make by-laws in a number of areas. That power is sufficient and does not seek to do anything more than that. The board can take steps to make by-laws in most, if not all, of the categories mentioned in the Bill.

The motion was agreed to.

The Bill was read a second time and committed.

Clauses 1 to 19 were agreed to.

Clause 20

The Hon. D. R. WHITE (Minister for Health)—I move:

1. Clause 20, line 20, after "Hospital" insert "or the Medical Research Centre, Prince Henry's Campus, Monash Medical Centre".

2. Clause 20, line 20, omit "immediately" and insert "at any time".

Amendment No. 1 is designed to reflect precisely what the medical research centre is and does not influence the nature of the relationship between Prince Henry's Medical Research Centre and the Monash Medical Centre.

Amendment No. 2 also does not change the nature of the relationship between the Monash Medical Research Centre and the Prince Henry's Medical Research Centre.

The amendments were agreed to, and the clause, as amended, was adopted, as was clause 21.

Clause 22

The Hon. D. R. WHITE (Minister for Health)—I move:

3. Clause 22, line 19, omit "former authority" and insert "Medical Research Centre".

Once again the amendment is designed to reflect what is now the case.

The amendment was agreed to, and the clause, as amended, was adopted, as was the schedule.

The Bill was reported to the House with amendments, and passed through its remaining stages.

ADJOURNMENT

The Hon. D. R. WHITE (Minister for Health)—I move:
That the House do now adjourn.

The Hon. B. A. CHAMBERLAIN (Western Province)—I raise with the Minister for Health the Minister's welcome statement concerning the redevelopment of the Portland and District Hospital, and I refer to the Minister's news release of 19 February 1988. As I understand it, the preliminary costing of the project is $16 million, and the project now moves into the design and development process with a view to work actually starting in 1989. It is a welcome announcement, and the Minister knows it has had a long history to get to this stage.

Concern has been expressed by other hospitals in south-western Victoria that they will be paying for these extensions by reductions in their budgets. Can the Minister spell out the source of the capital funds and give an assurance that projects which had already been approved and were already in train for other hospitals in the region will still go ahead in the time scale which had been expected, and that this proposal will not have an adverse impact on the operating budgets of the other hospitals in western Victoria?

The Hon. R. M. HALLAM (Western Province)—I congratulate the Minister for Education on her appointment and raise an issue with her on behalf of a constituent, Robert Hosken, who applied for registration as a secondary teacher. He applied to the Teachers Registration Board on 30 September 1986 and, because of a problem relating to the documentation, the actual application was not formalised until 27 October 1986.

I have a letter dated 21 October 1987 from the assistant registrar, which states, in part:

An examination of Mr Hosken's documents revealed that he had received credit towards his Graduate Diploma of Teaching at the South Australian College of Advanced Education on the basis of earlier study and/or experience.

And the letter explains that the board had written to the South Australian College of Advanced Education seeking details of the nature of the credits granted. That letter was sent in May 1987.

The letter further states:

The delays which occurred from the time the board received the documentation in October are regrettable. Further delays have occurred as a result of the restructuring of the registration boards and the inability of the new Teacher Registration Board to meet in July as required by the Education Act.

The letter goes on to explain that the matter had been raised with the South Australian authority, and concludes:

It is to be hoped that once a reply is received Mr Hosken's application can be finalised expeditiously.

Apart from the outcome of Mr Hosken's application, the delay is simply inexcusable, given that the letter to me from the assistant registrar is dated several months ago.

I ask the Minister to intervene to gain for Mr Hosken what I am sure we would both agree is a common courtesy.

The Hon. J. V. C. GUEST (Monash Province)—I raise for the attention of the Minister responsible for major projects a matter of which he is well aware regarding the report on the Port Melbourne City Council's alternative approach to the Port Melbourne Bayside Development, which points out the choice to be made between maximising the gains from selling or developing Crown land and protecting the people of Port Melbourne. Has the Minister taken that report seriously and, if so, will the government look carefully at that alternative and the range of options of the numerous submissions made by consultants to the Port Melbourne council?

It is true that the council put a lot of money into these submissions and the government, from its indication already, doubts the council's bona fides. Will the Minister assure the House that he accepts the bona fides of the Port Melbourne council in submitting that report?
The Port Melbourne council did not invite Liberal members to the area for the launch, but it is strange that the council is fighting with one hand tied behind its back.

I urge the Minister to give favourable consideration to the excellent work of the consultants involved and that that assurance be given weight.

The Hon. M. T. TEHAN (Central Highlands Province)—I raise with the Minister for Conservation, Forests and Lands the concerns of people who own land on the Summerland estate at Phillip Island. It is a long-term buy-back situation, five years down the track with another ten years to go. There are a further 133 houses and 500 vacant blocks that have not yet been purchased. Those properties are locked in and cannot be sold or transferred. They are not likely to attract buyers.

The people who own them are not willing to improve the properties in any way, shape or form but rates are being charged on them. It is an inequitable situation.

Will the Minister advise—in view of the ten years that have still to run—whether there are any options that the government could consider so that equitable arrangements could be made, perhaps by way of terms contracts with payments over a long period or a government borrowing to buy out the land so that the people involved could at least put the value of their land into other investments?

The Hon. B. P. DUNN (North Western Province)—I raise with the Minister for Transport the substantial loss of grain cartage from the rail system to the road network during the last harvest. Has the Minister had time to study the recommendations of the Royal Commission into Grain Storage, Handling and Transport which was released late last month and which recommends that greater competition be encouraged in the provision of land transport for grain by the removal of restrictions precluding the use of road transport for grain and by commercialisation of rail freight services?

Among other things, the study recommends deregulation of the transport aspect and, to a large extent, deregulation of the handling which is now undertaken by the Grain Elevators Board.

The Hon. E. H. Walker—Do you agree with it?

The Hon. B. P. DUNN—No, I do not. I believe the railways, if competitively priced, should be favoured as the prime carrier of bulk commodities, but they are not competitive. Unless V/Line and the government can reduce the freight charges on rail transportation, the farmers are within their rights in seeking National Party support for the deregulation of grain transportation. The challenge is there for the Minister.

These matters were pointed out to the Minister for Agriculture and Rural Affairs in submissions to the Rural Affairs Subcommittee of the Cabinet when it met in Swan Hill and it is essential that the Minister for Transport should be on the committee and travel to country centres.

The submission made the point that there should be substantial cuts in rail freights, of the order of 25 per cent, for the next harvest; that would attract substantial quantities of grain back to the rail network.

I ask the Minister for Transport whether he has had the opportunity of studying the Royal Commission report and what his response will be to the challenge that has been thrown down to him to either obtain a more competitive rate or to phase in complete deregulation which will involve substantial loss of income to the rail network.

The Hon. H. R. WARD (South Eastern Province)—I raise with the Minister for Transport a matter about which he should have received correspondence from Gippsland, particularly from the Shire of Buln Buln, for the retention of the bus service from Garfield to Warragul.

Some 200 people have approached the shire and a number of them have spoken to me about the importance of retaining the daily Garfield to Warragul bus service. It has been
claimed by the Ministry of Transport that the service runs parallel with rail services, but it is obvious that members of the Ministry do not know much about Gippsland. The second aspect is that the timing of the service is not the same. If travellers had to abide by the report of the officers of the Ministry, they would have to spend a long time waiting for a return journey to Longwarry by train.

Another aspect of the problem facing people in that area is that on Thursdays the bus service travels along the Princes Highway at Longwarry North, and that is a considerable distance from Longwarry. There is no rail service on that day. If the daily service is reduced to Thursdays only, the bus will not be able to accommodate the additional passengers who will no doubt delay their trips until the Thursday. If it is not possible to retain the daily service, local residents ask the Minister to consider at least a twice-a-week service because they believe it would be successfully maintained.

My constituents require the Minister’s urgent attention to this matter. The bus service is important in that area because it does not run parallel to the rail service. Longwarry North is not on the rail service but is on the Princes Highway.

The Hon. ROBERT LAWSON (Higinbotham Province)—I raise a matter for the attention of the Minister for Transport. The Minister may not be aware that the State Emergency Service has responsibility for attending many of the road accidents occurring outside the metropolitan area. He is probably aware that the Metropolitan Fire Brigade attends accidents in metropolitan Melbourne and that the Country Fire Authority also has some responsibility, but the State Emergency Service has responsibility for 122 different areas.

The service does a superb job in attending road accidents and also rescue operations throughout Victoria, but it is being starved of funds. The people involved in the service are volunteers. On many occasions they are forced to put their hands into their own pockets to assist in paying for this service.

One State Emergency Service unit in the country has become so desperate for funds that its members are undertaking grave-digging services at the local cemetery to obtain money to continue this service. It is estimated that during the past financial year the State Emergency Service was worth $56 million to the Victorian government because the service was free and the government did not have to fund it. However, the State Emergency Service is now being starved of funds. It is doing a superb job for Victoria but it is time the State did something for it. Its radio receivers, at least in some instances, were supplied by a New South Wales manufacturer that went out of business twelve years ago. It is almost impossible to obtain spare parts for vehicles which may be second-hand or third-hand. I ask the Minister to seriously consider subsidising the State Emergency Service.

The Hon. K. I. M. WRIGHT (North Western Province)—I also raise a matter with the Minister for Transport, and congratulate him on his appointment. I have referred the issue of V/Line rentals to his predecessor and have pointed out that the tenants of these lands are discovering that the properties are being auctioned over their heads. The National Party believes the land should be offered to the tenants at fair market valuations. If land is worth $100 000 and a tenant has erected a building worth $500 000, he should pay $100 000, or whatever is the valuation, and be able to retain the building.

The specific matter I raise with the Minister this evening—and I have no doubt he is already aware of it—is that within that section of V/Line which handles rentals and buildings, members of staff have been stood down and a consultant has been appointed at $60 an hour to advise the Minister on what should be done. I ask the Minister to inform the House whether he lacks confidence in staff in that section, whether he believes that they have been too sympathetic towards the tenants and whether some new policy should be introduced. I am certain the House will be interested in receiving information about the purpose of appointing this consultant.
The Hon. N. B. Reid (Bendigo Province)—I raise a matter for the attention of the Minister for Education. I do not know whether I should offer her my congratulations or commiserations for gaining such a large portfolio. The matter I raise concerns Community Services Victoria and I am sure she has not lost interest—

The Hon. C. J. Hogg—With respect, the matter should be addressed to the Minister for Transport.

The Hon. N. B. Reid—I am sorry, but I thought the previous Minister for Community Services would have had the knowledge to continue representing that area.

The Hon. C. J. Hogg—So did I.

The Hon. N. B. Reid—I raise with the Minister for Transport, who is the representative in this House of the Minister for Community Services, a matter concerning the withdrawal of funding for specialist medical services to the Golden North Centre in Bendigo.

The Hon. J. H. Kennan—I have no idea about it.

The Hon. N. B. Reid—I think the Minister will learn a little about it. The funding for specialist medical services for the Spastic Society of Victoria centre in Bendigo was withdrawn. I have been contacted by eleven people, being parents of children with cerebral palsy or adults with cerebral palsy, who greatly value the specialist medical services that were previously available to the Golden North Centre. I ask the Minister to take up this matter with the Minister for Community Services, who is also in a new portfolio, to ascertain whether the valuable service which had been available to the Golden North Centre can be provided for what is already a disadvantaged group in the community, particular now that Community Services Victoria in the Bendigo region continues to receive funding in other areas. I believe this area may have been overlooked by the new Minister. I ask the Minister for Transport to raise that matter with the Minister for Community Services to ascertain whether funding can be continued for specialist medical services to that centre.

The Hon. Rosemary Varty (Nunawading Province)—I raise a matter for the attention of the Minister for Education, and I, too, offer my congratulations to the Minister. Several weeks ago I was visited by a very distraught mother who has three children, aged 15, 14 and 11 years. To her surprise, she received the education expense allowance only for her two younger children. She had sent the fifteen-year-old back to school on the basis that an education expense allowance was available for all students up to the age of sixteen years. However, the fifteen-year-old’s birthday is on 28 June. She was ineligible for the education expense allowance because her birthday is in the first half of the year.

It means that the mother cannot obtain the study assistance until the child turns sixteen years of age. That has placed a financial burden upon that family; it had received a number of glossy brochures which extolled the virtues of the new education allowance. That publicity made it appear that all children under the age of sixteen years would receive that allowance.

Will the Minister for Education examine that situation to ascertain how many families have been disadvantaged? How many of the fifteen-year-olds who turn sixteen between the beginning of January and the end of June will not receive the subsidy? A number of parents have returned their children to school on the basis that they would be receiving the education expense allowance.

The Hon. D. M. Evans (North Eastern Province)—I direct a matter to the attention of the Minister for Education. I refer to the Association of Councils of Post-Primary Institutions in Victoria and to the possible inclusion of that association’s representatives on the various education forums in Victoria. As I understand it there is no provision for official recognition and inclusion of the representatives on many of the education forums in Victoria.
I refer to the Minister for Education the fact that her predecessor, Mr Cathie, attended the association’s conference in Shepparton in October 1987. I was present at the conference and heard Mr Cathie, in answer to a question, say that once the association obtained a membership of 50 per cent of post-primary institutions in Victoria, official recognition would be given to it.

I draw the Minister’s attention to the fact that the association now claims it has approximately 62 per cent of the secondary schools in Victoria as its members, a fact confirmed in the official newsletter, volume 4, no. 1, of February 1988. It is now claiming that it should have some official recognition. Is the Minister for Education prepared to stand by the commitment given by her predecessor that once 50 per cent membership has been obtained, official recognition will be given? If she is not prepared to do so, can she explain to the House why she will not do that?

I ask the Minister for Education whether she is aware that the association has been very active, particularly in country areas, affording excellent representation and putting forward valuable views. I ask the Minister why she will not accept that commitment given by her predecessor.

The Hon. W. R. Baxter (North Eastern Province)—The matter that I wish to raise concerns the Minister for Transport. Firstly, I thank the Minister for his undertaking given earlier today to visit north-eastern Victoria to examine damage caused to roads by log cartage. He has exhibited a far more accommodating attitude than did his predecessor. I am pleased that he was so anxious to advise me and the House that he could not wait for me to ask the question; he had to intrude some irrelevancy in answer to Mr Dunn. Nevertheless, I am pleased to have his advice even though it came in a rather circuitous way.

The matter I want to raise concerns staffing at the Road Traffic Authority offices, in particular in the office at Wodonga. I understand that the staffing complement at Wodonga has been seven permanent and two casual officers but that now, for reasons which I have been unable to ascertain, the casuals are no longer employed.

There are three permanent staff absent for extended periods for various reasons, including sick leave, holidays and the like, leaving four officers manning a very busy office. It would be fewer than four available officers if one takes into account rostered days off and the other benefits that now seem to accrue in the Public Service.

The understaffing is causing severe hold-ups to the constituents in the electorate that I represent. They are unable to obtain service at the office that serves a large area of north-eastern Victoria and is one of the government’s most profitable tax-gathering instrumentalities in that it garners large amounts of money for registration fees, licence fees and the like.

People wanting to make appointments for drivers’ licence tests find that the office is fully booked up until the end of this month. That is probably understandable, but unfortunately, because of staff shortages, people are unable to make appointments for beyond this month as apparently the book is not ruled up; there are no staff to rule it up. It is impossible for the constituents I represent to plan when they should go to Wodonga for a driver’s licence test, remembering that some need to travel more than 100 kilometres.

While examining the staffing situation at the Road Traffic Authority offices, in particular the one at Wodonga, I should like the Minister for Transport to examine the problem of access there. Because of the demands placed upon it, that office is short of parking spaces. Also, I suggest that the rather dismal looking garden in the front of that building should be remade.

The Hon. J. H. Kennan—Is that the greenie in you coming out?
The Hon. W. R. BAXTER—It is not so much the green in that garden; it is scoria, stone and concrete; it may be possible to improve the garden and at the same time make available additional parking areas.

The Hon. J. H. Kennan—Don’t you think they might be competing interests?

The Hon. W. R. BAXTER—No, I do not. The identification of the office might be enhanced because it bears only a small sign. Persons who are not residents of Wodonga and who are looking for that office would experience some difficulty.

I ask the Minister for Transport to address the staffing situation and the problem of the drivers’ licence tests, and in the process to revamp the whole office.

The Hon. G. P. CONNARD (Higinbotham Province)—My problem is addressed to the Minister for Transport. Some two or three weeks ago the Sandringham City Council contacted me and advised me that the council was to attend a special meeting with the Metropolitan Transit Authority to discuss the railway line development program associated with the redevelopment of the Sandringham line. The council invited me to attend as it was to be a consultation with the authority, local government and others.

However, to my dismay the authority made it clear to the council that unless the meeting was closed to Parliamentarians and others, the Metropolitan Transit Authority representatives would not attend. The council was most embarrassed but was forced to withdraw its offer for me to attend that meeting.

It seems that not only is the Labor government worried about freedom of information within its own ranks but it is concerned about open meetings held with local government and others. Specifically, I ask the Minister for Transport why the matters discussed in the consultation were so secret that nobody else, including Parliamentarians, could attend, yet it was supposed to be a consultation.

The Hon. J. G. MILES (Templestowe Province)—I refer to the Minister for Health the problem concerning the Eltham Cemetery and Montsalvat. Approximately 2 hectares of land are in dispute, having been sold to the Eltham Cemetery Trust in 1961, and permanently reserved for cemetery purposes in 1967.

In May 1986 the Mortuary Industry and Cemeteries Administration Committee recommended that the Eltham Cemetery Trust should retain the 2 hectares of land. In the Herald on 22 February there was a letter to the editor on this matter and in the Sunday Press on 22 February there was an article entitled “The unholy war”. It referred to the continuing local controversy and also the division of opinion within the Eltham Shire Council over the issue.

I know that the Minister has appointed more trustees—six of the old guard and six of the new guard—to resolve the matter.

I understand that it is difficult for the Eltham Cemetery Trust to resolve the matter, and I ask the Minister when a decision will be made and whether he will give an indication of the nature of that decision.

The Hon. E. H. WALKER (Minister for Agriculture and Rural Affairs)—Mr Guest asked me some questions about the Port Melbourne Bayside Development. He asks whether I am aware of Port Melbourne council’s so-called alternative strategy, whether I take it seriously, and whether it will be considered before I accept the bona fides of the Port Melbourne council. I believe those were the key questions.

The Port Melbourne solution as illustrated—I have seen it—has no status. Ample opportunity has been provided to allow interested parties to present their views to the panel. The government will continue to consult with the Port Melbourne City Council as part of the process which has been ongoing for some time.

The Hon. D. R. WHITE (Minister for Health)—In response to the matter raised by Mr Chamberlain regarding the Portland and District Hospital, any capital works provided for
design and construction at Portland are separate and distinct from any allocations that have already been made in the region. I do not wish to impede or inhibit matters on capital works which have been agreed to within the region. In respect of current expenditure implications, which will be the subject of consideration in the 1988–89 Budget, I shall take that as a question on notice and that will be resolved when the State Budget is brought down.

The matter raised by Mr Miles has tried seven health Ministers and 22 Ministerial advisers. I assure Mr Miles that a decision will be forthcoming in the not too distant future.

The Hon. J. H. KENNAN (Minister for Transport)—The svelte Mr Baxter is to be congratulated not for asking me a question on transport but for following the lead of Mr Hunt and me. He has outstripped us in the weight loss stakes.

He raised a matter regarding the Road Traffic Authority at Wodonga which I shall happily look into. I shall be in Wodonga on my next trip to the north-east. I am concerned that there could be more greenery in the garden; I shall look at that.

Mr Connard raised a matter concerning the Sandringham City Council. I shall be happy to look into that matter.

Mr Reid raised a matter which I shall refer to the Minister for Community Services. I ask him to provide me with details of the matter.

Mr Wright raised a matter about V/Line and I shall be happy to look into that.

Mr Lawson raised a matter of the State Emergency Service and I shall be happy to look into that.

Mr Ward raised a matter relating to bus services——

Honourable members interjecting.

The Hon. J. H. KENNAN—Honourable members will be struggling to get information for the local papers. Mr Ward raised a matter about a bus service at Garfield, and I shall be happy to investigate that. I shall write to him in the fullness of time about that.

Mr Dunn raised a matter to which I am happy to reply on the merits of the issue. He and his colleagues must make up their minds whether they want freight rates deregulated. I pointed this out to a deputation from a committee of the Victorian Farmers Federation which said that it did not want to continue the conversation but that it would go away and consider the matter.

It will be necessary to support the closure of all passenger rail services if there is to be deregulation; that is what it will mean. The federation is in a difficult position on this because it was not in favour of that sort of mass closure. If deregulation is to be pursued that is what it will mean.

Some colleagues of the National Party and fellow travellers who came to me on this matter backed off their strong line when they were asked whether they would, at the time of supporting deregulation, make a public commitment to support the government which as a consequence of deregulation closed all railway lines outside Melbourne. They said they wanted to consider their position on deregulation.

We have effected efficiencies in the operation of V/Line. The numbers employed have dropped from 18,000 down to the vicinity of 11,000 to 12,000 and, during the course of this financial year, there will be 1000 fewer employed.

Operating passenger and freight services profitably to country areas is a difficult matter and, as a good rural socialist, Mr Dunn wants it to continue, as do his colleagues in the other party opposite. If those sorts of services are to be continued, the National Party
cannot, at the same time, ask for substantial subsidies for freight and constant decline of rates.

The other matter that must be asked on freight is whether road users are paying their way! Mr Baxter and Mr Evans have written to me suggesting they are not and should by paying more. The National Party must face up to the matter. There are all sorts of problems for potential economic dishonesty because the proposition assumes that people using the roads are paying their fair share, and at this stage I do not accept that.

The Hon. C. J. HOGG (Minister for Education)—In answer to Mr Hallam, I deeply regret the delay that has occurred in respect of the problems associated with his constituent’s registration. I am not familiar with that case and I thank him for directing it to my attention and providing me with a letter. I shall quickly follow that up and get back to him.

In answer to Mrs Varty, I make the following points. Firstly, her constituent has three teenage children aged 11 years, 14 years and 15 years. An anomaly was revealed with the education expense allowance and I shall give attention to that during the course of the year.

The education expense allowance is a new allowance. It is the first time it has ever been paid. It provides $60 a year for each student in a family that receives the family allowance. That is the cut-off point.

Mrs Varty was correct in demonstrating an anomaly for a child who will turn sixteen years of age by June. Mrs Varty spoke about eligibility for Austudy. I should have thought that, if the child were eligible for that allowance, the child would be eligible for the education expense allowance. If that is the case, no such anomaly exists.

The matter is more finely tuned for the education expense allowance, and provision is made for students who turn sixteen at the half year. Instructions have been sent out to schools to explain how that benefit will be calculated.

If Mrs Varty believes her constituent is the holder of a health card or that the financial circumstances of the family entitle it to Austudy, I believe there is some merit in inquiring into whether the family has taken up the opportunity of the education maintenance allowance, which has increased from $208 to $240 this year under this government, and $120 is also being paid to primary school children for the first time ever. Families that hold a health card are entitled to that payment. No such anomaly exists, and I wonder whether Mrs Varty would sort out the matter with her constituent. If there appears to be any way in which the government can help, it will do so.

In reply to Mr Evans, I indicate that I have received a deputation from the Association of Councils of Post-Primary Institutions in Victoria this year and discussed the matter of its representation with various committees throughout the Ministry of Education. I maintained that I always made it a practice in the other portfolio for which I have been responsible to try to deal with one group with one voice. I constantly made this point to the Metropolitan Municipal Association Inc. because it wanted separate representation from the Municipal Association of Victoria on committees dealing with community services and home and community care. I suggested that it was important for those groups to be able to present their advice with one voice. I suggested to the Association of Councils of Post-Primary Institutions in Victoria that it discuss with the Victorian Council of School Organisations the possibility of doing this. Towards the end of last year there appeared to be some enthusiasm for a merger between those two groups, but regrettably the proposal fell apart at the last moment, and the idea went back to the drawing board.

The problem with the case Mr Evans made is that a number of school councils have dual membership both with the Victorian Council of School Organisations and the association. I raised this question with the association and suggested a way around the matter, but the people concerned were disinclined to do any further surveying or research.
I said that I would take their remarks into consideration and seek further advice. I am interested in Mr Evans’s views and will consider the matter.

The Hon. J. E. KIRNER (Minister for Conservation, Forests and Lands)—I thank Mrs Tehan for raising the Summerland estate issue. It is important to refer to the background of the matter. The Summerland estate should never have been subdivided—the subdivision was approved by a previous government, not this government—as it is extremely important to have the habitat maintained for penguins.

Because of the concern of the previous government and this government about that habitat and the impact it was having on penguins, such as the considerably high death toll caused by feral dogs and cats, or even domestic animals, and road killings, a planning blight was placed on the land so that houses could not be sold and development of existing land could not take place. Shortly after I became Minister I asked Cabinet to address the issue. It was agreed to allocate $1 million a year or thereabouts to purchase all the houses over a period. It was essential to spend a fair deal of that allocation in the first year on purchasing a motel, which was one of the crucial problems in the area.

The government then committed $1 million over the next ten to fifteen years to the purchase of that land. As honourable members are aware, I receive approximately $2 million a year for land purchased by my department. The Summerland purchase represented approximately half of the money my department received. The amounts owed over the next two years total $1.2 million, which does not leave much for all the other areas of conservation land the department would like to purchase. We are unable to purchase the land at a faster rate and some people do not want that to happen. They want to stay in the area as long as they can. Some elderly people want to remain on the land, perhaps wishing to die there, and will not be moved in a hurry. The purchases are done on a careful needs basis and my officers have done an excellent job in ensuring that it is done in the best way possible. I agree with Mrs Tehan that progress is slow, but it is sure and fair.

I point out that the process is exactly the same as that used by the previous government in the buy-back of the Dandenongs following the new zoning scheme introduced by that government. The whole area of land was set out for addition to public parkland or for non-developmental purposes. This has been continuing for approximately fifteen years and $12 million has been spent. Those people could claim exactly the same as Mrs Tehan has claimed about the Summerland estate, namely, that the situation is unjust and inequitable. We are all “unblessed” by the bad planning decisions of the previous government and previous Ministers—the Hamer government was in the same situation—and I believe my department is doing the best job it can in the circumstances.

The motion was agreed to.

The House adjourned at 11.6 p.m.
The following answers to questions on notice were circulated:

**DENTAL AND PHARMACY SERVICES**

(Question No. 12)

The Hon. M. A. BIRRELL (East Yarra Province) asked the Minister for Health:

(a) What dental and pharmacy services, respectively, are currently provided in community health centres, specifying the location, role, annual cost, staff allocation, and date of establishment of each service?

(b) Is it government policy to expand any of those services; if so, how and when?

(c) Which of those services is located in close geographic proximity to dental or pharmacy services that are funded by the government, citing in each case the facility concerned?

The Hon. D. R. WHITE (Minister for Health)—The answer is:

**Pharmacy**

(a) Pharmacies are located in the Collingwood Community Health Centre and the Richmond Community Health Centre to provide pharmacy services and programs for the people who use those centres. Collingwood Community Health Centre developed out of the Singleton Dispensary and Welfare Centre founded by Dr Singleton in 1869. Richmond Dispensary was founded by a group of doctors following a public meeting in 1868.

The approved establishments and estimated cost to the State Budget for 1986–87 are:

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<tr>
<th></th>
<th>Collingwood</th>
<th>Richmond</th>
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<tr>
<td>2.5 Pharmacists</td>
<td>83,928</td>
<td>1.0 Pharmacists</td>
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<tr>
<td>Other costs</td>
<td>33,962</td>
<td>Other costs</td>
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<tr>
<td><strong>Total</strong></td>
<td><strong>117,890</strong></td>
<td><strong>Total</strong></td>
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(b) There is no policy to expand these services.

(c) The nearest State government funded pharmacy available to general outpatients is at St Vincent's Hospital.

**Dental Services**

(a) The following paper lists services which are provided to users of the centres, staffing and costs where funded. The dates of establishment are not available; all centres were established in 1972 or later.

(b) Policy will be determined following a detailed consideration of the recommendations of the Report of the Ministerial Review of Dental Services in Victoria.

(c) The location of all publicly funded dental services is set out in the report of the Ministerial Review of Dental Services in Victoria.

Dental Services are located as follows:

- **Broadford**
  - One fee-for-service dentist working one session per week. Dentist employs dental nurse.

- **Churchill**
  - Salaried service. The centre bills clients to cover the employment of two dentists and two dental nurses. Centre is subsided $1200 per month from the regional dental scheme through the Gippsland Base Hospital for the treatment of low-income clients.

- **Corio**
  - Funded through the community health program for:
    - 40 hours per fortnight: 1 dentist
    - 1 dental nurse
  - Cost in 1985–86 was $34,760.

- **Deer Park**
  - Fee-for-service dentist working 20 hours per week. Dentist supplies own dental nurse.
Eaglehawk
One dentist and dental nurse are provided to the centre from the Bendigo Base Hospital three and a half days per week.

East Preston
Royal Dental Hospital staff provide one dentist and dental nurse two days per week.

Golden Square
Fee-for-service arrangement provided by one dentist working three sessions per week. Employs own dental nurse.

Goroke
Fee-for-service dentist offers services for one session per fortnight.

North Richmond Family Care
Royal Dental Hospital staff provide a service two days per week of one dentist and one dental nurse.

Lakes Entrance
Fee-for-service dentist for 5-5 sessions per week. Dentist employs a dental nurse.

Queenscliff
Community health program positions of:
- 0.3 EFT Dental Officer Grade 3
- 0.3 EFT Dental Nurse

Cost in 1985-86 was $15,880.

San Remo
Fee-for-service dentist for one session, half day per week.

St Albans
Three fee-for-service dentists providing an average of sixteen sessions over six days a week.

Stanhope
Fee-for-service dentist and one dental nurse working one session, half day per week.

Torquay
Fee-for-service dentist and one dental nurse working nine sessions per week.

Timboon
(a) Fee-for-service dentist and two dental nurses work one session per week.
(b) Warrnambool Base Hospital Dentist
Dentist and dental nurse provide a service for pensioners and health care card holders equivalent to one session per week and every sixth week spend four days at the Timboon Centre.

West Heidelberg
Royal Dental Hospital dentist and dental nurse work two days per week.

SALE OF LAND
(Question No. 31)

The Hon. G. P. CONNARD (Higinbotham Province) asked the Minister for Conservation, Forests and Lands:
What land and/or fixed property has been sold, and offered for sale and not finalised, respectively, by the department and/or agencies under the authority of the Minister during each of the years from 1982-83 to 1986-87 (to date) delineating, where appropriate, the revenue acquired from each sale?

The Hon. J. E. KIRNER (Minister for Conservation, Forests and Lands)—The answer is:
The Minister for Property and Services, as the responsible authority, will be responding to you in respect of all property sales finalised after 30 June 1983 and those currently in progress.

In respect of property sales involving the Department of Conservation, Forests and Lands and agencies under my authority, which were finalised since 30 June 1982 and until 30 June 1985, the issue has been the subject of a
freedom of information request by Mr Hallam, MLC. The record of all sales is in the form of a Crown Grant Register which gives a number of details including land sales and revenue acquired.

As the Crown Grants Register and the information contained in it is of substantial proportion, full access has been granted to Mr Hallam, and I therefore consider it appropriate that the register also be made available to you for inspection at the appropriate departmental office. Please contact Mr Bill O’Donnell of the Estates Management Branch on 617 9352 to arrange a mutually convenient time to inspect the register.

SALE OF GOVERNMENT ASSETS

(Question No. 32)

The Hon. G. P. CONNARD (Higinbotham Province) asked the Minister for Education:

What land and/or fixed property has been sold, and offered for sale and not finalised, respectively, by the department and/or agencies under the authority of the Minister during each of the years from 1982-83 to 1986-87 (to date) delineating, where appropriate, the revenue acquired from each sale?

The Hon. C. J. HOGG (Minister for Education)—The answer is:

Approximate revenue from property sales for the financial years mentioned is as follows:

<table>
<thead>
<tr>
<th>Year</th>
<th>Proceeds</th>
</tr>
</thead>
<tbody>
<tr>
<td>1982-83</td>
<td>166 000</td>
</tr>
<tr>
<td>1983-84</td>
<td>8 116 000</td>
</tr>
<tr>
<td>1984-85</td>
<td>8 697 000</td>
</tr>
<tr>
<td>1985-86</td>
<td>9 835 000</td>
</tr>
<tr>
<td>1986-87</td>
<td>7 815 000</td>
</tr>
</tbody>
</table>

Due to the number of property transactions conducted during the above periods, which include several hundred rural properties alone, I am not prepared to commit already limited resources to ascertain the precise details of each individual property.

However, if the honourable member has a specific transaction or property in mind then I will be happy to provide the detailed information.

Victorian Post-Secondary Education Commission

<table>
<thead>
<tr>
<th>Year</th>
<th>Address of land/ fixed properties</th>
<th>Proceeds</th>
<th>Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>1982-83</td>
<td>Poole St, Burwood</td>
<td>1 311 000</td>
<td>Sold to Ministry of Housing. Proceeds used by Victoria College with Ministerial consent to fund stage 1 of college library.</td>
</tr>
<tr>
<td>1984-85</td>
<td>Burwood Highway, Wantirna South</td>
<td>3 860 000</td>
<td>Sold to MMBW. Ministerial consent obtained to allocate proceeds as follows:</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>$2·0 m for relocation of Lincoln Institute to Abbotsford</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>$1·8 m for establishment of Western Institute.</td>
</tr>
<tr>
<td>1986-87</td>
<td>Heese estate, Friswell Ave, Bendigo</td>
<td>(Valuation) 189 000</td>
<td>Negotiations under way for sale to Ministry of Housing and Construction. Proceeds to be used for capital development at Bendigo CAE.</td>
</tr>
<tr>
<td>1986-97</td>
<td>Lot 15, Friswell Ave</td>
<td>(Approx. Valuation) 100 000</td>
<td>By auction on 24 June 1987. Proceeds to be used for capital development at Bendigo CAE.</td>
</tr>
</tbody>
</table>

In considering the above information, please note the following:

1. Sale of the Slater Street School of Nursing has been omitted, as the titles are held by the College of Nursing Australia.

2. It is assumed that information has been requested for:
   (i) colleges of advanced education only;
   (ii) properties for which titles are vested in the Minister for Education;
   (iii) only properties for which sale yielded a financial consideration.
Victorian Universities

Deakin University
No land disposed of between 1982 and present.

La Trobe University
No land or fixed property sold or offered for sale from 1982 to present time.

Monash University
Approximately 1-52 hectares at Westerfield Drive, Clayton sold to Victoria College, Rusden Campus for nominal consideration on 12 July 1984. In effect a straight exchange for 1-62 hectares in Howleys Road, Clayton owned by the Ministry of Education.

The University of Melbourne

<table>
<thead>
<tr>
<th>Address</th>
<th>Description</th>
<th>Settlement Date</th>
<th>Contract Price</th>
</tr>
</thead>
<tbody>
<tr>
<td>138-146 Cardigan Street, Carlton</td>
<td>MUP warehouse</td>
<td>30 October 1985</td>
<td>$600 000</td>
</tr>
<tr>
<td>148-154 Cardigan Street, Carlton</td>
<td>MUP car park</td>
<td>24 June 1982</td>
<td>$134 000</td>
</tr>
<tr>
<td>926-930 Swanston Street, Carlton</td>
<td>MUP vacant land</td>
<td>30 September 1985</td>
<td>$125 000</td>
</tr>
<tr>
<td>932-938 Swanston Street, Carlton</td>
<td>MUP—two storey office building</td>
<td>1 November 1985</td>
<td>$305 000</td>
</tr>
<tr>
<td>15 Morrah Street, Parkville</td>
<td>two storey terrace house</td>
<td>10 December 1985</td>
<td>$187 000</td>
</tr>
<tr>
<td>701-713 Swanston Street, Carlton</td>
<td>Melbourne Town House (hotel/motel)</td>
<td>17 February 1987</td>
<td>$3 261 000</td>
</tr>
<tr>
<td>Perry Bridge via Stratford</td>
<td>Crown allotments 12a and 12b, Sect. 3 Parish of Ye ung</td>
<td>17 July 1986</td>
<td>$111 500</td>
</tr>
<tr>
<td>641 Orrong Road, Toorak</td>
<td>“Miegunyah”</td>
<td>24 July 1987</td>
<td>$4 750 000</td>
</tr>
<tr>
<td>25 Off Lambert Road, Toorak</td>
<td>“Miegunyah” gardeners cottage</td>
<td>24 July 1987</td>
<td>$260 000</td>
</tr>
<tr>
<td>Mount Martha</td>
<td>Vacant land thirteen hectares in five lots</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Lot A</td>
<td>1-527 hectares</td>
<td>19 August 1985</td>
<td>$106 000</td>
</tr>
<tr>
<td>Lot B</td>
<td>3-327 hectares</td>
<td>25 June 1985</td>
<td>$160 000</td>
</tr>
<tr>
<td>Lot C hectares</td>
<td>3-357 hectares</td>
<td>1 October 1984</td>
<td>$165 000</td>
</tr>
<tr>
<td>Lot D</td>
<td>2-844 hectares</td>
<td>22 August 1984</td>
<td>$140 000</td>
</tr>
<tr>
<td>Lot E</td>
<td>1-936 hectares</td>
<td>9 October 1984</td>
<td>$93 000</td>
</tr>
<tr>
<td>Lot 35 (No. 41) Marguerita Avenue, Mount Martha</td>
<td>Vacant land</td>
<td>19 April 1984</td>
<td>$16 300</td>
</tr>
<tr>
<td>Lot 36 (No. 43) Marguerita Avenue, Mount Martha</td>
<td>Timber dwelling</td>
<td>19 April 1984</td>
<td>$38 200</td>
</tr>
<tr>
<td>Lots 37, 38, 39 (Nos. 45, 47, 49) Marguerita Avenue, Mount Martha</td>
<td>Concrete block and timber bunkhouse dwelling and workshop</td>
<td>19 April 1984</td>
<td>$59 000</td>
</tr>
<tr>
<td>Lot 40 (No. 51) Marguerita Avenue, Mount Martha</td>
<td>Vacant land</td>
<td>19 April 1984</td>
<td>$15 000</td>
</tr>
<tr>
<td>Lot 41 (No. 53) Marguerita Avenue, Mount Martha</td>
<td>Vacant land</td>
<td>19 April 1984</td>
<td>$14 900</td>
</tr>
<tr>
<td>Lot 43 (No. 57) Marguerita Avenue, Mount Martha</td>
<td>Vacant land</td>
<td>19 April 1984</td>
<td>$14 850</td>
</tr>
<tr>
<td>Lot 3 Deakin Drive, Mount Martha</td>
<td>Brick dwelling</td>
<td>19 April 1984</td>
<td>$56 100</td>
</tr>
<tr>
<td>Lot 4 Deakin Drive, Mount Martha</td>
<td>Timber dwelling</td>
<td>19 April 1984</td>
<td>$38 500</td>
</tr>
<tr>
<td>Lot 5 Deakin Drive, Mount Martha</td>
<td>Vacant land</td>
<td>19 April 1984</td>
<td>$16 100</td>
</tr>
</tbody>
</table>

**VINE-PULLING IN SUNRAYSIA**

(Question No. 79)

The Hon. K. I. M. WRIGHT (North Western Province) asked the Minister for Agriculture and Rural Affairs:

How many vineyards in the Sunraysia area have been subjected to vine-pulling in each of the past three financial years, and what was the total acreage involved in each year?

The Hon. E. H. WALKER (Minister for Agriculture and Rural Affairs)—The answer is:

CLOSING OR DOWNGRADING OF TAB AGENCIES
(Question No. 83)

The Hon. F. J. GRANTER (Central Highlands Province) asked the Minister for Conservation, Forests and Lands, for the Minister for Sport and Recreation:

(a) How many TAB agencies have been closed during the past twelve months, and where are they located?

(b) How many TAB agencies have been downgraded to subagency status, and where are they located?

The Hon. J. E. KIRNER (Minister for Conservation, Forests and Lands)—The answer supplied by the Minister for Sport and Recreation is:

(a) Only three agencies were closed during the period in question. The location and reasons for these closures were:

1. Mount Waverley—the expiry of the lease for the agency premises and the refusal of the landlord to grant a further term. This outlet has now been reopened in new premises.

2. North Heidelberg—the inadequate security of the premises arising from its isolated location. A subagency will open shortly at 37 Southern Road, Heidelberg Heights to re-establish services in this area.

3. Spencer Bridge—operated from the front of the premises formerly housing the TAB printing and was closed following the expiration of the lease. As the premises had become surplus to the TAB's needs and there were adequate TAB services in the immediate area—two outlets in Clarendon Street and one in Spencer Street—the decision was taken to close the agency.

(b) The following table details the various openings, closings and recategorisations of agencies in the period August 1986 to September 1987.

However, it should be noted that the term “downgraded to subagency” is inappropriate. Subagencies are not a lesser category of agency, in many cases subagencies enjoy higher turnover and profits than full agencies. The term “subagency” is used solely to distinguish an outlet which is run in conjunction with another business from a full agency, whose sole function is that of a TAB agency.

<table>
<thead>
<tr>
<th>Closures</th>
<th>Openings</th>
<th>Recategorisations</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mount Waverley (relocated and reopened)</td>
<td>Hampton Park (S/A)</td>
<td>Elizabeth Street (branch to agency)</td>
</tr>
<tr>
<td>Donald (S/A)</td>
<td>Mentone Stn (S/A)</td>
<td>Mortlake (Category C-S/A)</td>
</tr>
<tr>
<td>(reopened on L/P)</td>
<td>South Frankston (S/A)</td>
<td>Yea (Category C-S/A)</td>
</tr>
<tr>
<td>Grovedale (S/A)</td>
<td>Chiltern (L/P)</td>
<td>Stanhope (Category C-S/A)</td>
</tr>
<tr>
<td>Mentone Stn (S/A)</td>
<td>Avoca (L/P)</td>
<td>Apollo Bay (Category C-S/A)</td>
</tr>
<tr>
<td>20-12-86</td>
<td>24-11-86</td>
<td>19-5-87</td>
</tr>
<tr>
<td>1.12-86</td>
<td>2-12-86</td>
<td>13-5-87</td>
</tr>
<tr>
<td>12-3-87</td>
<td>12-3-87</td>
<td>18-5-87</td>
</tr>
<tr>
<td>15-12-86</td>
<td>2-12-86</td>
<td>3-6-87</td>
</tr>
<tr>
<td>30-12-86</td>
<td>Golden Square</td>
<td>Heathcote (Category C-S/A)</td>
</tr>
<tr>
<td>Spencer Bridge</td>
<td>23-12-86</td>
<td>16-6-87</td>
</tr>
<tr>
<td>Buninyong (S/A)</td>
<td>14-2-87</td>
<td>Elmore (L/P)</td>
</tr>
<tr>
<td>11-5-87</td>
<td>27-1-87</td>
<td>14-4-87</td>
</tr>
<tr>
<td>Heidelberg Nth</td>
<td>12-3-87</td>
<td>13-4-87</td>
</tr>
<tr>
<td>Jeparit (S/A)</td>
<td>Rushworth (L/P)</td>
<td>3-6-87</td>
</tr>
<tr>
<td>15-5-87</td>
<td>Mallacoota (L/P)</td>
<td>1-4-87</td>
</tr>
<tr>
<td>16-5-87</td>
<td>Brighton Nth (S/A)</td>
<td>16-6-87</td>
</tr>
<tr>
<td>29-6-87</td>
<td>Elmore (L/P)</td>
<td></td>
</tr>
<tr>
<td>29-6-87</td>
<td>Donald (L/P)</td>
<td></td>
</tr>
<tr>
<td>29-6-87</td>
<td>Rosedale (L/P)</td>
<td></td>
</tr>
</tbody>
</table>

DISTRICT HEALTH COUNCILS
(Question No. 86)

The Hon. K. I. M. WRIGHT (North Western Province) asked the Minister for Health:

With respect to district health councils—(i) how many and which councils have been formed; and (ii) how many and which councils have not been formed?

Session 1988—3
EMPLOYEES IN PUBLIC HOSPITALS

(Question No. 89)

The Hon. M. A. BIRRELL (East Yarra Province) asked the Minister for Health:

(a) How many employees on the payroll of public hospitals were engaged (by way of secondment or any other arrangement) in periods of full-time work for Health Department Victoria in 1986-87?

(b) In each case, which public hospital released staff to work for the department, and what tasks were involved?

The Hon. D. R. WHITE (Minister for Health)—The answer is:

(a) During the financial year 1986-87 an average of 59 persons were employed on public hospitals payrolls and seconded to Health Department Victoria.

Included in the figure of 59 were eight perinatal data collection staff. These staff are employed by the Royal Women’s Hospital and work at 555 Collins Street. However, these staff report to the Consultative Council on
Obstetric and Paediatric Mortality and Morbidity Committee and are removed from the day-to-day business of the department.

Of the remaining 51 persons employed on public hospitals payroll, 45 were transferred to Health Department Victoria's central payroll with Public Service status on 20 September 1987.

(b) A chart indicating the functional areas where seconded staff are employed and the hospitals they are employed by follows.

It should be noted that in 1978 more than 100 persons were seconded from public hospitals. As a matter of policy these numbers have now been substantially reduced. However, the exchange of skills and expertise on a secondment basis is regarded as a most beneficial resource technique for both organisations and individuals and will continue to be used on a limited basis.

FULL-TIME STAFF EMPLOYED ON PUBLIC HOSPITAL PAYROLL AND SECONDED TO HEALTH DEPARTMENT VICTORIA IN 1986-87

<table>
<thead>
<tr>
<th>Health Department Functional Area</th>
<th>Number of Staff</th>
<th>Public Hospitals</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Nurse education transfer</td>
<td>2</td>
<td>Prince Henry's (1)</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Preston and Northcote Community (1)</td>
</tr>
<tr>
<td>2. Planning and research</td>
<td>1</td>
<td>Preston and Northcote Community</td>
</tr>
<tr>
<td>3. Alcohol and drug unit</td>
<td>1</td>
<td>PANCH</td>
</tr>
<tr>
<td>4. Policy and programs</td>
<td>5</td>
<td>PANCH (4)</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Royal Womens (1)</td>
</tr>
<tr>
<td>5. Regional offices</td>
<td>5</td>
<td>PANCH</td>
</tr>
<tr>
<td>6. Public hospital regional library service</td>
<td>4</td>
<td>PANCH</td>
</tr>
<tr>
<td>7. Finance and administration</td>
<td>11</td>
<td>Frankston Community (2)</td>
</tr>
<tr>
<td></td>
<td></td>
<td>PANCH (8)</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Royal Children's (1)</td>
</tr>
<tr>
<td>8. Perinatal data collection</td>
<td>8</td>
<td>RWH</td>
</tr>
<tr>
<td>9. Aboriginal liaison</td>
<td>3</td>
<td>PANCH (2)</td>
</tr>
<tr>
<td></td>
<td></td>
<td>St Vincents (1)</td>
</tr>
<tr>
<td>10. Medical records</td>
<td>8</td>
<td>PANCH</td>
</tr>
<tr>
<td>11. Nursing advisory unit</td>
<td>8</td>
<td>PANCH (6)</td>
</tr>
<tr>
<td></td>
<td></td>
<td>QVMC (1)</td>
</tr>
<tr>
<td></td>
<td></td>
<td>RWH (1)</td>
</tr>
<tr>
<td>12. Health promotion unit</td>
<td>2</td>
<td>PANCH</td>
</tr>
<tr>
<td>13. Office of Psychiatric Services payroll budget section</td>
<td>1</td>
<td>PANCH</td>
</tr>
<tr>
<td>14.</td>
<td>59</td>
<td></td>
</tr>
</tbody>
</table>

COBURG COMMUNITY HEALTH CENTRE

(Question No. 92)

The Hon. M. A. BIRRELL (East Yarra Province) asked the Minister for Health:

(a) What was Health Department Victoria's original estimate of the cost of relocating the Coburg Community Health Centre?

(b) Was the investigation giving rise to this estimate later found to be inadequate; if so, why was it used as a basis for inclusion in the department's works program?

(c) What was the revised total estimated cost of the project and, in percentage terms, how much higher was this than the original estimate?

(d) What is the expected actual cost of the completed project?
The Hon. D. R. WHITE (Minister for Health)—The answer is:

(a) and (b) Development of new premises for Coburg Community Health Centre through renovation of the old Coburg Chest Clinic was originally included on the capital works program in October 1985.

At that time a notional cost of $250,000 was provided by the centre and was the only estimate available. It was not based on any functional brief. At the time the notional estimate was received Health Department Victoria advised the centre to develop a functional brief on which accurate costings could be based.

The first architect's estimate of the cost of the works based on the functional brief was $669,000 and in consultation with the department this was reduced to $606,000, which resulted in a total project cost estimate of $769,000 with the addition of fees and cost escalation to tender.

The department now has procedures in place to ensure that projects proceeding to the capital works program do so on the basis of a limit of cost estimate—that is, estimates based on detailed sketch plans and engineering system design for the works.

(c) and (d) The revised total estimate of the project at the end of the works was estimated in January 1986 as $800,000 with the actual end cost on the completion of the works in 1987 of $880,000.

The final cost includes escalation costs during the period of construction and is a 14 per cent increase on the original architect's estimate.

PEOPLE DISCHARGED FROM STATE-FUNDED PSYCHIATRIC FACILITIES
(Question No. 94)

The Hon. M. A. BIRRELL (East Yarra Province) asked the Minister for Health:

(a) How many people were discharged from State-funded psychiatric facilities in 1985-86 and 1986-87, respectively?

(b) To which local government areas (on a percentage basis) were those people discharged?

(c) What were their diagnostic groupings (on a percentage basis)?

(d) What percentage of those people were in the age groups—(i) 0 to 29; (ii) 30 to 39; (iii) 40 to 49; (iv) 50 to 59; and (v) 60 years and over?

(e) How many people are expected to be discharged from State-funded psychiatric facilities in 1987-88 and 1988-89?

The Hon. D. R. WHITE (Minister for Health)—The answer is:

(a) Discharges from State-funded psychiatric facilities are listed hereunder.

Admissions figures are also provided to give an overall picture of variations to patient numbers.

<table>
<thead>
<tr>
<th></th>
<th>Admissions</th>
<th>Discharges</th>
</tr>
</thead>
<tbody>
<tr>
<td>1985-86</td>
<td>10,656</td>
<td>10,526</td>
</tr>
<tr>
<td>1986-87</td>
<td>10,988</td>
<td>11,500</td>
</tr>
</tbody>
</table>

(b) Percentage discharges to local government areas are detailed in table A.

(c) Diagnostic groupings on a percentage basis are detailed in table B.

(d) Percentage discharges based on age groupings are as follows:

<table>
<thead>
<tr>
<th></th>
<th>1985-86</th>
<th>1986-87</th>
</tr>
</thead>
<tbody>
<tr>
<td>0-29</td>
<td>31·7</td>
<td>31·1</td>
</tr>
<tr>
<td>30-39</td>
<td>24·5</td>
<td>22·8</td>
</tr>
<tr>
<td>40-49</td>
<td>13·0</td>
<td>13·5</td>
</tr>
<tr>
<td>50-59</td>
<td>10·7</td>
<td>11·2</td>
</tr>
<tr>
<td>60 and over</td>
<td>19·9</td>
<td>20·9</td>
</tr>
</tbody>
</table>

(e) Estimated discharges for 1987-88 and 1988-89 are as follows:

<p>| | | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>1987-88</td>
<td>11,200</td>
<td></td>
</tr>
<tr>
<td>1988-89</td>
<td>10,800</td>
<td></td>
</tr>
<tr>
<td>LGA</td>
<td>1985-86 Percent</td>
<td>1986-87 Percent</td>
</tr>
<tr>
<td>-------------------</td>
<td>----------------</td>
<td>----------------</td>
</tr>
<tr>
<td>Altona</td>
<td>0.8</td>
<td>0.9</td>
</tr>
<tr>
<td>Berwick</td>
<td>0.9</td>
<td>0.8</td>
</tr>
<tr>
<td>Box Hill</td>
<td>0.6</td>
<td>0.6</td>
</tr>
<tr>
<td>Brighton</td>
<td>0.5</td>
<td>0.4</td>
</tr>
<tr>
<td>Broadmeadows</td>
<td>1.3</td>
<td>1.6</td>
</tr>
<tr>
<td>Brunswick</td>
<td>1.9</td>
<td>1.7</td>
</tr>
<tr>
<td>Bulla</td>
<td>0.6</td>
<td>0.7</td>
</tr>
<tr>
<td>Camberwell</td>
<td>1.5</td>
<td>1.4</td>
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<td>Traralgon S</td>
<td>0-0</td>
<td>0-0</td>
</tr>
<tr>
<td>Warragul</td>
<td>0-3</td>
<td>0-1</td>
</tr>
<tr>
<td>Woorayl</td>
<td>0-2</td>
<td>0-2</td>
</tr>
<tr>
<td>Yallourn Works</td>
<td>0-0</td>
<td>0-0</td>
</tr>
<tr>
<td>Bass</td>
<td>0-1</td>
<td>0-1</td>
</tr>
<tr>
<td>Phillip Island</td>
<td>0-0</td>
<td>0-0</td>
</tr>
<tr>
<td>Upper Yarra</td>
<td>0-0</td>
<td>0-0</td>
</tr>
<tr>
<td>Wonthaggi</td>
<td>0-2</td>
<td>0-1</td>
</tr>
<tr>
<td>Itinerant, interstate and not stated</td>
<td>3-9</td>
<td>4-2</td>
</tr>
</tbody>
</table>

TABLE B

<table>
<thead>
<tr>
<th>Disorder</th>
<th>1985–86</th>
<th>1986–87</th>
</tr>
</thead>
<tbody>
<tr>
<td>Senile and presenile organic psychotic conditions</td>
<td>2-8</td>
<td>2-8</td>
</tr>
<tr>
<td>Alcoholic Psychoses</td>
<td>1-5</td>
<td>0-14</td>
</tr>
<tr>
<td>Drug psychoses</td>
<td>1-2</td>
<td>1-0</td>
</tr>
<tr>
<td>Transient organic psychotic conditions</td>
<td>0-7</td>
<td>0-6</td>
</tr>
<tr>
<td>Other organic psychotic conditions (chronic)</td>
<td>0-2</td>
<td>0-3</td>
</tr>
<tr>
<td>Schizophrenic psychoses</td>
<td>26-1</td>
<td>24-2</td>
</tr>
<tr>
<td>Affective psychoses</td>
<td>9-5</td>
<td>10-4</td>
</tr>
<tr>
<td>Paranoid states</td>
<td>1-4</td>
<td>1-3</td>
</tr>
<tr>
<td>Other non-organic psychoses</td>
<td>1-3</td>
<td>1-4</td>
</tr>
<tr>
<td>Psychoses with origin specific to childhood</td>
<td></td>
<td>0-1</td>
</tr>
<tr>
<td>Neurotic disorders</td>
<td>5-0</td>
<td>4-6</td>
</tr>
<tr>
<td>Personality disorders</td>
<td>6-7</td>
<td>6-0</td>
</tr>
<tr>
<td>Alcohol dependence syndrome</td>
<td>3-4</td>
<td>3-9</td>
</tr>
<tr>
<td>Drug dependence</td>
<td>0-6</td>
<td>0-4</td>
</tr>
<tr>
<td>Non-dependent abuse of drugs</td>
<td>0-5</td>
<td>0-6</td>
</tr>
<tr>
<td>Physiological malfunction arising from mental factors</td>
<td></td>
<td>0-1</td>
</tr>
<tr>
<td>Special symptoms or syndromes not elsewhere classified</td>
<td>0-3</td>
<td>0-2</td>
</tr>
<tr>
<td>Acute reaction to stress</td>
<td>2-4</td>
<td>1-8</td>
</tr>
<tr>
<td>Adjustment reaction</td>
<td>4-0</td>
<td>3-2</td>
</tr>
<tr>
<td>Specific non- psychotic mental disorders following organic brain damage</td>
<td>0-2</td>
<td>0-3</td>
</tr>
<tr>
<td>Depressive disorder, not elsewhere classified</td>
<td>1-7</td>
<td>1-7</td>
</tr>
<tr>
<td>Disturbance of conduct not elsewhere classified</td>
<td>0-2</td>
<td>0-1</td>
</tr>
<tr>
<td>Disturbance of emotions specific to childhood and adolescence</td>
<td></td>
<td>0-1</td>
</tr>
<tr>
<td>Specific delays in development</td>
<td>0-1</td>
<td></td>
</tr>
<tr>
<td>Mild mental retardation</td>
<td>0-4</td>
<td>0-9</td>
</tr>
<tr>
<td>Other specified mental retardation</td>
<td>0-1</td>
<td>0-1</td>
</tr>
<tr>
<td>Unspecified mental retardation</td>
<td>0-1</td>
<td>0-1</td>
</tr>
<tr>
<td>Epilepsy</td>
<td>0-1</td>
<td></td>
</tr>
<tr>
<td>Other ill-defined and unknown causes of morbidity and mortality</td>
<td>1-7</td>
<td>3-7</td>
</tr>
<tr>
<td>Complications of medical care, not elsewhere classified</td>
<td>26-6</td>
<td>27-6</td>
</tr>
<tr>
<td>Other family circumstances</td>
<td>0-1</td>
<td>0-1</td>
</tr>
<tr>
<td>Other psychosocial circumstances</td>
<td>0-1</td>
<td>0-1</td>
</tr>
<tr>
<td>Other persons seeking consultation without complaint or sickness</td>
<td>0-7</td>
<td>0-7</td>
</tr>
<tr>
<td>Special screening for mental disorders and development hangups</td>
<td>0-1</td>
<td>0-0</td>
</tr>
</tbody>
</table>
COMMUNITY HEALTH CENTRES

(Question No. 99)

The Hon. G. P. CONNARD (Higinbotham Province) asked the Minister for Health:

In relation to community health centres within the Higinbotham Province—(i) what is the location of each centre; (ii) what were the budgets for 1986-87 delineating the deficit/surplus for that year, and what is the budget for 1987-88; (iii) who are the members of the boards of management; and (iv) who are the chief executive officers and what is the salary of each officer?

The Hon. D. R. WHITE (Minister for Health)—The answer is:

(i) There are three community health centres in Higinbotham Province: Chadstone CHC, located at 568 Neerim Road, Hughesdale; East Bentleigh CHC, located in Gardeners Road, East Bentleigh; and Caulfield CCC, located at 240 Kooyong Road, Caulfield South.

(ii) The budgets for 1986-87, delineating the deficit/surplus for that year, and the provisional budgets for 1987-88 are as follows:

<table>
<thead>
<tr>
<th>Centre</th>
<th>1986-87 Budget</th>
<th>1986-87 Surplus</th>
<th>1987-88 Budget</th>
</tr>
</thead>
<tbody>
<tr>
<td>Chadstone</td>
<td>690 741</td>
<td>6 794</td>
<td>707 059</td>
</tr>
<tr>
<td>East Bentleigh</td>
<td>696 515</td>
<td>8 048</td>
<td>704 741</td>
</tr>
<tr>
<td>Caulfield</td>
<td>1 122 167</td>
<td>35 038</td>
<td>1 113 021</td>
</tr>
</tbody>
</table>

(iii) The members of the boards of management are as follows:

Chadstone
- Mr L McGregor
- Mr R Halliday
- Mr B Farnfield
- Ms N Hogan
- Cr G Kneebone

East Bentleigh
- Mrs M Dwyer
- Mr A Rosenberg
- Mr B Dimsey
- Cr D Lee

Caulfield
- Note: Caulfield Community Care Centre is controlled by the board of Royal Southern Memorial Hospital, which is advised by a sub-committee comprising representatives of local government and members of the board.

Board of Management—Royal Southern Memorial Hospital
- Ms J W Best
- Prof B G Firkin
- Mr J W McLennan
- Cr B Rudzi

(iv) The chief executive officers and their respective salaries are as follows:

Chadstone
- Mrs Jacqueline Nash
  $32 604

East Bentleigh
- Ms June Calder
  $29 187
FOREIGN AID TO BHUTAN  
(Question No. 100)

The Hon. ROBERT LAWSON (Higinbotham Province) asked the Minister for Agriculture and Rural Affairs:

In reference to program No. 2578 under agriculture and rural affairs in the Appropriation (1986–87, No. 1) Bill—(i) why has the Himalayan state of Bhutan been given $200 000 by the Victorian government; and (ii) why is Bhutan the only recipient of foreign aid from the Victorian government?

The Hon. E. H. WALKER (Minister for Agriculture and Rural Affairs)—The answer is:

The Victorian government has not given aid money to Bhutan in 1986–87 or any other year.

The Australian government has, in the past, supplied aid funds to Bhutan; primarily for use in agricultural development.

From 1983 to 1986 officers of the Department of Agriculture and Rural Affairs undertook five short-term consultancies in Bhutan for the Australian Development Assistance Bureau, now the Australian International Development Assistance Bureau.

These consultancies in fodder and livestock development were charged out to ADAB at professional consultancy rates.

The figure of $200 000 listed in the Appropriation (1986–1987, No. 1) Bill was an estimate of the amount that the Australian government would supply to the Department of Agriculture and Rural Affairs for activities in Bhutan in the 1986–87 year. In fact, no money was received during that year.

NATIONAL PARKS ADVISORY COUNCIL  
(Question No. 102)

The Hon. M. A. BIRRELL (East Yarra Province) asked the Minister for Conservation, Forests and Lands:

(a) Has the National Parks Advisory Council expressed serious concern about—(i) the decline in staffing levels in many national parks; and (ii) a reduction in the number of rangers in parks and a change in the duties of rangers; if so, what action will the Minister take in response to the council’s comments, by way of rectifying the rundown in the staffing of national parks?

(b) With respect to each national park, how many rangers were allocated in 1984–85, 1985–86 and 1986–87?

The Hon. J. E. KIRNER (Minister for Conservation, Forests and Lands)—The answer is:

(a) I assume that Mr Birrell has framed his question on the basis of the 1986–87 Annual Report of the National Parks Advisory Council, which was tabled in this House a few weeks ago.

Firstly, I should say that I value the advice of the council, which is established under section 10 of the National Parks Act to provide advice direct to the Minister on matters relating to the operation of that Act.

The council meets regularly and frequently visits parks to gain first-hand knowledge of the park operations. After each visit, the council provides me with a report, therefore I was not surprised that the council expressed concern in its annual report about the staffing of parks.

It is important to remember that the council’s report represents the situation up to 30 June 1987. There is no doubt that the staffing level of parks last financial year was less than satisfactory, largely because so many rangers had opted to take other, often better paid, positions in the restructured and regionalised Department of Conservation, Forests and Lands.

This financial year, 1987–88, action has been taken substantially to increase the number of ranger staff in parks. For example:

14 extra ranger positions have been created for new parks (Dandenong Ranges 4, Alpine 5, Point Nepean 1, East Gippsland 4);
16 new ranger positions have been provided for existing parks through the review of operational employment in the department;

10 positions have been created for Aboriginal rangers;

high priority has been given to filling the vacancies in existing ranger positions.

Since taking this action, I have received a letter from the convenor of the National Parks Advisory Council which congratulates the government “on its considerable improvement in the staffing of ranger positions in the 1987–88 State Budget”. I should also point out that the NPAC annual report had some words of praise for the government for its continuing commitment to the expansion of the park system and for the declaration of new parks. The council also commended the increase in preparation of management plans which, along with the very significant increase in ranger staffing, will help to ensure that the parks are well-managed.

(b)  

<table>
<thead>
<tr>
<th>Year</th>
<th>Rangers employed at 30 June</th>
<th>Ranger vacancies at 30 June</th>
</tr>
</thead>
<tbody>
<tr>
<td>1985</td>
<td>110</td>
<td>8</td>
</tr>
<tr>
<td>1986</td>
<td>103</td>
<td>18</td>
</tr>
<tr>
<td>1987</td>
<td>101</td>
<td>24</td>
</tr>
</tbody>
</table>

These figures do not include park assistants who are in effect trainee rangers.

RESOURCES FOR HYDROLOGY
(Question No. 103)

The Hon. R. J. LONG (Gippsland Province) asked the Minister for Conservation, Forests and Lands:

(a) Is the hydrology section of the Land Protection Division being starved of resources?

(b) Have two research officers retired and/or resigned, another officer transferred and a further officer seconded to the Department of Water Resources from that section; if so, is the loss of staff being utilised to satisfy the productivity savings imposed by the Department of Management and Budget?

The Hon. J. E. KIRNER (Minister for Conservation, Forests and Lands)—The answer is:

(a) The hydrology section of the Land Protection Division of my department is not being starved of resources. Although the section has suffered a significant loss of scientific staff over the past two years, steps have been taken to increase permanent staff numbers and to ensure that other resources are provided to enable the department’s responsibilities in the hydrology research area to be met.

(b) The staffing shortfall developed as a result of the transfer of one officer to another area, the secondment of another for two years to the Department of Water Resources, and the retirement of the third officer.

The loss of these specific staff has not been required to satisfy productivity savings. In a time of budgetary restraint and strong competition for resources within and across government agencies, hydrology is receiving due recognition within the department’s priorities.

COPIES OF “NOT JUST A NINE-TO-FIVE JOB”
(Question No. 104)

The Hon. G. P. CONNARD (Higinbotham Province) asked the Minister for Conservation, Forests and Lands:

(a) How many copies of the publication Not Just a Nine-to-Five Job were printed?

(b) What was the total cost of this publication, delineating design, printing, and distribution (including postage) costs?

(c) What consultants (if any) were used, and at what cost?

(d) At whom is the publication targeted?

The Hon. J. E. KIRNER (Minister for Conservation, Forests and Lands)—The answer is:

(a) The Victorian Government Printer published 15 000 copies.

(b) All photographs, design, journalism, layout and editing were done by the community information and education branch of the Department of Conservation, Forests and Lands.
Costs were:

- Printing: $25,000.00
- Packaging: 197.46
- Catering at launch: 328.00
- Postage: 870.50

Total: $26,395.96

(c) No consultants were used. The entire project was executed internally.

(d) The publication was targeted for female secondary students in Years 9 and 10.

**REVENUE RAISED UNDER PETROLEUM PRODUCTS FRANCHISE**

(Question No. 108)

The Hon. R. J. LONG (Gippsland Province) asked the Minister for Health:

(a) In each of the financial years 1979-80 to 1986-87, how much money was raised by the Victorian government under the petroleum products franchise in relation to the sale of—(i) petrol; and (ii) diesel fuel?

(b) How much of those moneys was applied each year towards—(i) revenue of the State; and (ii) the maintenance and/or construction of roads?

The Hon. D. R. WHITE (Minister for Health)—The answer is:

(a) Table 1 below is provided by the Stamp Duties Office and shows the revenue from petroleum franchise fees for the years 1979-80 to 1986-87, in relation to the sale of (i) petrol and (ii) diesel fuel.

(b) Since 1982-83, the entire amount collected from petroleum franchise fees has been paid into the Consolidated Fund. Prior to that, receipts were paid to the Transport Fund for expenditure on the maintenance and/or construction of roads.

<table>
<thead>
<tr>
<th>Year</th>
<th>Petrol</th>
<th>Diesel</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>1979-80</td>
<td>40.6</td>
<td>6.8</td>
<td>47.4</td>
</tr>
<tr>
<td>1980-81</td>
<td>58.5</td>
<td>10.5</td>
<td>69.0</td>
</tr>
<tr>
<td>1981-82</td>
<td>73.3</td>
<td>14.5</td>
<td>87.8</td>
</tr>
<tr>
<td>1982-83</td>
<td>84.6</td>
<td>17.7</td>
<td>102.3</td>
</tr>
<tr>
<td>1983-84</td>
<td>118.6</td>
<td>27.3</td>
<td>145.9</td>
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<tr>
<td>1984-85</td>
<td>152.2</td>
<td>35.4</td>
<td>187.6</td>
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<tr>
<td>1985-86</td>
<td>169.1</td>
<td>42.8</td>
<td>211.9</td>
</tr>
<tr>
<td>1986-87</td>
<td>168.2</td>
<td>44.9</td>
<td>213.2</td>
</tr>
</tbody>
</table>

Note:

The revenue shown in Table 1 does not correspond exactly to Budget Papers because of—

(i) banking adjustments; and

(ii) the flat licence fee of $50 has not been included.

**CONSULTANCY FEES FOR TEN-YEAR PLAN FOR REDEVELOPMENT OF INTELLECTUAL DISABILITY SERVICES**

(Question No. 116)

The Hon. R. M. HALLAM (Western Province) asked the Minister of Transport, for the Minister for Community Services:

(a) What consultancy fees have been incurred to date in relation to the ten-year plan for the redevelopment of intellectual disability services?

(b) What is the total projected cost of consultancy services involved in this project?
The Hon. J. H. KENNAN (Minister for Transport)—The answer supplied by the Minister for Community Services is:

(a) (i) $397,900 to Nielson and Associates Pty Ltd to prepare Office of Intellectual Disability Services comprehensive ten-year plan for service redevelopment.

(ii) $30,000 to Nielson and Associates Pty Ltd for consultancy services in relation to the interim report of the ten-year plan for the redevelopment of intellectual disability services.

(b) The total projected cost of consultancy services is $427,900.
Wednesday, 9 March 1988

The PRESIDENT (the Hon. R. A. Mackenzie) took the chair at 2.3 p.m. and read the prayer.

QUESTIONS WITHOUT NOTICE

THIRD-PARTY MOTOR INSURANCE

The Hon. ROBERT LAWSON (Higinbotham Province)—My question is directed to the Minister for Transport. Since January the Premier has been sending out letters with registration renewal forms for motor cars, stating that the registration fee on family cars had been reduced by $25. Will the Minister ensure that when the next batch of letters is despatched, motorists will also be informed that third-party premiums on the same cars have increased by $95.70?

The Hon. J. H. KENNAN (Minister for Transport)—I am surprised that members of the Liberal Party have sour grapes over the issue because they ought to be aware, I should have thought, that the transport accident scheme is working very well and containing costs in a way that would not have happened under the old system.

The Hon. Robert Lawson—What, with a $95.70 increase?

The Hon. J. H. KENNAN—Indeed, had the old system to which the Liberal Party adhered continued—and the Opposition was not initially enthusiastic in its support of the transport accident scheme, although the Bill was eventually negotiated through—premiums would have been grossly in excess of the current premiums.

The system is working well. If Mr Lawson would like the government to write a letter explaining to people the benefits of the new system and projecting what the premium would otherwise have been had the old Liberal Party scheme been continued, and indicating how much less the existing premium is than it would have been if the Liberal Party had had its way with the Bill initially rather than adopting the government’s way, the government would be happy to give consideration to preparing such a letter.

DDT AND DIELDREN

The Hon. B. P. DUNN (North Western Province)—I ask the Minister for Agriculture and Rural Affairs how and where the chemicals such as dieldrin purchased under the government’s buy-back scheme have been stored or disposed of. Is it a fact that some of the empty containers, some of which still contained chemical residues, have been buried at various rubbish dumps and garbage tips around Victoria; and is there any danger that these chemicals might find their way into the groundwater system?

The Hon. E. H. WALKER (Minister for Agriculture and Rural Affairs)—The buy-back scheme was for DDT alone. The department expected that the buy-back scheme would bring in some 10 000 litres of DDT, but it brought in 85 000 litres, a significant amount of which came from the Western District.

I made arrangements with the Minister for Conservation, Forests and Lands for the short-term safekeeping of that buy-back material, pending arrangements for its proper disposal offshore. That is under way now.

I must say that dieldrin has turned out to be the more major of the problems in terms of residues showing up in cattle tested at abattoirs, and the key villain of the piece was
dieldrin-treated superphosphate. In that regard, the department thought there might be—and it was only an estimate—some 400 tonnes of that material, bagged, in farmers' possession.

The department arranged for the Pivot company, the usual supplier of that product, to receive dieldrin-treated superphosphate back and give an equal quantity of ordinary superphosphate to the farmer bringing back the dieldrin-treated superphosphate. In fact, only 141 tonnes of dieldrin-treated superphosphate has been received, and it may be that the department's estimate was simply too high. I do not believe there will be much more.

The disposal of dieldrin-treated superphosphate is perhaps not as critical an issue in that it probably does not require high-temperature incineration. A number of ways for its disposal are being considered. I cannot announce the end result in that regard, as the department is still considering perhaps half a dozen key options.

In regard to the empty containers, I have received only one report, which was not official, and I believe a photograph appeared in the Swan Hill Guardian, accompanied by an article that reported that a concerned individual thought improper disposal was occurring at the local tip. I believe I have the story correct.

To date, I understand the containers shown in the photograph were empty, but there may have been some slight residue remaining. In any case, it is apparent that there may have been some mishandling at that tip. That is the only case that I know of, and I am having the matter investigated. I do not have a final report on it, but I am happy to let Mr Dunn have the results of that investigation. If any further information arises about improper disposal, I shall certainly be taking action.

The Hon. B. P. Dunn—But the disposal will have been carried out under your department's direction.

The Hon. E. H. Walker—I hope not.

**DUCK HUNTING SEASON**

The Hon. D. E. Henshaw (Geelong Province)—There is considerable conjecture in Victoria about what may occur on 19 March, and I ask the Minister for Conservation, Forests and Lands what arrangements have been made for the management of the 1988 duck hunting season.

The Hon. J. E. Kirner (Minister for Conservation, Forests and Lands)—Honourable members will be aware that after a long period of wide consultation, the department is now opening the duck hunting season at 7.15 a.m. on 19 March, and the season will last until 31 May. The task of my department is, therefore, to manage the duck hunting season properly, and in the current atmosphere that exists that is a fairly difficult task.

I have therefore ensured that there are in place several activities that should improve the management of the duck hunting season, and I thank officers of the Department of Conservation, Forests and Lands for their cooperation in this matter.

Steps have been taken to ensure that sufficient seminars are conducted around the State to encourage duck hunters not only to improve their game identification skills but also to be aware of the rules and regulations for duck hunting and to ensure that hunters talk to each other about the appropriate ethical standards that need to be maintained.

The seminars have taken place over the past two weeks and have been successful. The educational videotape Ducks in sight, which is about identification of ducks, is now available through a wide range of outlets including commercial suppliers, offices of the Department of Conservation, Forests and Lands and shooting clubs.

The department has now established the waterfowl identification test course, which can be undertaken at TAFE colleges. This will be the first year that such TAFE courses have been available and it will mean that the government is able to proceed, by 1991, with the
requirement that if people want an authority to hunt they must have actually passed the duck identification test. I am sure Mr Hallam would maintain that he can pass the test now without obtaining a college qualification.

Also, a hunter information telephone service will operate from 1 March to 31 May to ensure that hunters who are in doubt about the regulations can find out what they need to know before they go shooting.

Many members of all political parties have expressed concern to me about the possibility, not of confrontation between ducks and hunters but, rather, of confrontation between people and people. It is possible, I suppose, that the score this season could be: hunters twenty, and ducks two. However, the department is attempting to make sure that that is not the case. It has had close liaison with the Police Force which, of course, is responsible for the management of any difficulties between persons.

The department has also approached the Federal Department of Transport and Communications regarding the use of aircraft and helicopters. One person who is concerned to protect the ducks is saying that he will have a helicopter and air fleet available, I suspect for the purpose of buzzing the ducks so that they will take off before being shot.

The Department of Transport and Communications has written to Mr Laurie Levy and told him what the regulations are on this matter and I am hoping that the attitude that is developing on both sides—and that is that ducks matter and people do not—might be put to rest before the opening of the season.

**LOGGING LICENCES IN EAST GIPPSLAND**

The Hon. M.T. TEHAN (Central Highlands Province)—Yesterday the Minister for Conservation, Forests and Lands referred to two new D-grade licences granted in east Gippsland by allocation. Will the Minister explain why the memorandum of the Department of Conservation, Forests and Lands office in Orbost on 4 June 1987 stated that tenders would be called for D-grade logs and why that decision was then overridden?

The Hon. J. E. KIRNER (Minister for Conservation, Forests and Lands)—I continue to be amazed at the Opposition’s lack of understanding of the problems of management of the timber industry.

Yesterday, I explained for quite a long time, much to the complaint of my Ministerial colleagues, how the D-grade log allocation is being managed. It is being managed by allocation. It is not the policy of the government or part of the timber industry strategy to have D-grade logs allocated by tender, despite the fact that that was a particular advice from the region.

**FIREARMS INSTRUCTION IN SCHOOLS**

The Hon. W. R. BAXTER (North Eastern Province)—Is the Minister for Education aware of valuable and useful courses in firearms instruction undertaken at some secondary schools in Victoria? These courses were commenced many years ago by the late Charles Whitle at Benalla and subsequently extended by him during his term at the Wodonga Technical School and at other schools, one being Rainbow, as my colleague interjects.
Is the Minister aware that some of the comments made by the Premier over the past several months would mean the end of those classes? Does she agree that it is useful that young people be given instruction in the safe use and handling of firearms and will she ensure that these courses continue?

The Hon. C. J. HOGG (Minister for Education)—I am aware of such a course and, as Mr Baxter points out, there may be several courses because there was some radio and, I think, newspaper publicity associated with the Premier's visit to Horsham where he met a number of people who were interested in the firearms legislation. In answer to a question by a fifteen-year-old schoolgirl who was participating in such a course, the Premier assured her that those courses would not be affected.

I have since attempted to find out how many such courses are being conducted. I should have that information fairly soon. One problem is that some of these courses are elective and figures on elective courses are not easy to obtain in the first few weeks of the school year. However, I believe the Premier answered the question in Horsham.

LIGHT RAIL SYSTEM

The Hon. M. J. ARNOLD (Templestowe Province)—I direct a question to the Minister for Transport. In line with the government's recent initiative in improving public transport in the State, will the Minister inform the House of any plan the government may have for the extension of the light rail system?

The Hon. J. H. KENNAN (Minister for Transport)—The government is committed to improving the delivery and efficiency of public transport and the conversion of the St Kilda and Port Melbourne lines to light rail has been considered a success by the local community. Only last week the Mayor of St Kilda, Councillor Elaine Miller, was quoted as saying that light rail provides a better service for St Kilda than the old red rattlers which started at Fitzroy Street and went across the bridge to Flinders Street. Councillor Miller has also come out in support of the demolition of the Clarendon Street bridge.

A survey of passengers taken in the first week of operation of the St Kilda light rail service found that the majority of passengers considered the introduction of light rail had improved the service. In the face of that support, my Ministry is considering further opportunities for light rail service because it is clear that the service has been an enormous success overseas and, indeed, in many North American cities. Light rail is being used for the first time in cities such as Los Angeles.

The government will continue to explore opportunities for improving public transport.

Honourable members interjecting.

The Hon. J. H. KENNAN—The Opposition has no policy on this or any other subject. Its members remain delightfully silent, apart from a few peripheral people who are the main speakers for the Opposition on these issues.

I have asked my Ministry to examine public transport options in the Upfield corridor. The Upfield rail line has a low level of cost recovery and the lowest level of peak hour passenger loadings—about 19 per cent—of any of the suburban rail lines.

There is, approximately 200 metres away, for much of that area, a parallel rail system, the Sydney Road tram line; and light rail may represent a new option for that corridor.

Before the government makes any decision about the future of transport in the Upfield corridor, I have asked the Metropolitan Transit Authority to commence the examination by consulting with unions, local government and other interested parties and, importantly, by conducting surveys of passenger use of existing heavy rail, tram and bus services. That will be followed by consultation on future options. The transport needs of people with difficulties will be a specific criterion which the authority will be obliged to take into account.
In making my comments today, I stress that no decision has been taken to introduce light rail, but rather that an examination of all the options is to be undertaken and will take cognisance of the fact that light rail is one of the options within that corridor.

ST ANDREW'S HOSPITAL

The Hon. M. A. BIRRELL (East Yarra Province)—The Minister for Health should be aware of the serious community concern about the future of St Andrew's Hospital. The board of the hospital is seeking to end speculation about that excellent hospital's future, speculation that is making it difficult to maintain the loyalty of medical practitioners and to retain staff.

Will the Minister, today or in the near future, make a clear statement on the government's specific plans for the future of that hospital?

The Hon. D. R. WHITE (Minister for Health)—St Andrew's Hospital is currently in receivership and has a guarantee from the State Treasurer. The hospital has been operating in receivership for approximately two years, if not longer, and the government periodically reviews the progress of the hospital.

It now has a new prospective chief executive and the hospital would wish to demonstrate that it is able to trade out of its current financial difficulties. Discussions occur periodically with St Andrew's and as soon as I have clearer advice from the receiver about its prospects for the future beyond 1988 and into the 1990s, I shall make a public statement. The government is satisfied with the current arrangements under the receiver and both the Treasurer and I look forward to regular contact with the hospital about its day-to-day activities.

ISOLATED PATIENT TRAVEL ASSISTANCE SCHEME

The Hon. K.I.M. WRIGHT (North Western Province)—The Minister for Health will be aware of the Isolated Patient Travel Assistance Scheme called IPTAS. The Commonwealth government handed over the administration of that scheme to State authorities and made funds available.

New terms of reference were to be drawn up, and the Minister informed the House that those terms of reference would be ready in the New Year. Reports have circulated that these guidelines may not be available until the middle of the year and I ask the Minister to inform the House of the state of play with respect to IPTAS funding, which is very important to rural Victoria.

The Hon. D. R. WHITE (Minister for Health)—No guidelines are currently available for the IPTAS scheme. If Mr Wright has any concern about the matter or if his constituents who are eligible for the scheme under current arrangements are having difficulty in obtaining access to IPTAS funding, I am happy to discuss those matters with him until such time as the new guidelines emerge.

If Mr Wright has any views regarding changes in the IPTAS guidelines, I shall be happy to hear from him.

HEALTH OF PRESCHOOL AND SCHOOL CHILDREN IN VICTORIA

The Hon. B. W. MIER (Waverley Province)—Will the Minister for Health advise the House what action the Minister or his department is taking to ensure that adequate monitoring occurs of the health of school children?

The Hon. D. R. WHITE (Minister for Health)—More than 260,000 Victorian school children were examined by the school health services in preschools, primary schools, and special schools in 1986-87. The School Dental Service examined almost 130,000 children,
an increase of approximately 50 per cent compared with the number seen prior to this government being elected.

Approximately 20,000 students in primary and secondary schools were found to have suspected health problems that needed referral to their own doctors or to a children's medical officer.

I am pleased to announce that, as a result of work being done by an interdepartmental committee chaired by the Honourable Maureen Lyster, from this year the department is proceeding to provide a universal health check for children entering school, particularly those entering the State operated preschool system, with the best endeavours being directed also to caring for preschool children in the private system.

The purpose is as follows. There are only two occasions for offering a universal health check: the first is at the time of birth and the second is at the time of entry into school. The purpose of having a check at the time of entry into school is to make certain that immunisation programs are effective. We know, for example, that in the normal course of events, our immunisation programs result in about 90 to 94 per cent of five-year-olds being immunised.

However, we are still not satisfied with the record and hope to produce universal coverage. The best way of ensuring that is the emergence of a universal preparatory year check which, amongst other things, will ensure that children have been properly immunised.

More than 116 nurses and 37 doctors will provide Victoria's children with one of the most thorough and effective school medical services in the world. That check will occur throughout the preschool area. As a result of the government having made that decision, certain people were of the view that the government may, in some way, be scaling down preschool activity. The government recognises that even having a universal check at the preschool stage will not remove the need for maintaining some form of preschool examination to make sure that children who in the normal course of events do not have access to community health centres or local general practitioners are being examined, because diseases and ailments exist that need to be diagnosed and treated well before children enter school.

It is for that reason that the government will be maintaining preschool medical examinations. The government expects that doctors from the School Medical Service will continue to visit preschool centres. In undertaking the preschool examinations the government will be encouraging local teachers and parents to indicate whether they want their children to receive some form of examination.

It is clear that, with a universal check at the point of entry into school and the maintenance of the existing preschool program, the government will be providing a level of care through the public health system that is in keeping with the expectations of parents.

**PROPOSED CHEMICAL TRANSPORT DEPOT AT NEWPORT**

The Hon. B. A. CHAMBERLAIN (Western Province)—I congratulate the Minister for Transport on his appointment as one of Her Majesty's counsel.

Honourable members interjecting.

The Hon. B. A. CHAMBERLAIN—I am hoping it sets a precedent!

On 16 September last the then Minister for Transport announced that a proposed chemical transport depot at Newport would not be built by the developer Chemtrans. Has the department or the Minister located another suitable site, and how will the objections of the local council be overcome?

The Hon. J. H. KENNAN (Minister for Transport)—I shall have to take the question on notice and get back to Mr Chamberlain. I thank Mr Chamberlain for his kind
congratulations. I am not sure that it sets a precedent for anyone; he can apply to the Chief Justice in the normal manner next October!

**LOCUST PLAGUE**

The Hon. L. A. McARTHUR (Nunawading Province)—I direct a question to the Minister for Agriculture and Rural Affairs. I realize that the Minister’s department, under his administration, has been forward looking and that the Minister, over the past three years, has despatched many of the rural legislative plague locusts. Will the Minister outline the steps his department has taken to prevent plague locusts from entering Victoria?

The Hon. E. H. WALKER (Minister for Agriculture and Rural Affairs)—I am glad to inform Mr. McArthur that the officers of the department went to battle to keep plague locusts from destroying Victorian crops.

This is a very serious announcement, as it appeared not very long ago that Victoria would be in dire straits. Within recent memory, locust plagues have on occasions reached Bass Strait and have been tremendously destructive.

For the third successive year, and particularly last year, we have had what is called a policy of forward defence in fighting locusts and that policy has spared Victorian farms from the ravishes of locust plagues. As part of that forward defence, a team of officers of the Department of Agriculture and Rural Affairs spent four months last year working basically in New South Wales to stop the locusts before they reached the River Murray. It is estimated that that action averted a $15 million loss in crop damage. A plague of millions of locusts was on our doorstep but, through planning and hard work, my department had succeeded in keeping them at bay.

The attack on locusts begins with following the locusts’ path from their breeding ground in southern Queensland. They breed in Queensland if there is plenty of good feed. The control of locusts in some remote areas of southern Queensland is virtually impossible—it is hard to get into Queensland! With the correct climatic conditions, locusts move south in search of feed. Once they reach Victoria it is practically impossible to stop them.

The State government contributes $220 000 each year to the Australian Plague Locusts Commission. The government has added an extra $20 000, which is the cost of sending the team of four officers into New South Wales to be on the spot when breeding occurs and to take part in the spraying to stop the locusts reaching Victoria. An expenditure of $250 000 results in a saving in some years—as it did last year—of some $15 million. The experience gathered in the past three seasons will most likely mean the successful control of plague locusts in the event of them breeding again this year.

**PETITIONS**

**Grant’s picnic ground kiosk**

The Hon. M. T. TEHAN (Central Highlands Province) presented a petition from certain citizens of Victoria opposing the proposal in the Dandenong Ranges National Park plan for the removal of the kiosk in Grant’s picnic ground, and praying for its retention. She stated that the petition was respectfully worded, in order, and bore 3073 signatures.

It was ordered that the petition be laid on the table.

**Cement industry**

The Hon. D. E. HENSHAW (Geelong Province) presented a petition from certain citizens of Victoria praying that appropriate steps be taken to prevent the importation of dumped cement in Victoria. He stated that the petition was respectfully worded, in order, and bore 978 signatures.

It was ordered that the petition be laid on the table.
The following papers, pursuant to the directions of several Acts of Parliament, were laid on the table by the Clerk:


Statutory Rules under the following Acts of Parliament:

- Metropolitan Fire Brigades Superannuation Act 1976—No. 54.
- Transport Accident Act 1986—No. 52.

On the motion of the Hon. HADDON STOREY (East Yarra Province), it was ordered that the report tabled by the Clerk be taken into consideration on the next day of meeting.

COGNATE DEBATE

The Hon. B. A. CHAMBERLAIN (Western Province)—By leave, I move:

That this House authorises and requires Mr President to permit Notices of Motion, Business to take Precedence, No. 1 and Notices of Motion, General Business, No. 13, to be moved and debated concurrently.

The Hon. E. H. WALKER (Minister for Agriculture and Rural Affairs)—Leave is refused.

DISALLOWANCE OF STATUTORY RULE

Firearms (Prohibited Weapons) Regulations 1987

The Hon. B. A. CHAMBERLAIN (Western Province)—I move:

That, pursuant to section 49 (1A) of the Firearms Act 1958, the Firearms (Prohibited Weapons) Regulations 1987 (S.R. No. 374/1987) be disallowed.

On 15 December 1987 the Governor in Council approved Statutory Rule No. 374, which had the effect of banning from use all semiautomatic rifles in this State. That was done without any consultation, any prior notice and without being debated in Parliament. The regulation was not an everyday regulation; it had a dramatic effect throughout the State.

Although the statutory rule consists of only one page with the operative clause comprising only two lines, it is a far-reaching proposal which, as I said, was introduced without consultation, without warning and without any public debate. Paragraph 4 of the regulation states:

For paragraph (a) of Regulation 24 of the Firearms Regulations Act 1984 substitute—“(a) semi-automatic rifles.”

That regulation changed the law of the State in a dramatic way which the government had clearly not thought through. The regulation was introduced in response to the tragic events of Queen Street where a number of people were killed and a number of others were wounded by a person using an M1 semiautomatic rifle, but one which did not work and could not work as a semiautomatic rifle. The regulation was based on a false premise because the rifle used in the Queen Street massacre had been illegally cut down. The semiautomatic mechanism, which was worked by gas, was unable to operate and the rifle was being used like a bolt-action rifle. Without consultation, without public debate and without the matter being debated in Parliament, Victoria had introduced to it a far-reaching regulation based on a false premise that a semiautomatic weapon caused the deaths at Queen Street.

The effect of the regulation was to outlaw somewhere between 200 000 and 300 000 firearms. I must be imprecise because some 600 000 firearms are registered in this State and there are vague estimates as to the number of unregistered firearms. The best guess is of the order of 300 000. By the stroke of a pen, the regulation has outlawed between
Disallowance of Statutory Rule 9 March 1988 COUNCIL

200 000 and 300 000 firearms, of which perhaps two-thirds are registered. The majority of the firearms that have been outlawed are semiautomatic .22 rifles, known as bunny rifles because they are mainly used for shooting rabbits which are in plague proportions in this State, mainly due to negligence of the Department of Conservation, Forests and Lands and its lack of resources.

I make it clear that a number of semiautomatic firearms should not be available in Victoria. For instance, the M1 semiautomatic rifle should not be available, and I will deal with that issue later. The Opposition supports the removal of military-style semiautomatic rifles from the Victorian scene. As I said, self-loading rifles, particularly the non-military type—the .22 rifle—are widely used in this State and have been part of rural life for generations. It is estimated that at least two-thirds of farmers in this State have firearms and approximately 95 per cent of those have semiautomatic .22 rifles. They are used for a variety of activities, such as shooting rabbits, wild pigs, wild dogs and foxes, which ravage our native fauna.

This type of gun is used to shoot deer in a situation where a quick recovery weapon is needed to ensure that there is a humane kill. It is used particularly as a bunny rifle because rabbits are increasing to plague proportions.

The regulation has removed the ability of the community, particularly the rural community, to do the everyday things that are required such as disposing of sick and dying stock, killing foxes which act as predators of sheep and lambs and ridding themselves of other vermin.

By the stroke of a pen, without coming to Parliament and without public discussion, our benevolent government has regulated that these firearms should not be in the community. It is clear the government has not thought the issue through. The regulation was brought about on the false premise that a semiautomatic rifle was used as an automatic repeat action device to kill those people who died as a result of the Queen Street incident.

I am sure that members of the media and others recognise the widespread and legitimate need for semiautomatic .22 rifles. For most farmers it is a tool of trade similar to a tractor. It is something that is used every day.

Who will be affected by this ban? People from every walk of life—policemen, hospital managers, justices of the peace, returned servicemen, farmers, sporting shooters, students and so forth. They come from the whole spectrum.

Over the past couple of months it is interesting to note how many of those affected were formerly Labor voters—I say that advisedly. They have shown in their reaction to the law, that was passed unilaterally by the government, their outrage that the government by a stroke of the pen can outlaw legal firearms that were legitimately acquired.

The government has not considered the results of the ban. It does not appreciate, firstly, that the ban leaves in place firearms which are far more dangerous than those which have been outlawed. If one wanted to make a substantial impact in a room such as this by killing people, a double-barrel shotgun would be the firearm to use. It would be much more effective than a semiautomatic weapon. Secondly, the law will be ignored because the community considers that the law is unjust, unfair and unworkable; and thirdly, that the law will force the ownership of these firearms underground.

It is known that there are approximately 300 000 unregistered firearms in the State and if members of the government bothered to go to the public meetings on the issue it would be clear to them that there will be massive civil disobedience.

The guns will not be returned; they will go underground; that will worsen the problem that we now have with unregistered firearms. That is as plain as the nose on one's face. The government did not examine these issues. Instead of ameliorating the situation it will worsen it. Fourthly, the ban will result in an increase in the number of firearms in the community because those who use semiautomatic weapons will obtain legitimate weapons.
which they will use as part of their daily lives whether it be recreational shooting or farming.

They will replace the semiautomatic weapons with bolt-action rifles and so not only will there be the underground semiautomatic weapons but also there will be the extra rifles that can be used overtly for the legitimate needs of these people.

This proposal, which was supposed to reduce the number of firearms in the community, will have quite the opposite effect; it will increase the number of firearms and drive a large number of them underground.

The fifth point is that the government is vaguely talking about compensation. Until a week ago there was no talk of compensation. No-one has worked out what compensation will cost, but the estimates are that it will cost somewhere between $40 million and $100 million. Before Christmas the Victoria Police had to sell 51 cars to provide money for its daily operations.

It is public knowledge that in a number of areas the police cannot go on patrol because they do not have sufficient funds to purchase petrol to put in their cars. A proposal is before the other House to allow tape-recordings of interviews, but there is no money for that to be done, just as there is no money to pay for many other resources that the police require. However, from somewhere or other, the government proposes to produce $50 million to provide for a public relations exercise which will have the reverse effect to what the government foresaw.

The Opposition believes the public relations exercise will be ignored by many people. What does the government say about a law that is so out of tune with what the community believes is reasonable that it is massively ignored? I shall quote the comments of the writer Alexander Bickel, who investigated that issue in a book entitled *The Morality of Consent*, which deals with this issue in a number of contexts. The words are applicable to Victoria.

Page 106 of the book states:

The limits of law, then, are the limits of enforcement, and the limits of enforcement are the conditions of a free society;

The Hon. W. A. Landeryou—Will Mr Chamberlain please identify the publisher and the year of publication?

The Hon. B. A. CHAMBERLAIN—The book was published in 1975 by Newhaven and London Yale University Press. Are there any other details Mr Landeryou would like?

The Hon. W. A. Landeryou—That is all right.

The Hon. B. A. CHAMBERLAIN—The book states:

The limits of law, then, are the limits of enforcement, and the limits of enforcement are the conditions of a free society; perhaps, indeed, the limit of government altogether. If substantial portions of the statute book had to be enforced by direct action—whether through civil or criminal litigation—against large numbers of people, we would have a very different and infinitely more disagreeable society than we do.

When people in the millions or even hundreds of thousands are opposed—intensely, consistently, and on principle—to a law bearing directly on their conduct of ordinary affairs; effective enforcement is possible, if at all, only through military occupation.

One can take as an example the prohibition laws in the United States of America. The book states:

In some States Prohibition was effective; in other areas enforcement soon became a shambles. The Volstead Act was, of course, openly disdained. Respectable and substantial people advised violation of it, and public officials condoned violation. Leaders of opinion began to talk of nullification. No enforcement was possible; the law was no law.
That is exactly the same as the situation here—a law, which was passed unilaterally by the government, without going through Parliament, and which will have a dramatic effect on the operations of ordinary Victorians, is clearly out of context with what the community thinks is reasonable, enforceable and fair. There are clearly massive signals of civil disobedience.

In this case the government should recognise that the ban is unenforceable, that it is dividing the State and that it is exacerbating the problem of firearms in the community. Driving some firearms underground and providing the need for replacement firearms, it will increase the number of firearms in the community. The ban does not address criminal misuse of firearms.

Secondly, the government must accept the proposals put forward by the Opposition to provide a ban on semiautomatic, military-style weapons. A similar ban has been in force in Western Australia since 1981. The ban was introduced by a Labor government and it is said to be working well in that State. The definition of a banned firearm in Western Australia is as follows:

(a) a firearm which—
   (i) is not a pistol;
   (ii) is a centre fire rifle;
   (iii) is a semiautomatic;
   (iv) has a bulk reloading capacity of eight or more rounds of ammunition; and
   (v) is in the opinion of the Registrar of Firearms of a kind requiring the exercise of special precautions;

For the information of Mr Landeryou who asked what I was reading, I am reading from a draft Order in Council prepared for the State of Victoria which was sent to the Premier today by the Leader of the Opposition.

The Hon. J. H. Kennan—Before or after the party meeting?

The Hon. B. A. CHAMBERLAIN—Before. The draft indicates that both the Liberal and National parties are in favor of a ban on military-style, semiautomatic weapons.

The Hon. J. H. Kennan—I thought you said bans didn’t work.

The Hon. B. A. CHAMBERLAIN—I am referring to the Western Australian ban.

The Hon. J. H. Kennan—It works, does it?

The Hon. B. A. CHAMBERLAIN—that ban works. It would work in Victoria because the farmers and shooters accept that military-style weapons should be banned. They support that limited type of ban but not the blanket ban promoted by the government.

The Leader of the Opposition in another place sent a letter to the Premier that included a draft statutory rule that could be used to ban semiautomatic, military-style firearms. The draft also indicated that the Liberal Party—I presume also the National Party—wants that type of ban. A ban on military-style weapons is important.

The Opposition does not want its position on this issue misconstrued. The embargo on semiautomatic weapons introduced undemocratically by the government will affect a vast section of the community. The ban is unenforceable and will exacerbate existing problems. I commend to the House the adoption of this motion.

The Hon. R. M. HALLAM (Western Province)—That National Party is delighted to support the motion. Had the Liberal Party not moved the motion, the National Party certainly would have. The National Party had publicly notified its intention to do so. I have a draft motion that is identical to the one moved by Mr Chamberlain.

The Liberal Party has dramatically changed its stance on firearms. When regulation 374 was introduced, the Leader of the Opposition was reported as saying that its effect was
belated but welcome. I and some of my colleagues were critical of the stance adopted initially by the Opposition. I congratulate the Liberal Party on its altered stance.

From the first day the regulation banning semiautomatic weapons was announced, the National Party has said that it is illogical and counterproductive in responding to the burgeoning crime rate in the State. It hopes the motion heralds a change in the general direction that will effectively allow the House to address the real problem of criminal misuse of firearms.

I am on the Hansard record as saying the National Party has no love for the Rambos, the ratbags and the roadrunners of the world. Ironically, members of the National Party would be tougher on those who break the law than members of the government party. We have been critical of the government because of its benevolence towards the criminal element. The difference between members of the Cain government and the National Party is that we would be tougher on those who break rather than obey the law.

The National Party advocates a system to make it difficult for those representing a risk to the community to gain access to firearms. A ban on semiautomatic or any action-type firearm has no place in that system because it is illogical and a waste of time. I am delighted the Liberal Party agrees that it is time to call a halt and make a change to the illogical and nonsensical direction adopted by the government in firearms control.

The National Party supports the motion on four grounds and is opposed to regulation 374 introduced on 15 December 1987. The first ground is that a dramatic change to the law was introduced by regulation. On numerous occasions the National Party has announced that it is prepared to involve itself in a debate on whether firearms should be restricted in the community. Publicly it has conceded that several types of firearms should be restricted and it has nominated military-style, semiautomatic weapons with large firepower capacity. Those types of weapon have no place as a sporting firearm. Also there is no place for the fold-up rifle, which is a potentially concealable weapon and therefore should be classified as a hand gun and restricted as same.

A classic example of a weapon which we regard as dangerous is a .22 semiautomatic rifle, which is freely available on the market. A shooter with little knowledge of firearms can easily convert that rifle into a machine rifle in only a few minutes. Under the National Party’s proposal that type of gun would not make its way onto the market in Victoria; it would be prevented at import points. We spend less time testing firearms at the point of import than we do testing the safety of toys that we may buy for our children and grandchildren.

This ban, which has enormous impact—as was outlined by Mr Chamberlain—was introduced by regulation. That is tantamount to governing via the backdoor. Members of the National Party are incensed that we were not given the opportunity of debating the issue and canvassing the views of those we represent. That action is contemptuous of the parliamentary system. After all this is supposed to be a democracy and not a dictatorship!

Had the National Party not amended the Firearms (Amendment) Bill in November 1987 to allow either House of Parliament to challenge a regulation, honourable members would not have had an opportunity of influencing the outcome of this major issue. On that score I pay tribute to my colleague in another place, the honourable member for Benalla, for his foresight in preparing those amendments. The law has not even been promulgated by Parliament. Many members of the government party would be just as astounded as the National Party to learn that. Effectively, the law was introduced without notice by the executive arm of government, as Mr Chamberlain said. If the Premier’s action in this instance had passed unchallenged, a dangerous precedent would have been created in Victoria; a precedent that most Victorians would consider dangerous.

The second ground on which the National Party objects to regulation 374 is the concept of retrospectivity. The ban prohibits firearms that were legally acquired prior to 15 December 1987. The National Party objects to that concept because of the fundamental
principal involved. It is prepared to discuss restrictions that will apply in future. That invitation has been made openly, but this situation is different. Honourable members are debating restrictions that apply retrospectively to legally acquired private property that has been held for some time. Many of the firearms of which we speak and which will be captured by the regulation have been held for 50 or 60 years and used safely in the interim.

Many of them can be accurately described as valuable family heirlooms. The National Party will not support an action taken by way of regulation that has the effect of changing the law retrospectively. That is not a novel stance for any of the parties represented in Parliament to adopt. It mirrors the effect of section 32 (4) of the Firearms Act 1958, which states:

(4) Where any weapon prescribed under this section to be a prohibited weapon was not a prohibited weapon under any corresponding previous enactment a person who has such a weapon in his possession or control pursuant to this or any other Act when it is prescribed to be a prohibited weapon shall not be liable to any penalty for continuing to have that weapon in his possession or control after it is prescribed to be a prohibited weapon if he reports that fact in writing to the Registrar.

That is an important principle.

Subsection 5 states:

(5) A weapon referred to in sub-section (4) shall not be disposed of without the authority of the Minister and upon the death of the person in possession or control of the weapon the weapon shall be forfeited to the Crown and shall be disposed of as the Minister directs.

The government has given a clear indication that it intends to amend that section of the Act to allow confiscation to take place.

The concept of retrospectivity introduced by this proposal bends all the rules that we understand should apply to this Parliament, and the National Party objects to it on that ground. Another ground for our objection to regulation 374 of 1987 is its impracticality. Anybody who understands the basics of calibres and ballistics of firearms would know that a ban placed on a firearm according to its type—that is, its action—is completely illogical.

Mr Chamberlain touched on this, but I shall go into more detail. The law states that, as a result of this regulation, a licensed shooter can own and operate a .375 Hand H magnum. He can own and operate a lever action 30-30 calibre—
he can own and operate a self-loading gas or recoil-operated automatic shotgun; but he cannot own and operate the little Browning automatic .22 weapon that was around in our fathers' time 50 years ago.

For example, the .375 magnum can discharge a 300-grain projectile at more than 2500 feet a second. A 30-30, the lever action rifle, can propel a 170-grain projectile at more than 2000 feet a second and an automatic shotgun can propel a charge of shot in excess of 500 grains at 1100 feet a second. They will all be legal, but we will ban a firearm that is restricted to a 40-grain projectile at a velocity of approximately 1400 feet a second. It is totally absurd to introduce a regulation to curb firearms or firearm misuse in the way the government has done.

A regulation that imposes a ban on a particular firearm, which is restricted to a projectile of something like one-seventh of the size and half the speed of another firearm, when the dramatically more powerful firearm remains legal, simply defies logic.

I shall take the example Mr Chamberlain used in relation to deer hunting. The Department of Conservation, Forests and Lands—as you, Mr President, above all other people would know—has taken an interest in deer shooting. Over the years, the department has specified the calibres to be used for individual types of deer. The department states that to take fallow and smaller deer one shall not use less than a rifle of .243 in calibre. But, at the same time as the department specifies the calibre, it recommends that a self-loading rifle is used.
I have that in writing—a self-loading rifle is recommended by the Department of Conservation, Forests and Lands. That department is run by the same government that now says, “Forget everything we told you in the past, we shall take them off the market and prohibit everything that is self-loading.” It defies logic! It highlights the stupidity of the government’s attempts to reduce gun related crime.

I shall go through the concepts of those attempts: firstly, registration was introduced. We had registration of firearms for twenty years from the 1950s and threw it out because it was recognised as not being worth the trouble it took to implement yet, in the first year of the Cain government, it was reintroduced. We have had this for three years, and after that period, on renewal of licence, technically all the firearms in our community should have been captured by the registration system.

In February 1987, after three years of operation, the Registrar of Firearms said that the system has broken down and that it should be abolished forthwith. That is the greatest testament one could bring to argue the case I am putting.

The government was not satisfied with that and superimposed a more costly and complex administrative tier on top of registrations, the permit to purchase. If there were any argument against registration, that argument is even more manifest when it is used in relation to permits to purchase. Such a system is arrant nonsense; it will do nothing to address the problem of the criminal misuse of firearms. The former Attorney-General highlighted that in this Chamber when he conceded the permit to purchase was introduced merely as a hurdle for private ownership. Restrictions were placed on the purchase of ammunition and at the time they were debated I took the House through the stupidity of that measure and illustrated how it would have nothing to do with restricting someone who had criminal intent. Does anybody believe that the criminals in this State are so stupid that they cannot reload their own ammunition?

That is what the law is saying to them. The facts are that the vast majority of ammunition used in the State is reload ammunition, and this restriction, which is an attempt to restrict criminals from having access to ammunition, will not apply to componentry. It defies description in terms of logic. Penalties and horrific gaol sentences were introduced in what was, after all, victimless crime. We can rely upon the then Attorney-General for his outline of why we should not have gaol sentences relating to victimless crimes: he is the authority in the House.

None of these attempts by the government will have any appreciable impact on criminal misuse of firearms. If the government is genuine in wanting to lessen the risk to the community, the government should take our advice and talk about the New Zealand system of shorter licensing. We have talked about it to such an extent that we are almost sick of hearing about it, but the difference is that it puts the test on the shooter, not the firearm—that is the fundamental difference.

The Hon. B. W. Mier interjected.

The Hon. R. M. HALLAM—That is not a bad interjection about the Canadian system. When that system there was tightened there was a decline in the general use of firearms. The Canadian system, which is widely quoted, is almost identical to the New Zealand system, which we have been advocating for some time.

The New Zealand system tests the shooter at the point of licence application. The applicant has to demonstrate that he needs the firearm, that he is competent in its handling and that he is a responsible member of the community. If he passes those three tests, he is granted a licence, and is granted it for life. He is also told that if he fails those criteria in the future, the full wrath of the law will fall upon him: he will lose his licence and he will be severely penalised.

The National Party believes this is an eminently more successful system than the hotchpotch that has been provided so far under the Cain administration. If the New Zealand system had been introduced in 1983 instead of the failed registration system,
Victoria would be a long way advanced compared with the position facing it today. In other words, the registration system not only has failed but also has been a dreadful waste of time. The government has continued with stupid, illogical and unenforceable laws.

As the law stands, the regulation prohibits the use of a firearm; it does not prohibit the ownership, just the use—the ownership is not affected. Can any honourable member suggest that a farmer who has owned a self-loading rifle for many years and has kept it behind the seat of the farm ute, will now decide not to use it because someone several hundreds of kilometres away, who does not understand firearms, says that he should not use it? The whole issue is a joke.

As an aside, I refer to the instruction issued to the police under the new permit to purchase criteria introduced in November which says that when an applicant applies for a second firearm in any individual category, the application must go to the Registrar of Firearms. It cannot be issued by the police officer. I am cynical enough to ask why that has been done. Is it because the then Attorney-General, now the Minister for Transport, suggested that the permit to purchase application was a hurdle to be imposed to make firearm ownership difficult?

The irony is that when a person who legitimately requires a firearm as part of his everyday life applies for a second firearm in a given category, he will be told he cannot have one, even though the first one has been declared prohibited by the government and cannot be legally used. What sort of convoluted argument is that? That person cannot use the second firearm because the first one has been prohibited. The law is an ass in that respect.

Any person who has grown up in this State after the second world war and who has seen the depredation and degradation of land caused by rabbits will understand that the main environmental risk faced by the Australian community is that of rabbits, against which the most common tool used is the humble pea rifle.

Honourable members interjecting.

The Hon. R. M. HALLAM—One of the most successful means of controlling the rabbit population is shooting under spotlight. I suggest that the vast majority of rabbits destroyed in Victoria are destroyed in that way. The most commonly used weapon is the self-loading pea rifle, and anyone who has shot rabbits under a spotlight will understand why that choice has been made. For a start, one has to reload the firearm in the dark, which is not easy at all time, especially in a confined space. When rabbits are thick on the ground, it is not difficult to understand why a self-loading rifle is the first choice. I am sure my statement can be borne out by many land-holders in Victoria who have made that choice. I suggest that most land-holders have purchased a self-loading .22 rifle.

The Hon. M. J. Arnold—We are more worried about the kids than about the rabbits.

The Hon. R. M. HALLAM—The point I make, if Mr Arnold took the time to listen, is that the self-loading .22 firearm represents no additional appreciable risk over any other .22 rifle. As an authority on that point, I quote from an article which appeared in the Hamilton Spectator of 7 January.

Honourable members interjecting.

The Hon. R. M. HALLAM—That article under the heading “Semiautomatic pea rifles have a future: Bill” states:

Semiautomatic pea rifles and shotguns owned by farmers would continue to be legal firearms, according to Mr Bill Sharrock, Labor candidate for Portland electorate.

Mr Sharrock says he has raised the matter with agricultural Minister, Mr Evan Walker, and gained an assurance that semiautomatic pea rifles and shotguns could be owned by farmers.

The Hon. M. J. Arnold—Is this the impeccable source?
The Hon. R. M. HALLAM—The article further states:

Mr Roger Hallam (Nat, Western), who raised his concerns about the banning of such guns, had started again the conservative rumour tactics of 1982 about gun laws, Mr Sharrock said.

He says the Labor Government was correct with its 1982 gun laws, and would be correct again this time around.

But the point I raise particularly for the benefit of the Minister for Agriculture and Rural Affairs is this:

“The Labor Government clearly knows that semiautomatic guns on farms are traditional, effective, and not the basis of any potential or criminal activity,” he said.

The Rural Policy Committee of the Australian Labor Party of which Mr Sharrock is a member, had made this clear to the government, he said.

I refer to his previous quote in which he described guns as being a traditional and effective part of the rural scene. The final paragraph is the one that really takes the prize.

The Hon. M. J. Arnold—This is the knock-out blow!

The Hon. R. M. HALLAM—This is the knock-out blow. The article states:

Mr Sharrock said it would be absurd to ban semiautomatic pea rifles and shotguns on farms.

The Hon. M. J. Arnold—That is the end of it; we will pack up and go home!

The Hon. B. W. Mier—That is the end of his endorsement.

The Hon. M. A. Birrell—Get that on the record.

The Hon. R. M. HALLAM—I am sorry, I missed the interjection. The point I was attempting to make was that a semiautomatic -22 rifle represents no additional appreciable risk over any other -22 rifle. It is the most appropriate weapon to have in a given circumstance and many Victorian farmers have chosen it for that purpose.

The fourth reason why the National Party supports the motion and opposes the regulation is that the regulation is clearly unenforceable. As Mr Chamberlain said, the Registrar of Firearms has estimated in recent weeks there are still approximately 250 000 firearms in the community.

The Hon. J. H. Kennan—And you want them to stay there.

The Hon. R. M. HALLAM—I shall come to that, Mr Minister, because that is a ridiculous comment. The point I make is that no-one knows how many of the firearms which remain unregistered have been prohibited by the regulation. It can be only an estimate at best. Worse still, the Registrar of Firearms also said that some 563 000 firearms had been registered and about 100 000 are in the process of being registered. So we are talking about 600 000 firearms that will be registered. It is amazing that no-one, including the registrar himself, knows how many of those 600 000 firearms have been prohibited by this regulation. In other words, the records of the central firearms registry are so poor that the registrar cannot say which firearms have been prohibited.

Through the registry, there is no way of knowing which guns have been caught by this regulation. The entire system is in an absolute shambles. When the registration provision was introduced the National Party said it would not be effective; and we have been vindicated in that stand.

Until recently, the Registrar of Firearms was sending out statutory declarations with the renewals of shooters' licences. Shooters were asked to list the firearms they possessed, and to identify them by action type. The National Party objected to that on the ground that in the amendments the House debated in 1987, clause 14A stated:

(14A) The Registrar may at any time require the holder of a shooter's licence to make a statutory declaration that all firearms owned by that person are registered.
That is different from asking individual shooters to list which firearms they possess, and to identify them by type. I objected to that amendment, because the authority by which the registrar was seeking that information was unclear. The registrar has determined that such forms will no longer be circulated.

The central issue is that the Premier has stated that there are approximately 210 000 firearms in the semiautomatic category which are caught by this regulation. The number may be an accurate assessment; on the other hand, the number may be underestimated by 100 000. Even the registrar does not know if the number is correct. How can anybody estimate how many of such weapons fall within the category that has been prohibited? Talk of compensation, however belated it may be, is guesswork.

The government has told shooters that they can expect to be compensated for their firearms at market values that applied at the time the prohibition was introduced. Prior to that being said, shooters were to be compensated for the market value of a prohibited weapon—which, by definition, has no market value. At least the government has changed its mind to that degree, so the provision is less nonsensical than it was.

Such a measure has not worked in New South Wales. The government of New South Wales has taken this rigmarole one step further by promising that shooters in New South Wales who continue to use small, semiautomatic .22 calibre guns can look forward to ten years' imprisonment for that offence. Such a measure has not worked. I have been advised that approximately 1 per cent of the semiautomatic guns in New South Wales have been caught under a prohibition identical to the one the government is introducing in Victoria. The government will convert thousands of Victorians into law-breakers through such a measure.

Shooters do not want compensation. If they had wanted compensation they would have sold their firearms in the first place. Shooters want to retain their firearms; and shooters have made it clear that they will resist the government on this measure.

I do not advocate that people should break the law. Shooters have made it clear that they will resist the law. Such a regulation is making a mockery of the law in this State.

The Hon. E. H. Walker—Whatever people resist, do not touch; is that what you are saying?

The Hon. R. M. HALLAM—If honourable members accept the Premier's estimate of there being 210 000 semiautomatic rifles in Victoria, and if honourable members assume there will be a 50 per cent capture rate—and that is a brave assumption—that would leave approximately 50 000 to 60 000 shooters. They will become 50 000 or 60 000 new law-breakers. Is the government intending to send squads of police to confiscate those firearms when it is impossible to know where the firearms are or whether they are located on a particular premises?

Are the police to be given the task of searching every shooter's premises with the prospect of locking up 50 000 to 60 000 Victorians? The whole thing is absolutely absurd! Such a law will turn law-abiding Victorians into law-breakers. People who are normally law-abiding citizens will be caught by this absurd law. Yet the law will have no appreciable impact on the criminal misuse of firearms in this State. That is a problem all honourable members should examine. The only effect of the law will be to turn law-abiding citizens into law-breakers. Shame on the government for that! If I had been a member of the government and the regulation had been put into effect, I would have been ashamed.

The regulation, which bans semiautomatic action rifles, will add to the government's problems of administration. The registrar says that the problem is horrific and that the regulation will lead to massive payouts of compensation. No-one can estimate what the amounts will be, but they will be massive. I repeat that the regulation will convert thousands of Victorians who are currently law-abiding citizens into law-breakers. Shooters are resentful because of that.
The regulation will erode the status of the police. Many of the police with whom I have spoken resent the law and its implications. It will make a mockery of the law in this State; worse still, it could redirect thousands of firearms on to the black market in Victoria. That would have the opposite effect to that which the government is seeking.

At the same time it will have a negligible effect on the criminal misuse of firearms. How can it be that the registration system is expected to capture the firearms of criminals when there are between 250,000 and 300,000 firearms unregistered in Victoria? Such a system does not depend on the capturing of the first firearm, but rather on the capturing of the last firearm; the law is worthless until the last firearm is captured. The government is hanging its hopes on a system that cannot capture 250,000 firearms in this State. How absurd!

The National Party is happy to be involved in any attempt to curb violence in the community, particularly violence involving firearms, but the National Party will not support the knee-jerk reactions of this government.

The National Party advocates a system of improved testing at the point of licensing. The government must return to the system of licence categories—the old A, B, and C system, which worked very well. A shooter would serve a probationary licence period which would allow him to use only a rim-fire shotgun before he could qualify for a centre-fire rifle. The National Party believes it is nonsensical to allow a system to be introduced into Victoria that would allow an applicant for a shooter's licence to have as his first firearm a high-powered centre-fire rifle. Yet that is the system that has been introduced by this government. That is naive!

Under the previous system of A, B, and C classifications, a policeman whom I know very well said to a person in the community in which he worked, after he had picked him up on a couple of minor offences: "Do not ever come to me and apply for a centre-fire rifle, because I will fail you and you know I will fail you. Do not waste your time coming to me with such an application." Because of the changes to the law, and because that person is a primary producer, he must be issued with a permit to purchase. That same person has now bought a high-powered centre-fire gun, and he informed the policeman that the system allowed him to do so.

That results from the amendments introduced in the House last November.

The Hon. J. E. Kirner—Are you saying that farmers do not have a right to own what they should own?

The Hon. R. M. HALLAM—I think the Minister has missed the point. The National Party says that it is incredibly stupid to introduce a system that invites a new shooter to take a licence to buy and operate a centre-fire rifle as his first firearm.

Much could be done to restrict the activities of the Rambos in our community and the threat that they potentially represent. Imposing a blanket ban on a type of firearm is not the way to go about that. We do not need to destroy an entire crop in order to get rid of one bad apple, which is what the government is doing. Nothing can be gained in terms of reducing criminal misuse by making life miserable for the many thousands of Victorians whose only sin is that they happen to enjoy shooting as a sport.

The National Party would like to continue discussing the proposed amendments foreshadowed by Mr Chamberlain and to become involved in the decision-making process by which firearms can be precluded from the market. I foreshadow support for the motion put by Mr Chamberlain.

The promulgation of a regulatory amendment is not exactly the way the National Party members want to proceed; they would prefer to discuss legislation in the House because that would have the same effect. It should not be a regulation that determines the issue, but the National Party is prepared to support a practical prohibition of centre-fire military firearms which are semiautomatic and have a clip capacity of eight or more.
Simultaneously, I recognise that there is grave danger in talking about military calibre per se because very few sporting calibres have been derived from other than military calibres. All honourable members should recognise that many of the military firearms have been converted to become successful and quite common sporting firearms. For instance, if one hears that the 7·62 mm calibre is to be banned and a ·308 Winchester is to remain as a legal weapon, one should realise that they are of exactly the same calibre and fire exactly the same size bullet. The 7·62 weapon has a military projectile that is designed to maim and the ·308 firearm has a sporting trajectile designed to kill. In technical terms, the 7·62 rifle is a safer firearm than the ·308 rifle. Firearms cannot be put into that category and be classified so that one category is described as military, and is thrown out in its entirety. That would be a mistake.

I understand that the prescription which Mr Chamberlain has foreshadowed has been lifted directly from the Western Australian law. That law is regarded as the toughest in any State of Australia in terms of firearms control. That is the best testament to firearms control. On balance, the National Party is prepared to support that move, particularly as it is hoped that the government's proposal to allow confiscation of weapons is defeated.

One criticism directed at the National Party by the metropolitan press has been that it favours allowing previously prohibited firearms to be re-released into the community. That could not be farther from the truth. The prohibition applies to purchases from day one, when the provision was introduced. The National Party does not wish to change that, particularly when it relates to the Rambo-style firearms which all concede should be the ones addressed. We are talking about firearms which will not be released into the community—they are already there.

Those firearms already unregistered will not be addressed by the prohibition, no matter how long we talk about it; those that have been registered will be declared prohibited and caught by section 32 (4) of the Firearms Act. They may be owned but not used, and will be confiscated upon the death of the current owner. That will get rid of the Rambo-style military firearms that all agree ought to be prohibited; the National Party agrees with that primary objective. We are not happy with the means of doing so but hope to address the matter of prohibition when the Bill comes before the House in the next few days.

Regulation No. 374, effective as from 15 December 1987, represents a law which we consider to be unbelievably bad. Its introduction comes in addition to laws which are illogical and unenforceable and which we describe as being stupid. The motion is aimed at correcting that bad aspect of the law. The National Party hopes the motion heralds a change in direction that will allow the House to effectively address the real issue that we should be considering and should have been considering from day one—namely, the criminal use of firearms.

What can be obtained by men of goodwill is a law that will protect the community at large but will not at the same time make life miserable for the thousands of Victorians with whom I share a love of shooting as a pastime and sport.

The National Party wholeheartedly supports the motion.

The Hon. M. J. ARNOLD (Templestowe Province)—I oppose the disallowance of the statutory rule. Parliament has presided, over occurrence of the two worst shootings in Victoria's history. I should have thought the attitude of the opposition parties may have changed and would be different to that which they espoused in 1982 when a regime of gun controls was established in Victoria that perhaps facilitated the type of slaughter that has taken place since 1982, including the events of last year.

I have always known the National Party has been soft in relation to gun controls, being more concerned about the way its members destroy rabbits on their properties than the way kids are killed in the streets. However, I did not think the Liberal Party members would sink to those depths, despite the strength of the rural rump in their party, or that
they would form an unholy alliance with the National Party to show such reckless disregard for the people in the community. That is what all this debate is about.

Much technical information and argument similar to the arguments put in 1982 has been put by Mr Hallam to justify the weakening of gun controls in Victoria. The State is bearing the fruits of that action. The proposals put by the opposition parties are an excuse—a time mechanism or device that they are using today in their lead-up actions in relation to the Bill currently before the other House. I doubt that the Liberal Party has a defined policy in relation to that Bill; in fact, its members are still meeting today in an attempt to thrash out its policy. The Liberal Party is willing to go to bed in the short term with the National Party to disallow the regulation now before the House, thereby immediately legalising 200,000 weapons that are capable of causing even more deaths in the community.

It sits very heavily upon the Liberal Party’s head, I should have thought, to enter into that type of alliance with a group that is more concerned about the way it kills rabbits on properties than the way in which children are killed in the community.

Apparently the cause of the debate is a lack of understanding about how subordinate legislation is introduced in Victoria, and the mechanisms available to oversee its introduction. In the course of debates on recent Bills, and when the House has forced amendments upon the government to give the House the right to disallow regulations, I put the argument most strongly that there is a subordinate legislation system in power which has been established by consensus between all parties in this House, and which was actually engineered to a large degree by Mr Hunt. That system has worked very effectively and efficiently.

Both Mr Chamberlain and Mr Hallam suggested that legislation was being introduced by stealth and that it would not be perused in any way. Nothing could be farther from the truth. In fact, the regulations were addressed by the Subordinate Legislation Subcommittee of the Legal and Constitutional Committee in the ordinary course, as are all regulations made in this State.

The regulations came before the subcommittee and, in fact, one was debated in Parliament. The advice given to the government by the officers was that the regulations were clearly within power.

The Hon. R. I. Knowles—No-one has argued against that point.

The Hon. M. J. ARNOLD—The argument that Mr Hallam was putting related to the question of retrospectivity and allegations that the regulation was not within power.

The Hon. R. I. Knowles—He did not say that.

The Hon. M. J. ARNOLD—The third point that Mr Hallam made was that the regulation was not within power because there was some question of retrospectivity. The advice received by the government is that the regulation is within power.

If the normal process by the Subordinate Legislation Subcommittee had been allowed to take place, the regulation in question would have been considered, as are all regulations that are passed in this State.

The Hon. B. A. Chamberlain—What about the freedom of information regulations?

The Hon. M. J. ARNOLD—The firearms regulation would have been reviewed in the normal course. If the subcommittee had been able to follow its normal procedure; the recommendation would have been made to Parliament, and Parliament would have had the opportunity of debating the issue.

Mr Hallam was wrong again, because he suggested, as did Mr Chamberlain, that there would be no opportunity for debate.
The system that the government has established by way of consensus through discussions in this place and the rules that it has set up allow for discussion and provide a mechanism for disallowance of regulations. However, once again the opposition parties—a government in exile, so they believe—want to change the rules so that they can misuse the numbers they have in this place. Those are the facts of the matter. If the normal process had been allowed to take place, a recommendation would have come forward from the Subordinate Legislation Subcommittee that could have been debated in both Houses and all honourable members would have been able to have their say.

In regard to the earlier interjection by Mr Chamberlain about the freedom of information regulations, I direct attention to the record of the Subordinate Legislation Subcommittee since it came into operation. The subcommittee considered 162 rules in 1985, 400 in 1986, and 406 in 1987. I do not have the up-to-date figures for the current year, but I estimate that the subcommittee would have considered approximately 150 rules.

In all those instances a consensus position was reached by the subcommittee in relation to all but three issues, two of which have been debated by Parliament and one of which is yet to come before Parliament. When recommendations came forward for procedures regarding the disallowance of government regulations, despite the fact that it controls the numbers in the other House the government agreed with the recommendations of the Subordinate Legislation Subcommittee.

The Hon. R. I. Knowles—On every occasion?

The Hon. M. J. ARNOLD—Yes, on every occasion.

The Hon. R. I. Knowles—What about the regulations relating to the chairman of the teachers' organisation?

The Hon. M. J. ARNOLD—In regard to the teachers' regulations, discussions and negotiations took place between the subcommittee members of Parliament and the departments concerned, and a good result was achieved.

The Hon. B. P. Dunn—Did they consider the social implications?

The Hon. M. J. ARNOLD—In regard to the specific issue raised relating to freedom of information, Mr Chamberlain would know that the voting on that issue in the Subordinate Legislation Subcommittee took place along non-party lines.

The Hon. R. I. Knowles—Which way did you vote?

The Hon. M. J. ARNOLD—I voted in favour of the principal position, as usual, and my recommendation was accepted by the government. In fact, the question of the whole operation of the Freedom of Information legislation has been referred back to the Legal and Constitutional Committee, an all-party Parliamentary committee.

Therefore, the legislation is being reviewed calmly, impartially and without fear or favour. It is being considered in the same way in which the regulation now before the House would have been addressed by that committee if it had been allowed to undertake that task, and if the opposition parties in this House had not misused their numbers and forced this debate to take place in this sort of atmosphere.

Statements have been made by speakers from the opposition parties to suggest that there is some community opposition to the government's proposals. In fact, I spent some time doorknocking out in the Kew area—as it is my wont to doorknock in Kew at this time of the year—and I am sure that if opposition members were to engage in a similar exercise of doorknocking in the Kew area, they would be able to gauge community views on the gun laws and the regulation.

The Hon. R. I. Knowles—Did they actually understand them?

The Hon. M. J. ARNOLD—I went doorknocking during the week, so the people with whom I spoke were either young mothers or elderly women at home during the day; I
discovered that none of those women disagreed with the government's gun laws or the need for tougher gun legislation. I had to point out to them that the only way to ensure that tougher legislation was enacted was to convince their Liberal Party representatives in this House to vote in support of the government's measure because, if they did not, Liberal Party members would say that they were soft on gun control.

**The Hon. R. I. Knowles**—Are you going to win the Kew by-election on this issue?

**The Hon. M. J. Arnold**—If the motion is passed this afternoon to disallow the firearms regulation it will again enable the use, legally, of some 200,000 firearms, despite the fact that this government, which has had a mandate since 1982 to introduce tougher gun control laws, introduced the measure and the regulation in accordance with that mandate.

Quotations have been bandied around this afternoon by Liberal Party and National Party members. For example, Mr Andrew Bickel was quoted, from his lofty position over at Yale University, as an expert on society in Victoria. Quotations were also used from an article in the *Hamilton Spectator* that expressed certain views on gun laws. I could quote from a sheaf of documents and newspapers that set out in detail the number of deaths resulting from violence and also accidents because of the easy availability of and access to guns in the community, which the government is attempting to restrain. That is the issue.

An attempt to pussyfoot around and reduce the impact of the government's regulation to such an extent that a mere 5,000 firearms will be banned compared with the 200,000 or so guns that need to be forbidden is a farce. As I have said, it is indicative of the attitude of the opposition parties to gun control in this State.

Figures are available on deaths in Australia and Victoria as a result of easy access to firearms.

Last year guns were used to kill 48 people in Victoria—half of all homicides. Since Christmas fourteen people have died as a result of family violence and nine of those deaths have involved firearms.

Every day since 1 December there has been at least one report of domestic violence involving firearms or the threat of firearms. The rate of domestic killings with firearms in rural areas is disproportionately higher than in urban areas. Also, in rural areas guns with greater lethal potential such as semiautomatic rifles are more widely available and used.

The Opposition has made clear, through Mr Hallam, that it wants to ban only military semiautomatics, which will leave the vast majority of high-powered semiautomatic rifles in the community.

**The Hon. B. A. Chamberlain**—We want to get rid of the military ones!

**The Hon. M. J. Arnold**—The motion before the House is a disallowance of the government’s regulation, which means there would be an extra 200,000 guns and rifles unprescribed. The Opposition will then fiddle around with the issue and try to touch upon 5,000 of those 200,000 guns.

**The Hon. R. I. Knowles**—Who says there are only 5,000 now? Why didn’t you allow a cognate debate?

**The Hon. M. J. Arnold**—That is just fiddling around with the issue. The Liberal Party will be found out in the Kew by-election. Its hypocrisy on gun control will become apparent. Its supposed caring attitude to the people in the community will become clear—people who cannot go to work for fear that they might be involved in some sort of slaughter.

The Liberal Party does nothing about the fear of these people who are afraid to return home after being out for a while for fear of being involved in some sort of mass killing, and this is because the Liberal Party is not willing to make the hard decisions.
Mr Hallam said there are many difficulties and the government agrees that the regulations may be difficult to enforce; there may be difficulties about counting the exact numbers and the government may not get all the guns in the one hit, but we must start somewhere; we have to get fair dinkum about solving the problems because every single gun taken out of the community reduces the chances and opportunities for people to be gunned down.

The Hon. B. P. Dunn—But you are taking the wrong guns!

The Hon. M. J. ARNOLD—We are taking the right guns, but there may be a need in the future to take additional guns.

The Hon. B. P. Dunn—It is a jack boot tactic!

The Hon. M. J. ARNOLD—The Opposition can nitpick on the various defects in the regulation but if it were fair dinkum, it would not be introducing amendments to legislation that water down gun control in Victoria, it would be introducing amendments to assist in lowering the number of guns in the community.

I urge upon the House that the motion for disallowance be defeated and I urge that the House reconsider the attitude it takes in dealing with subordinate legislation. A process has been established under the Subordinate Legislation Committee, which has a record of acting in a consensus way and achieving results. In the past there has been great success in dealing with the bureaucracy, in reducing the number of regulations in the community, and in ensuring that the regulatory impact statements are correct and proper results produce community consultation where necessary.

The Hon. B. A. Chamberlain—It was all Mr Hunt’s idea!

The Hon. M. J. ARNOLD—I do not disagree with Mr Chamberlain’s interjection about Mr Hunt’s contribution to the debate, but I am saying that it is a shame that the Opposition now resiles from that attitude and wants to put it down so that it can use its numbers in this place to try to defeat the policies of the government in such an important and sensitive area.

The Hon. ROBERT LAWSON (Higinbotham Province)—I should like to say, at the outset, that I do not own a gun and, to the best of my recollection, I have not touched a gun for the past 30 years, furthermore I do not intend applying for a shooter’s licence because I do not have the slightest desire to go out and shoot anything.

In spite of this, I can recognise an illogical statement when I read one and the government is being totally illogical in the way it is approaching this problem.

The first thing it has done wrong is to throw out the net to catch all the little .22 rifles that are proliferated around the State, but the government has missed practically all of them. I understand it has had very little success since the regulation was promulgated in having these .22 rifles turned in. They are still in the community and, to a large extent, the statutory regulation has had no effect whatever.

However, the argument of the Liberal Party is that the regulation is illogical to start with. I was interested to listen to Mr Hallam’s description of the various rifles and firearms that are still available in the State and that are not covered by the regulations at all. To a person such as myself who knows little about firearms, the description is frightening—“a muzzle velocity speed” of such-and-such—and people can own these guns quite legally; there is nothing in the regulation about them. We also heard about automatic shotguns that are still perfectly legal weapons if they are above a certain size. These are frightening weapons and yet they are not touched upon in the regulation. Instead, the government covers what has been described as the little bunny killers. It seems to be totally illogical to me.

If the government passes laws and the regulation, it must bear in mind that these laws must be seen by the people to whom they apply as fair, equitable and logical. If they are
not seen in that way the law will not work. The present regulations are not working and
the Liberal Party wants to direct that fact to the attention of the government.

There has been no attempt by the government to ban bolt-action rifles. I remember
reading in the history of the first world war that all of the British infantry were issued with
bolt-action rifles and were trained in their use. Early in that war, the Germans believed
they were being opposed by machine-gun battalions but actually they were platoons of
riflemen who were so accurate and rapid in their firing of their bolt-action rifles. The rifles
were far more deadly; they were man killers. They are far more deadly than the .22 rifles
about which we have been talking today.

Mr Arnold was telling us about his experiences of knocking on doors in Kew and about
the unfortunate housewives who met him and how they agreed with his views. It is no
wonder they agreed with him; they were probably terrified at the sight of him. Beards are
all very well in Templestowe Province but in Kew they do not go down so well and they
probably said later on, “This ruffian came to the door and was talking to us about rifles so
we agreed with him; we agreed with anything he had to say.”

A point well worth mentioning—and it has been mentioned a few times in the course of
the debate—is that the government is attacking the symptoms of the problem by trying to
ban the .22 rifles. Why does it not look at the underlying problems instead? The government
had the opportunity of doing something about violence in the community when the
shadow Attorney-General, Mr Bruce Chamberlain, brought forward his private member’s
Bill, which would have given the police extra powers of arrest and fingerprinting suspects
and various like measures, but the government refused to accept the Bill.

I am not saying that it was the panacea of all our problems; it is not the real way to cure
the problems that face the community, but we can do something about random violence
and about the growth of crime.

We need the cooperation of the government and we do not get it. There is no point
abusing the Opposition, because the government has rejected perfectly reasonable and
acceptable legislation, which may have done something about the crime problem in
Victoria.

An inquiry must also be held into the causes of crime and violence and why the crime
rate is increasing. Until we discover the root cause of the malaise afflicting our society,
little point is gained by passing proposed legislation or promulgating regulations.

It is worth pointing out, as has been said by Mr Hallam and other speakers, that these
regulations were introduced without consultation, without warning, and without
advertisement. I dare say if Mr Arnold had asked the housewives in Kew if they knew
what was contained in regulation such-and-such a number, they would not have known
what he was talking about.

Apparently no-one knew that .22 automatic rifles were banned. What is the point in
bringing in a law and not telling anyone about it? For these reasons I believe Mr
Chamberlain’s motion is the logical way to go. Instead of banning .22 rifles, the big guns
described in Notice of Motion, General Business, No. 13, in the name of Mr Chamberlain
should be banned. That notice of motion refers to:

(a) a firearm which—

(i) is not a pistol;

(ii) is a centre fire rifle;

(iii) is semi-automatic;

(iv) has a bulk reloading capacity of 8 or more rounds of ammunition; and

(v) is in the opinion of the Registrar of Firearms of a kind requiring the exercise of special precautions.

It seems more logical to ban those guns than to ban the little .22 automatic rifles that
comprise the tools of trade of farmers.
Some sneering remarks were made on the government side of the House about bunnies proliferating on farmlands and what a terrible thing it was to go out and shoot the unfortunate little Peter Rabbit. I point out that these rabbits are destroying the heart of Australia. They are eating away the grass, loosening the topsoil, and digging their burrows here and there, causing a serious problem. I accept that it seems humorous to government members but they should consider the serious damage done to the very fabric of the Australian continent.

Farmers have problems with vermin of various kinds, such as dogs, and their numbers must be kept down by the farmers. The little .22 automatic rifle is an important tool of trade for farmers. For this reason I join other members of the Opposition and National parties to support the motion moved by Mr Chamberlain.

The Hon. B. P. DUNN (North Western Province)—This issue involving the regulation and the government's unrealistic attitude towards firearm ownership in this State must be one of the biggest issues to arise in the time I have been in Parliament. It is an issue that knows no bounds; it goes across all political parties and all levels of the community, which share a common concern that the government is on the wrong track with its firearms measure.

The Hon. B. W. Mier interjected.

The Hon. B. P. DUNN—Both Mr Mier and the government are on the wrong track. Mr Mier has been blinded by ignorance of the true situation. Country members of Parliament have coming into their electorate offices constant streams of people who are horrified by the government's proposal. Country members of Parliament have been to meeting after meeting at which thousands of country people have attended. For instance, 2500 people attended a meeting at the Bendigo Town Hall one Sunday afternoon. They filled the hall and overflowed into the gardens. They were there because of their concern that the government had gone off the tracks.

The government's proposal will not affect the Rambos and the killers in our community, but it will affect the law-abiding, honest citizens of this State. The Rambos and the criminals were not at the meeting at Bendigo that day; the honest, law-abiding citizens were. Many of those citizens once voted for the Labor Party. They will not be voting for it again.

A few weeks ago I addressed a meeting at Castlemaine, the very heart of Labor Party territory in the North Western Province. It is right in the backyard of Mr David Kennedy, who represents Bendigo West in another place. The people at that meeting had previously supported the Labor Party. However, when it was suggested by one of the speakers that this regulation must be defeated, that the proposed firearms legislation must be defeated and that the government must be thrown from office for all time, the whole hall erupted with a cheer. There were 360 to 370 people at the Castlemaine meeting that night and they were unanimous in their view that the government must go.

The Hon. M. J. Sandon interjected.

The Hon. B. P. DUNN—If this is what Mr Sandon's government is capable of when it does not have the numbers in both Houses, what would it be capable of if it had a majority in both Houses of Parliament? One can only imagine the extreme measures that would become law.

The Labor Party is led by a Premier who has no understanding of firearms. I do not know whether he has ever used one or held one but he does not seem to understand the first thing about them. In fact, he seems to be frightened of them. He is leading the government down a path of complete unreasonableness.

The Hon. W. A. Landeryou interjected.

The Hon. B. P. DUNN—The test will come at the next election and the National Party will be happy to take on the government on this issue. Labor Party speakers have not had
the guts to attend the country meetings on this issue. They have not been prepared to stand up and defend the government. Where was Mr David Kennedy? I have not seen him at any meetings around the Bendigo area. He is usually at every bun fight but he was not at the Bendigo Town Hall on the day 2500 people attended the meeting on this issue.

Honourable members interjecting.

The PRESIDENT—Order! I am allowing a fair bit of latitude in this debate. However, I remind honourable members that the subject under debate is the disallowance of a regulation.

The Hon. B. P. DUNN—The people at that meeting were incensed by the regulation introduced outside of Parliament at the end of last year. The government decided overnight to ban the use and possession of a whole range of weapons, including the -22 rifle.

Many of these country people did the right thing, as I did. We registered our firearms. We are sorry now that we did so because we will probably be the first to lose our guns when government officials knock on the door and demand that we hand them over. One cannot criticise people for being horrified by the government's proposal.

The National Party knows that there are terrible problems within the community relating to violence and crime. However, the National Party differs from the government because it has examined a number of positive ways of tackling the problem, whereas the government has taken firearms away from the community. It is ridiculous for police to be hootied by a lack of power in fighting criminal elements while the government wastes its energy in this way.

The government has imposed a penalties and sentencing system that allows murderers back on the street after six or eight years in detention. The government has not tried to assist the basic unit, the family, that holds the fabric of society together.

Honourable members interjecting.

The Hon. B. P. DUNN—Honourable members opposite may laugh at that. The views of the government members are well known. Perhaps it is time for those members to look at the family unit and the source of strength that it can be and compare that with the violence that is portrayed on television for our children to see.

I have raised many times in the House with the previous Attorney-General the need to clamp down on violent videos that are allowed into Victoria. Nothing has been done. They are the sorts of issues, together with police numbers, that the National Party has continued to put forward in a positive way as a means of tackling violence and crime in our community.

The National Party does not believe the firearms regulation will have the effect that the government desires. Most honourable members are familiar with the Premier’s announcement of 9 March 1982 on the firearms issue, which appeared in the Ballarat Courier at that time. It is reported that Mr Cain said that the Labor Party would not confiscate guns, limit the number of guns people may own, create a central repository or storage place to house guns, or require membership of a shooting club.

The Hon. N. B. Reid—Who was the author of that statement?

The Hon. B. P DUNN—Someone by the name of Turner. The government has done a complete about-turn on gun laws. In 1983 it introduced the firearms registration procedures and in 1987 it introduced the permit to purchase requirement.

In early January this year I sought to purchase a double-barrelled shotgun for the purpose of ridding my property of vermin such as foxes and an occasional rabbit. I went to a gun shop in Bendigo and picked out a gun I thought was suitable for my purpose and proceeded to the police station in Bendigo to obtain a permit to get a permit. I required a permit from the downstairs section of the station which allowed me to go upstairs to the
senior sergeant and obtain a permit from him which allowed me to go back to the gun shop and pick up the gun. It took me 15 minutes to fill out the paperwork. I then walked back to the police station with the gun and the paperwork, laid the gun on the counter where inquiries from the public are dealt with, and an officer then proceeded to check the number on the gun against the paperwork that I had. I had one comment to the police: “How many criminals have you had in here today registering guns?”

It is absurd to suggest that a criminal or a person who will misuse a firearm will take a weapon into a police station to register it. It is a joke, and the Premier’s proposed legislation and regulation are just as ineffective. The National Party opposed the permit to purchase system which was introduced last year.

Of 824 holdups in Victoria in 1986-87 only 50 per cent involved the use of firearms. Of that number 219 holdups were solved and not one of those cases involved the use of a registered firearm that was identified or recognised in the system. It is absolutely stupid to think that the criminals in the community will register their guns and obtain shooters’ licences. The only people left with firearms, if the Premier has his way, will be the criminal element in the community, police and farmers who require them for their own use.

The National Party recognises that there is a need to ban some military-style semiautomatic weapons. As Mr Hallam indicated, there are varying degrees of military-style weapons in the community, and I cannot justify their use for private use. However, it is absurd to ban semiautomatic -22 rifles. The -22 is a sporting rifle. That rifle is what most country people learn to shoot with. It is a cheap rifle. It is the gun that is commonly owned and used by farmers and people for the eradication of rabbits and certain other vermin. It is a vermin rifle and it is the farmer’s rifle.

Both Mr Chamberlain and Mr Hallam have made the point that the use of the -22 rifle has had a significant effect on the control of vermin in Victoria. The Minister for Conservation, Forests and Lands would be aware of the potential for an explosion in the population of rabbits.

**The Hon. M. J. Sandon**—How often do you go shooting—once a month?

**The Hon. B. P. Dunn**—No, more often than that, but my area does not have such a large rabbit problem as other areas may have. The rabbit problem cannot be controlled effectively by myxomatosis and the rabbit population is on the increase, not only in the Mallee but also in western Victoria and other parts of the State.

The ownership of firearms, not only by the farming community but also by the sporting shooter, who in the main shoots rabbits on private property with the permission of the property owner or on the roadside, has a significant effect on the vermin numbers, and that is a valuable matter that the government should consider.

If the government bans the use and ownership of -22 weapons, the Minister for Conservation, Forests and Lands will find herself with a difficult rabbit problem. One can speak about single shot and bolt action repeater rifles, but both of those rifles require separate aim to be taken with every shot and the rifle has to be dropped from the sight, recocked with a bolt and fired again. I do not know whether honourable members opposite have ever shot rabbits, but they are not easy to hit, especially when they are running. A semiautomatic rifle allows for a much higher chance of hitting a rabbit.

**The Hon. B. W. Mier**—You do not know what you are talking about.

**The Hon. B. P. Dunn**—That is what I have been saying about Mr Mier for years. Mr Mier does not know what he is talking about with respect to guns. However, I had better not say what I think about Mr Mier. He probably knows as much as the Premier about the use of firearms—which is not very much.

Many people regret having registered their -22 rifles. I, and many others, did the right thing only to be told that the guns were to be outlawed and would be confiscated. Shooters are certainly not allowed to use those weapons, and one day a special squad of police
might knock on their doors and ask them to hand over their firearms. Shooters do not want compensation; they want to keep their firearms because they are honest, law-abiding citizens.

The criminals did not register their firearms; they will be the only ones to have firearms after the Premier and his government introduce regulations and gun laws. The National Party has no confidence in the regulation, which it realises is accompanied by proposed legislation. Members of the National Party know that such measures will not have the required effect of reducing violence, crime and the misuse of firearms.

The people to whom members of the National Party have spoken and who attended meetings in their thousands have tried to do the right thing. They are honest, everyday citizens from all walks of life and all political affiliations. They share the same concern that they have a right to own firearms, particularly .22 rifles, which they intend to use responsibly.

Members of the National Party believe—as those people do—that the regulation will be ineffective in reducing the misuse of firearms, as will the proposed legislation. The government should implement tougher penalties for the misuse of firearms and the perpetration of violent crime. The government has been too soft on the criminal elements. We need more censorship of violence in the cinema, on television and on videos. The National Party has argued that point in this place for years; it is not an argument that has been invented for the purposes of the gun debate.

The former Attorney-General tried to tackle the problem of videos depicting violence, but they are still being sent to Victoria from the Australian Capital Territory. Children come home from school, sit down in front of the television set and spend the night watching murder and violence on television or videos.

The Hon. M. J. Sandon—From the ACT?

The Hon. B. P. DUNN—The videos are sent from the Australian Capital Territory by mail order, and this practice is outside the States laws. What is the Cain government doing about the problem? These videos condition young people to accept that violence is part of adult life. What about the apparent lack of discipline and lack of respect for authority that is evident not only in the school system but also in publications to which I have directed the attention of the former Minister for Community Services, such as the booklet Where You Stand? That booklet deliberately guided people to flout authority.

The PRESIDENT—Order! Mr Dunn is straying from the motion.

The Hon. B. P. DUNN—The points I have mentioned are positive alternatives to the unrealistic regulation proposed by the government. Victoria needs at least 2000 additional police officers and wider police powers if police are to perform their duties as effectively as they should.

The National Party is not speaking about throwing out the regulation—it believes the regulation will not work and is unrealistic. It is speaking about replacing it with positive measures that will have the required effect.

I support the motion of disallowance moved by Mr Chamberlain. If he had not moved the motion, the National Party was prepared to do so. The regulation should be disallowed and removed from the statute book of the State.

The Hon. J. H. KENNAN (Minister for Transport)—The debate this afternoon has shown that the Leader of the Opposition in another place, Mr Kennett, has been very carefully captured by the National Party on this issue, and, after two days of debate in the party room, including a special party meeting this morning, it is apparent from the speech of Mr Hallam that he welcomes the somersault performed by the Liberal Party. The government is well aware of the difficulties faced by Mr Kennett on this issue.

The Hon. E. H. Walker—that is why Mr Chamberlain's heart was not in it.
The Hon. J. H. KENNAN—That is right. That is why Mr Hunt looked embarrassed and left the Chamber. He will get a super spray later this evening in the context of another debate where he will have to do much explaining about the administration of justice in the past. We will come to that later in the evening.

With respect to the prohibition of the weapons, the government announced the regulation immediately after the Queen Street massacre. I do not know whether any members of the Opposition care as much about human beings as they do about controlling the rabbit plague, but, for those who were in Queen Street on the afternoon of the massacre, it hit home very hard.

The Hon. H. R. Ward—You have probably never heard a shot in your life.

The Hon. J. H. KENNAN—That is one of the most insensitive and extraordinary comments—

The Hon. R. J. Long—Is it true?

The Hon. J. H. KENNAN—That is extraordinary. Mr Long asks an individual if the shots that he heard during the massacre were the first shots he had ever heard. In pejorative terms that is possibly the most insensitive comment I have ever heard in my life. It is certainly the most insensitive comment I have ever heard in Parliament. That interjection needs to go on the record because the electors of Kew and elsewhere are entitled to know that members of the Liberal Party like Mr Ward and Mr Long made those comments when a Minister was speaking about having been in Queen Street on the afternoon of the massacre.

Mr Ward asked whether that was the first time I had ever heard a shot in my life, suggesting that, if one is accustomed to the shooting of people, one would not really be worried, and the upsetting aspect was the sound of the shots. That is typical of the Rambo attitude of the Opposition. It is as if Mr Ward were saying that there is nothing wrong with a few shots in Queen Street in the afternoon. If that is not the most tasteless, insensitive comment one is likely to hear on the subject, one could always stick around and listen to the debates in the Victorian Parliament and the comments made by Opposition members and hear even more insensitive comments. I am sure members of the Opposition will go from that depth to a greater depth. As Ralph Waldo Emerson told someone who supported slavery in 1848, every drop of their blood has eyes that look downwards.

Nothing could better characterise the mentality of some of the members of the Opposition than that comment: every drop of their blood has eyes that look downwards. The depths to which members of the Opposition are prepared to sink know almost no bounds.

After the Queen Street massacre, the police and many other people in the community made it clear that semiautomatic rifles were a major problem. The Opposition—which is so ready to rely on any police spokesman, whatever the position that spokesman holds in the Police Force or in the Police Association, and on any statements in relation to anything the Opposition wants to kick along as an issue—is strangely silent, as the Minister for Conservation, Forests and Lands pointed out. The Chief Commissioner of Police said that it was apparent to him and to the majority of people that there is a problem with semiautomatic rifles.

The government's response before Christmas was to announce that it would move within the context of the existing legislation to ban semiautomatic rifles. The Leader of the Opposition supported that proposal. The government indicated that as soon as Parliament reassembled it would introduce proposed legislation to overhaul the Firearms Act. The government foreshadowed the proposed legislation before the Queen Street massacre occurred. That proposal was foreshadowed, much to the horror of the Opposition and Mr Hallam.

Before the Queen Street massacre I indicated in the House that in the context of debate on the existing Firearms Act there might be a need to contain the proliferation of weapons.
The Opposition's attitude was unchanged. The honourable member for Portland in another place, Mr Crozier, who had only recently departed as the Liberal Party spokesman on police matters, said on 14 October:

It is a classic Leninist tenet that the government should disarm the citizenry.

Mr Crozier was not rebuked by his party. His statement at that time echoed what he had said in 1983, that it was a Leninist plot. Mr Crozier held prominent positions in the Liberal Party and had been the spokesman for the Liberal Party on the firearms issue. Mr Crozier said that the real aim behind the proposed legislation was—

... to progressively lock up the firearms of the citizenry.

The government has consistently argued for six years that there must be tighter control over firearms in Victoria. It tried to legislate for tighter controls in 1983, but its efforts were frustrated in this place. In the last sessional period, the government again had difficulties with the proposed legislation. At that time, I indicated to the House that there may be a need to go further than the proposed legislation and, tragically, only six or eight weeks after that the horrific massacre occurred in Queen Street. The government responded immediately by introducing the proposed legislation.

Apart from the massacres, there have been horrific accidents involving the shooting of children and shootings in families. Anybody who does not believe that guns are the most serious problem in the community does not understand what has been going on. I have indicated repeatedly over the past six years that a worryingly high proportion of victims are victims of shootings. Professor Harding has continually argued, as have other members of the community, that in five to ten years our community could be on the verge of tipping over to the North American experience of firearms. In North America there is a proliferation of firearms, firearms control, and a tremendous number of shootings. As Professor Harding and others constantly warn, unless the government cracks down on the proliferation of weapons, we shall inevitably end up in the North American situation.

The government has been cognisant of these warnings. The government does not regard the ownership and use of firearms as a right. It is a privilege, just as it is a privilege to drive a motor car, but only on certain terms and conditions. That is the fundamental difference between the government and the Opposition positions, as is demonstrated by the debate this afternoon.

The members of the Opposition frontbench have all departed from the House. There is not one member of the Opposition frontbench in the Parliament this afternoon, although we are debating what I should have thought the community regards as an important issue and what I should have thought the Opposition regards as an important issue.

The Hon. W. R. Baxter—Would you acknowledge that 100 per cent of the members of the National Party are here?

The Hon. J. H. Kennan—The members of the Opposition are seeking to disallow the proposed legislation on the basis that the problem is beyond control, not on the basis that it has been the subject of assessment by the Legal and Constitutional Committee. The Opposition is seeking to disallow it on a whim. It is in keeping with the traditions of the Legislative Council that the Opposition comes into this place and acts in a capricious manner in attempting to strike out a regulation provided in progressive legislation.

Since the government introduced the regulation, the members of the Liberal Party have gone into spasms of disagreement. Members of the National Party have maintained their general pro-gun stance, in accordance with the North American attitude. That is to be expected of them; they are clearly pro-gun and everyone knows where members of the National Party stand.

I will say for the members of the National Party that at least they have the decency to sit in the House during the debate on this issue which they regard as important. I reiterate that all the frontbench members of the Liberal Party have now left the Chamber. It may
be that they have been summoned to an urgent party meeting to reconsider or it may be that they have left Mr Reid, who has only been recently physically removed from the frontbench, as their spokesman. It would be ungenerous of me to make any further reference to Mr Reid, but that action is typical of the Opposition.

The Opposition has no policy on this or any other matter. There is only the odd drum beat heard from them. As Mr Hallam announced to the House, the Liberal Party is now toeing the National Party line and is seeking to disallow the regulation, not on the basis of some absence of power or that the government is not lawfully entitled to make the regulation, but on the basis that the Liberal Party does not like it, and so it is out. That is a capricious attitude. The Liberal Party should participate in the debate, but all its frontbench members are absent!

Mr Knowles conceded that the proposed regulation is within the power of the government. He said that there is no issue about that. He said the government is lawfully entitled to make regulations and that the regulation is consistent with the Act.

The Upper House has conferred powers on itself as a government in exile, as others have said. This is contrary to what Mr Hunt said when he was debating the planning and environment Bill. In this instance, one House only can disallow the regulation.

Mr Dunn referred to violence shown on videos. It is not just a matter of what is contained in the videos, but what is shown on television and in the cinemas as well. The government has always been concerned about violence. All that was heard from Mr Chamberlain was that he was obsessed about pornographic videos. Mr Chamberlain does not understand that the real threat lies in the violence displayed in videos.

He issued a series of press releases, but, unfortunately, not many of his press releases get a run because the media have made a fair estimate of Mr Chamberlain. The press releases dealt with pornography and other similar issues that excited Mr Chamberlain's imagination. It is typical that Mr Chamberlain is a kick or two behind the play—the real issue is violence.

Mr Dunn has some limited understanding that a State cannot legislate to prevent transfer of messages in the telecommunications area from one State to another. Through the Standing Committee of Attorneys-General, the government has been pressing for tighter regulations. I fought for tighter regulations at the last meeting in December, and the Standing Committee will meet again next week to examine whether the regulations can be tightened on a national basis. Some tightening occurred as a result of steps taken some years ago, but the regulations have not been sufficiently observed by the Chief Censor of the Film Censorship Board. That applies not only to videos but also to all material shown on television and in cinemas.

The point of the regulation is to ensure that the number of guns, particularly semiautomatic guns, in the community is controlled. That is what the government has always been about and that is where the major difference lies between the government and the Opposition. Members of the Opposition always want to punish people; they believe if people are punished heavily enough, a problem will be eliminated. The government however believes that is not the answer. The government believes in prevention, and that is one reason why the government has pursued tougher road laws, despite carping from the Opposition, because a tremendous amount can be done through prevention. Evidence from overseas and from this country shows that there is an inevitable correlation between the number of guns in a community and the amount of damage caused by guns.

The National Party purports to speak for everyone living in country areas. I do not believe it does. Farmers complain bitterly about irresponsible people from the city or those living in country areas shooting up their water tanks, irrigation pipes and so on. Members of the National Party would be more aware than the rest of us of the relatively small number of road signs one sees along country roads that are not shot up.
It is absurd to say that a serious problem with guns does not exist in the community, and it is absurd to say that the solution is simply imposing heavier penalties. The supply of weapons must be decreased and the community’s attitude to guns must be changed dramatically. The regulation seeks to take the first step. The government has introduced proposed legislation in the other place to give legislative backing to the regulations. I can only assume that the Liberal Party will now toe the line of the National Party and oppose the key provisions of the proposed legislation.

The Opposition will apparently oppose the prohibition of semiautomatic rifles, a provision contained in the Firearms (Amendment) Bill (No. 2). If the Liberal Party opposes that provision, it will be opposing the key provisions of the Bill and will have rolled over to the pro-gun attitude. I have no doubt that the majority of people in the State are sensible and support the government’s thrust to reduce the number of guns in the community and to abolish semiautomatic weapons. It is a pity, but no surprise to the government, that a group of politicians who claim to be representative constantly thwart the government in this place on what is not only a clear policy position of the government but also a position that is overwhelmingly supported by the people of this State.

The Hon. R. S. de FEGELY (Ballarat Province)—I support the motion moved by Mr Chamberlain. I preface my remarks by indicating that I do not own a semiautomatic rifle but I own a number of registered guns and I am the holder of a gun licence, which, no doubt, the government is aware of because it has undertaken a thorough survey of members of the Opposition and has tabbed those of us who have gun licences. That information came to me by way of a passing truck!

The imposition of the regulation is outrageous. It is an unreasonable restriction on responsible, law-abiding citizens of this State. If one knows anything about rifles, it is extremely difficult to understand why the regulation has been imposed on innocent, responsible citizens of Victoria.

Mr Chamberlain pointed out that the regulation was imposed on a false premise, and I shall not go over that again. I shall go down the track of Mr Dunn, who suggested that a hidden agenda regarding the banning of guns exists and that the regulation has far more to do with the hidden agenda than it has with the safety of the citizens of this State. There is little doubt in my mind that the Premier has been aiming for a long time to disarm the public.

Prior to the 1982 State election, the Premier, who was then the Leader of the Opposition, had a different view. I shall quote from an advertisement that appeared in the Ballarat Courier of 2 March 1982 which stated:

**SHOOTERS! This Concerns You . . . From John Cain on the ALP Firearms Policy.**

Under a photograph of the present Premier, the advertisement states:

The ALP will not—

- Confiscate your guns.
- Limit the number of guns you may own.
- Create a central repository (or storage place) to house your guns.
- Require membership of a gun club as a pre-requisite for gun ownership.

Authorised by J. Cain, Parliament House, Melbourne

 Apparently, the Leader of the Labor Party has had a change of heart.

**The Hon. B. A. Chamberlain**—Was that a solemn promise to the people of Victoria?

**The Hon. R. S. de FEGELY**—I presume it was. It was an advertisement inserted in the Ballarat Courier and one would have to accept that it was issued in good faith.

I note that Mr Arnold said that the Premier had promised tougher gun laws. Perhaps he did, and the Opposition has no objection to tougher gun laws. However, the Opposition
wants sensible gun laws and not the type the government is endeavouring to impose upon the community.

I do not believe many members of the government and a large number of citizens understand what constitutes a semiautomatic rifle. Mr Hallam clearly spelt out the differences between certain rifles, and he knows more about them than I.

A semiautomatic or automatic loading rifle is not the type of military-style weapon which the term conjures up in everybody's mind but a common everyday .22 rifle that most honourable members have used. Although I do not own one, many of my friends have them. Why should I be able to go out shooting with my old bolt action rifle whereas a person with a firearm which, until, four or five months ago, was not an illegal weapon is not able to do so?

A point that is dear to my heart is the matter of ridding the rural landscape of vermin. Honourable members are aware of the Flora and Fauna Guarantee Bill about which the Minister for Conservation, Forests and Lands and the government have made great play. The greatest threat to our birds and animals are the foxes and feral cats which are rapidly increasing in numbers.

An Honourable Member—Cats?

The Hon. R. S. de FEGELY—Yes, there are an estimated 1.5 million cats roaming the countryside causing havoc to small native birds, marsupials and animals. Farmers and other shooters have done a magnificent job in shooting foxes and keeping vermin down but, if they are unable to own rifles, what will happen to the native fauna? The firearms exercise is a farce; it has nothing to do with safety. The Bill will not make Victoria safer. It has already been pointed out that it might have the reverse effect.

The Minister for Transport was critical of the Opposition frontbench not being in their seats. However the Minister has now gone. He is seldom in the House. I do not know that my speech is any better but I have heard better from him than his speech today.

After the horrific Hoddle Street massacre the Premier said that tightening gun laws would not prevent that sort of horrific incident from occurring. Sad as that situation and the one in Queen Street were, they were the result of the actions of persons with psychological problems; nothing to do with gun laws. Any person wanting to do such an horrific thing would have no difficulty in obtaining an illegal firearm in this State where there are approximately 300,000 unregistered guns.

If the government wishes to do something about tightening gun laws, it ought to do something about illegal and unregistered guns. It should not penalise responsible citizens who have fulfilled their obligations and responsibilities by obtaining licences and registering their guns.

The Minister for Transport also mentioned the circulation of dangerous guns in the community. The government has allowed the circulation of those guns; it has not done anything about them. They have been imported into the country in large numbers.

The idea of compensation for firearms which are now illegal is rubbish. The government has not the money to pay compensation to the number of people who it is estimated own semiautomatic weapons. It would be better to put the money towards more police and better preventive measures. I have much pleasure in supporting the motion.

The Hon. W. R. BAXTER (North Eastern Province)—Like Mr Lawson and Mr de Fegely I should declare my personal qualification. I do not hold a shooter's licence and I do not own a firearm. I do not have any desire, at this stage of my life, either to own a firearm or to use one, despite the fact that I have had an association with the land. Nevertheless, I am interested in doing my best to ensure that enacted legislation is practicable, workable and equitable. The proposals being advanced by the government do not meet those criteria. I have no hesitation in supporting the motion.
The standard of the debate is disappointing. Some excellent speeches have been made from this side of the House, particularly from Mr Hallam, but there has been a pathetic response from the government side.

The main defender of the government was Mr Arnold. The best that could be said of his contribution was an interjection made by Mr Knowles when Mr Arnold had concluded his speech: “Is that all?” We were waiting for some reasons why it was necessary to rush through the regulation, virtually in secret, on 15 December, to address the problem we all acknowledge exists in the community of increasing violence and misuse of firearms, but we heard little from Mr Arnold. That was surprising.

The government does not have its heart in the issue, as it claims. It cannot believe firearms law is an issue which will affect the Kew by-election. Frankly, I do not believe it will cause a ripple in Kew because Kew is not an electorate in which the issue will have any significance. I foresee that the Opposition will hold Kew with an increased vote, and I am not sure what inference the Premier will draw from that in his attempt to turn the by-election into a sort of referendum on gun control. I do not believe the electors of Kew will consider it so, either.

The Minister for Transport accused members of the National Party of being akin to and having attitudes similar to those of the Irish Republican Army and a “North American set-up”. I am not sure what he meant by that. Was he implying in some way that members of the National Party are supporters of the IRA? If so, he did not produce evidence and he did not try to point out the connection. I challenge him to point to one tittle of evidence that indicates that members of the National Party have given the slightest comfort to the sort of activity engaged in by the IRA.

The Minister went to some lengths to indicate that Victoria was heading down the road to the problems which exist in the United States of America with the misuse of firearms. I am no expert, but it is my understanding that the use and ownership of firearms and the problem of firearms in the United States of America is basically a hand gun problem and not a long arm problem.

This State certainly does not have a problem with hand guns, and does not appear to be heading towards a significant problem with hand guns in the future. I acknowledge that the State must guard against potential problems, but it is patent nonsense to allege that the problem of hand guns in the United States of America is connected to any perceived problems that might exist in this State. It is simply not so.

It was a red herring the Minister for Transport attempted to draw across the trail today and he and his cohorts have attempted to use it on other occasions. As usual, he attempted to have his cake and eat it too, because he then tried to accuse the Opposition of making its decision to move this motion today on “caprice and whim”, but in the next breath he said that the Opposition was kowtowing to the National Party and had done a somersault. He cannot have it both ways. A somersault cannot be a whim, yet he tried to denigrate the Opposition, saying that it made its decision off the top of its head and out of the blue just because it wanted to be difficult today, but in the next breath accused the Opposition of kowtowing to the National Party.

Like Mr Hallam, I am pleased that the Liberal Party saw fit to move the motion and to change the stance that apparently was being taken by the Opposition soon after the regulation was brought down on 15 December. I shall say why I believe the Opposition has taken that view: it is anything but a caprice or whim, and it is probably not even because it is buckling under to the attitudes of the National Party; I believe the decision has been made because the Opposition is reflecting the public opinion that has been brought home to it in the past few months.

Honourable members heard Mr Sandon, who unfortunately, but typically, has not remained in the Chamber for the balance of the debate, say by interjection to Mr Hallam a short while ago that members of the National Party were isolated from the mainstream.
of public opinion. Let Mr Sandon demonstrate to this House the attempts he has made to identify the mainstream of public opinion on this issue, compared with the attempts and activities of National Party members over the past few months. Members of the National Party have attended meetings all around the State. Those meetings have not been attended by two men and a dog.

The Hon. E. H. Kirner—Did women attend those meetings?

The Hon. W. R. BAXTER—I will tell the Minister for Conservation, Forests and Lands about women attending those meetings in a moment, if she will give me a chance. You know, Mr President, that when a public meeting is called on issues affecting the nation, such as the fact that the nation is going bankrupt and is likely to become a Third World country, public response is negligible. Hardly anyone attends, and it is difficult to determine what the public attitude is on the issue. It is difficult to determine the mainstream of public opinion on most issues, but it is not so with guns. It has been easy to determine what large masses of people think, not only in the country but also in the city.

People are concerned that the regulation is turning previously law-abiding citizens into criminals overnight, and those people have been turning out in their thousands to those meetings. I shall give the House examples of three meetings I have attended.

The first was on 21 January, in the early days of debate on this issue. It was held in Albury because the embattled Premier of New South Wales, Mr Unsworth, in league with the Victorian Premier, Mr Cain, thought the gun issue was a vote winner. Mr Unsworth indicated that he would introduce similar legislation, claiming it would be even tougher than the legislation being proposed in Victoria. He foreshadowed that move, prior to his announcement of the New South Wales election. It so happened that a gentleman in Albury decided to convene a public meeting to discuss this issue. I asked the gentleman where he would hold the meeting, and he said it would be held at the North Albury football ground. I was aghast because I thought 40 to 50 people would not be many in a football ground. However, that gentleman had made a wise decision because 2014 people attended that meeting; that number of people would not have fitted into any hall in Albury or Wodonga. It was a graphic illustration of the depth of feeling in the community on this issue.

People at that meeting, as at every other meeting on the issue that I have attended, were honestly, conscientiously and sincerely saying through the microphone that, although they had voted Labor all their lives and in many cases their fathers had also done so, they felt so strongly about this issue that they would change their vote. This is where members of the Parliamentary Labor Party are at odds with the mainstream of public opinion. This is an issue on which people hold strong views and on which they believe, as Mr Chamberlain said, that they can no longer trust the Labor Party.

The next meeting I attended was at Wodonga a few days later. On my estimation, based on a survey of the car registration plates, one-third of the people at the Albury meeting were from Victoria and, as Albury and Wodonga are adjacent, I thought the Wodonga meeting would be a flop and that not many people would attend as they had made their point at the Albury meeting a few days earlier. How wrong I was!

The organisers hired the Wodonga Civic Centre, which is a substantial hall with the capacity to hold 800 people. When I arrived, there was standing room only! Hundreds of people were gathered outside the hall as well. It was calculated that more than 1400 people were at that meeting. There was an array of speakers, including my colleagues, the honourable member for Benalla in another place, Mr McNamara, and Mr David Evans, and the honourable members for Mornington and Benambra in another place. Strangely enough, there was a vacant chair for the Labor Party, as no-one from the Labor Party at Albury, Wodonga or anywhere else attended that meeting, or the next meeting in Echuca. I understand that at every meeting, except one or two, there were vacant chairs for the Labor Party as government members were not prepared to attend those meetings to defend
the government's actions in front of people and to get some understanding of their sentiments, although Mr Sandon interjects about interest in mainstream public opinion.

The Minister for Conservation, Forests and Lands interjected earlier to ask about women at those meetings. A large number of women were present at the Wodonga meeting; at the Echuca meeting I was able to make a more accurate assessment indicating that approximately 340 persons were present, and my rough assessment was that more than 100 of those persons were women. Women attended those meetings in large numbers and made their views heard. Half of the questions asked at Echuca were asked by women. The views expressed were not necessarily anti-gun or pro-gun, but were genuinely seeking information and indicated that people were genuinely opposed to the actions being taken by this government.

The Minister has responsibility for protecting the State's native fauna. I indicate to her that a skin buyer in Wodonga, Norman and Heath Wool and Skin Buyers, last year purchased 5000 fox skins from shooters. It is obvious that not everyone who shoots foxes goes to the trouble of skinning them—it is a stinking job—so the fact that 5000 skins were sold to that one buyer is indicative of the number of foxes that were shot in the district.

If one multiplies that figure or takes into account the destruction of native birds and animals and domestic livestock by those foxes, one ends up with an extraordinary number. If firearms are to be partially outlawed, as this regulation does and is no doubt a precursor to what may be introduced at a later date, how will the Minister control the fox population in Victoria?

It will absolutely explode because foxes in Victoria have no predator other than man. The most efficient means available to man for controlling the number of foxes is through the use of firearms. The Minister should perhaps contemplate the task that would beset her Ministry if she were responsible for controlling the fox population in the absence of shooters who do so voluntarily.

At the Wodonga meeting I followed the honourable member for Benambra who spent most of his speech setting the scene for the Opposition supporting the government's proposal. When I addressed the meeting I gave the undertaking that at the first opportunity I would hold up regulation 374, which is being debated today and which the honourable member for Benambra had not seen when he made his speech. I said that when Parliament met the National Party would move for disallowance of regulation 374. I fully intended to do so in association with my colleague, Mr Hallam. That undertaking was solemn and given before 1400 people in Wodonga.

I am delighted that yesterday, at the first opportunity, notice was given to disallow this regulation. I have no objection to it being moved by the Opposition because the Liberal Party is the major opposition party in the House and it ought to take precedence in placing business on the Notice Paper. I am pleased to support the motion because it honours the undertaking I gave in Wodonga in January.

I shall not cover all the issues that will be canvassed when and if proposed legislation that is being debated in another place is introduced in this House. The issue has deeply divided the community. People who have never contacted me before are contacting me at my office. Many are not gun lovers in any sense of the word. They do not own guns and do not wish to own guns but they are concerned by the jack boot tactics of the government in introducing a regulation after Parliament had adjourned for the Christmas break. This allowed no opportunity of debating the matter and the selective regulation, and addressing some of the problems that penalised owners of firearms, many of which have been owned for years. The regulation is turning law-abiding citizens into law-breakers.

The regulation is contradictory because although it did not prevent a person from owning a weapon, it prevented him from using it. If a firearm is to be used to commit a crime in an angry or passionate circumstance, it will be used whether or not its use is prohibited by regulation. That is what the legislation allows. Firearms are available in the
community. The regulation is impracticable. I do not wish to be a party to unworkable measures.

A gentleman from Mount Beauty telephoned me and asked me to use a slogan that is perhaps too long to be used in a catchy electoral context. He said, “I would rather trust the people with the guns than trust the government with the guns”. He had a good point. I shall not be party to law-abiding citizens having their livelihoods or legitimate recreation unduly hindered by a knee-jerk reaction resulting from an unfortunate incident that occurred in the city.

The Hon. W. A. Landeryou (Doutta Galla Province)—Much of the debate this afternoon has centred around one’s approach to how the community should solve the problem. Should it be punishment or prevention? A number of speakers have missed that central point. If the Premier is to be remembered for one contribution to the history of the State, he will be remembered as the man who had sufficient courage to raise the community’s expectation and knowledge of a serious social question.

That question is whether people should be entitled to use the rights referred to by Mr Baxter at the expense of the majority; whether those who enjoy the amenity, relaxation, or sport—as it is called—of shooting another living creature should not be subject to strict and rigid controls imposed by the community and the government that represents the community, especially when the circumstances in Victoria were starting to get out of hand.

It is manifestly true that no Parliament and no law, no matter how strict, can prevent a lunatic or hardened criminal from breaking the law. That point is conceded but at least we can start to educate the community. From the time the government was elected six years ago, it has endeavoured to educate the community.

I have a couple of confessions to make and, as the press are not present in the Chamber, I can make them easily. I intend to boast, which is unusual for politicians! I am proud of the fact that I was the first honourable member in the history of the State to raise in the Chamber the community’s concern about firearms.

The Hon. B. A. Chamberlain—You frightened hell out of us, I seem to recall.

The Hon. W. A. Landeryou—I certainly frightened the hell out of the Honourable John Galbally when I produced the gun in the Chamber! It is fair to point to the issue in this way because when I first raised this subject eleven years ago I was appealing to all parties and all factions within the political fabric of the State to try to apply their minds to the problem and to seek a solution. I did so apolitically but I was laughed at. The Leader of the National Party was there at the time and he completely ignored me. The National Party did not enter the debate other than by interjection. The Leader said nothing other than that .22 rifles should be fitted with silencers for shooting rabbits. I never understood that point.

If I recall, on three or four separate occasions I moved formally a motion calling for the establishment of an all-party committee to examine my concern and that of the Labor Party movement—now the government—which was how firearms should be governed in a community. This includes their manufacture, distribution, use, and ammunition. The government of the day ignored that plea. On one occasion my immediate predecessor responded to my suggestion about the control of replica firearms but never responded to the core of the problem.

Unless the problem of gun control is approached in an apolitical way we will end up having a political point-scoring debate such as we have seen over recent months, in which cheap, snide remarks are made about the integrity or objectives of the government or of particular Ministers.

No-one is the sole repository of all knowledge on this subject, but it was a genuine attempt at that time by a new member of this Chamber to take the House through a
concern that a section of the Labor movement and the community at large felt. At that
time I said that I was frightened of guns and I confessed that I was concerned about how
freely available they were, what the community felt about them, and how people were able
to avail themselves of firearms.

On one occasion I advertised in a Melbourne newspaper and was astonished at the
response. What started out as an exercise in political education ended up being an horrific
experience because people came to me with hand guns—in one case, a suitcase full of
them; about thirteen or so. People from all walks of life were offering guns of all descriptions.
To the government's credit, on election, immediate steps were taken to attack the problem.
The previous government, the Rambos in the House, and the others who represent the
Rambos in the community, completely ignored year after year the pleas in the reports of
the Chief Commissioner of Police for Parliament to address the problem.

The police were not suggesting that they had the perfect solution. In appealing to the
Liberal government of that time, I was not suggesting that I had a perfect solution. I had a
prejudice and feared guns. I was calling on the House to do something about it. With one
exception, when a formal response was given to my call about replica firearms, the
government of the day and the National Party of the day—and in my view to the
everlasting shame of all honourable members opposite who were present during those
debates—refused the opportunity to participate in the discussion. Not only did they refuse
to sit on the all-party committee of inquiry; not only did they not accept the notion
contained in the motion, but they also ignored their opportunity to respond.

Mr Baxter was astonished that a few hundred people would turn up to hear what he had
to say about anything in Albury-Wodonga, yet he gets up and talks about the absence of a
Labor government spokesman on this issue. He and his colleagues were put on notice
more than a decade ago by the Labor Party.

The Hon. W. R. Baxter—I was not here then.

The Hon. W. A. Landeryou—You were probably travelling around the world
between Houses. The National Party and its Leader, and the government of the day, were
put on notice about the Labor Party's concern on this issue. It is a vexed social problem;
one has to achieve a balance when deciding between the rights of some people to a
Saturday night's spotlighting enjoyment as against lives in Hoddle Street or Queen Street!
To the Labor government there is no choice. Those who want to bear arms, for whatever
reason—be it for occupational purposes or for removing vermin from their own properties
or for sporting or recreational purposes—have to meet obligations to the rest of the
community in the ownership, control and use of those guns.

I do not believe in any democratic society that there is anything wrong with the majority
saying to certain people, “This is how you will behave.” There are stringent requirements
for applications for motor car licences, yet it is being implied, that there should be no
interference by the bureaucracy, by Parliament or by the police with gun ownership or gun
usage.

That sort of thinking belongs to another period, a period that future generations will
want to forget a lot more quickly than we have been able to. Future society will adopt
standards and will say to the minority who are gun owners and shooters, “We are troubled
by your use of these firearms, and if you continue to use them it must be done in a way
that ensures that the vast majority of people are protected.”

There is nothing new about my putting this argument in this Chamber. I have said that,
or words to that effect, before, and it is recorded in Hansard. The Minister for Health has
handed me a press photograph showing me holding a gun in my hand. I took the view
then, and I hold the view now, that the community expects Parliament to give a lead on
these issues. I did not know all the answers then and I am not certain anyone knows all
the answers now.
To the Premier’s credit, against all odds and enormous pressure, from both outside and inside the Labor Party, he has said that he will stand firm on the rights of the majority to be protected. I do not think there is anything wrong with a Premier who insists that that is right. He deserves the support of Parliament. Although the proposal can be said to have something woolly about some aspects and although it might be claimed, rightly or wrongly, that a particular weapon is not as dangerous as another and that some types of ammunition affect a particular rifle or weapon—they are technical arguments of interest—the facts are that members of the Opposition have had a long time, particularly over recent years since the Labor government came to office, to put whatever practical arguments they want to put without political point-scoring. They have never been able to do that.

The Leader of the Opposition said that, so far as he was concerned, there should be guns only in the country. That is the tragedy of this debate; once again the Opposition is trying to turn it into the city versus the country. There should not be a division; nevertheless, the beloved Leader in the other place said that what we will have is everyone checking for guns at the city outskirts like a sort of Tombstone Territory. That is incredible stupidity, but that is what he said.

The Leader of the Opposition in the other place is well known for his somersaults and the collecting of ideas in the cabbage patch. He is well known for being seriously challenged. As I understand it, he will not go on holidays any more!

Because I have some personal respect for the integrity of many members of the Liberal Party in this Chamber—and I have mellowed over the decade or so that I have been here—and although I have disagreed vehemently with their conclusions, I agree that their comment about their obligations to our society are sincerely and genuinely made and seriously felt.

There are honourable members in this Chamber who hold views similar to mine, but they say, “I will stay silent, I will not participate in this public debate and I will hide behind some obscure smokescreen that has been created”. Because the government was faced with two horrific massacres over a short period, it has acted quickly by regulation and in the only way available to it.

Some honourable members will hide behind this smokescreen of the regulatory power of the government, and indulge a vague Alan Hunt argument about the power of the executive and the power of Parliament.

I have listened to the extensive views expressed by both sides of the Chamber so I believe I understand the issue in a practical way. But, instead of hiding behind a smokescreen, the Liberal and National parties could have said that they agree it is a social problem and that we should all sit down and have a conference with the government. Parliament has taken that action before. It did it during the depression with vagrancy provisions of the Police Offences Act, after the incident of an horrific explosion at the racecourse and, I think, at the then Attorney-General’s home.

The Hon. R. M. Hallam—I have made that offer on several occasions.

The Hon. W. A. Landeryou—I say, again, that Mr Hallam is not the Leader of the National Party but, perhaps after what followed his speech, he should be. Although I disagree with some of his conclusions, I do not doubt the sincerity of Mr Hallam’s speech, and I value the personal experience which he brought to the debate. I appreciate the points he has made, as does the government, but the time to make those points is not at a political point-scoring legal rights rally.

I have grown up with shooters and their death threats in my early days as a member of this Chamber when I raised this issue. I am not suggesting that all shooters are in that category—and I shall provide the House with a personal anecdote—but there have been situations in the past where idiots who vehemently disagreed with my view on this issue
were cowardly enough to make threats to my wife, my children and me through the mail and on the telephone. I have another confession to make—

The Hon. H. R. Ward—You are getting very Catholic, aren't you?

The Hon. W. A. LANDERYOU—I hope my speech will be universally understood as well. A couple of years ago in a moment of great weakness, and obviously after many glasses of Sunbury water, I agreed to go away with some mates of mine and be the camp cook at a duck shoot. It was on the condition that I was not expected to handle firearms and that they would not complain about the cooking.

The Hon. W. R. Baxter—Which promises were kept?

The Hon. W. A. LANDERYOU—I shall take the House through the details. It will be a full, frank and open confession because I have been told to hold the fort for a while. There were sixteen of us in the group, including one apprentice. We ate well because we took most of the food with us. In the end—because, my mates said, the local natives were stealing some of our refreshments—it cost us more than $100 a head for food and liquid refreshments over the weekend. Although they were experienced shooters—

The Hon. W. R. Baxter—Except the apprentice?

The Hon. W. A. LANDERYOU—I think the apprentice was also experienced.

The Hon. W. R. Baxter—What was he an apprentice at?

The Hon. W. A. LANDERYOU—He was an apprentice metal worker.

The Hon. W. R. Baxter—I thought you meant he was an apprentice shooter.

The Hon. W. A. LANDERYOU—No. There were a couple of bank managers, an accountant, a couple of storemen and packers and a plumber, so I lived dangerously. We spent a weekend under canvas. I was the camp cook and my mates went out in boats and in other gear in the early hours of the morning looking for ducks. I must admit, the party did not shoot one duck. The weekend cost us $1600 and the only duck we took home was that provided by the local publican who felt sorry for us and presented us with a dressed ready-to-eat duck.

By that anecdote I was attempting to demonstrate to honourable members that I have had some experience with shooters. When this regulation was first announced, my shooting associates were irate. Some of them are very good friends of mine. I have learned from experience that, if one is to trust people with guns in their hands, one must know them very well.

The Hon. J. E. Kirner—Especially if you have a multifactional duck shoot.

The Hon. W. A. LANDERYOU—Yes, and it was more than a multifactional duck shoot.

After the initial complaints were made—and one of these people was the president of the local branch of the Australian Labor Party, and he was more than irate at the prospect of losing his guns, his rights and so on—I arranged for most of them, because they could not all make it, to come along to my house one Sunday evening. Over a barbecue and into the night we chatted about my view, their views and the government's approach to this issue. I give them credit because, after that discussion, all of them were sympathetic to the government's approach and the vast majority are supportive of its view.

If it were possible to provide a rational atmosphere, if the leaders of sporting shooters' organisations stopped playing politics, and if the Liberal Party, the National Party and the Labor Party stopped playing party politics on such an important social issue, we could have a far more intelligent debate and achieve a more acceptable result. At present the issue is clouded, and it will continue to be so.
It concerns me that in the interests of political point scoring we are again turning a social issue into a city versus country issue. My experience with country people is that they are practical, they have their feet on the ground and they have a good deal of commonsense. If one sits down and talks to them, despite prejudices built up because of their remoteness and lack of access to multimedia sources, one can normally persuade them on the basis of commonsense because they are practical people.

Unfortunately, what has again occurred here is that a statement taken out of context is twisted, lied about and distorted to such a point that it is almost impossible to rationalise how one can come to a conclusion based on the original statement. Some of the propaganda merchants in the gun lobby community are capable of doing anything to pursue their objectives, to which in my view the vast majority of people would be opposed.

I also resent the sexist undertones in which this debate has been held. I do not believe women are smarter than men but it does appear to me that they have demonstrated—certainly in the surveys—a more caring approach to human life than has been espoused by the Liberal Party spokesman. I conclude that the Leader of the Opposition in this House did not appear to have his heart in his contribution, and I include the National Party in that statement.

The Hon. B. P. Dunn—Don't bet on it.

The Hon. W. A. Landeryou—I am sorry, Mr Dunn.

The Hon. B. P. Dunn—Are you suggesting that we don't have a deep regard for human life?

The Hon. W. A. Landeryou—No, I am not suggesting that as the ultimate conclusion. That is my conclusion from the observations I have made of some of the things that you have done. One must be judged by one's actions, not by what one claims. It appears to me, Mr Dunn, that, by your own admission, you walked into a police station and said, "How many other criminals have guns?" One must understand that it is not only the National Party, the Australian League of Rights or the shooting organisations full of Rambos who can play dirty pool.

Members of Parliament must ensure that there is an educative level at least in Victoria so that people understand the dangers of guns and their use. The government has an obligation to the section of the community that it represents—the majority of Victorians—to ensure that their interests are protected. The government can take the high ground and say that the onus is on the opposition parties if what it has proposed is so outrageous with respect to their attitude to civil liberties. If that is the basis of the claims of the opposition parties, they should sit down as practical people and put forward their views in a rational and sincere manner without becoming involved in political point scoring. That is all I was alluding to.

The Hon. B. P. Dunn—The National Party has proposed a number of practical alternatives. I proposed some myself, as did Mr Hallam.

The Hon. W. A. Landeryou—During the debate on this matter the National Party has been a moving target, if I may use that pun. Its members have constantly changed ground on the issue. They have done so publicly; they have indulged in political point scoring.

Rational members of the Liberal Party may have had great difficulty in putting their case within their party room, both yesterday and today. There is clearly a majority of honourable members in this House who believe the government should act to solve this difficult problem. The government's reaction on the day in question was all it could have done, given the circumstances. The government acted in a courageous way because it was not motivated by public opinion.

Members of the National Party may be correct in what they say. But, in the end, the people of Victoria, whether they live in Wodonga, Werribee or wherever, have a great deal
of commonsense. They will realise that the government's actions are the right ones. I shall read to the House——

The Hon. B. A. Chamberlain—The other government speakers have arrived!

The Hon. W. A. LANDERYOU—I am pleased about that. What I shall read may not only inspire them but also influence members of the Opposition. I said, on 10 May 1978:

Because I have been to the United States of America and because of what I have read, I fear for the future. I want my children to grow up in a society in which they can walk out at night and in which my wife can walk out at night without fear of being molested, assaulted or shot. That is the reason that has motivated me to raise this matter again. It is not because of the gimmickry involved; it is a far more important issue. This State and country will emerge towards a Chicago-type mentality. People will have guns in their workshops and studies as a civil right, unless we take action now.

I was arguing there for a Select Committee as well as making that observation.

In another speech to the House shortly afterwards I said that the Parliament had been asked by a judge of the Supreme Court of Victoria to review the gun laws of this State urgently. Despite the judge's sincere and well-founded appeal to both the government and to Parliament, and despite the fact that members of the then Opposition had repeatedly raised the issue in the House, the then Liberal government did nothing. It is to the credit of the Cain government that the problem posed by the possession of firearms was one of the first social problems that it examined. The government is continuing to examine the issue—and it is to be hoped it will continue to do so—on an apolitical basis. From the speeches made by members of both the Liberal Party and the National Party today, there is little evidence to show that that is the attitude of the opposition parties.

The Hon. F. J. GRANTER (Central Highlands Province)—It is interesting to follow a speaker such as Mr Landeryou, who made a good and sincere case for what he believes in. I congratulate him for that.

The Hon. R. I. Knowles—Most Opposition members would not disagree with him.

The Hon. F. J. GRANTER—I appreciate Mr Landeryou's sincerity, and I congratulate him for it. Like Mr Landeryou, I have been on some duck shoots, and I have also hunted wild pigs; and I have enjoyed these occasions.

The Hon. W. R. Baxter—Were you the cook or the shooter?

The Hon. F. J. GRANTER—I was never the cook! I did a little shooting, with some success. Nevertheless, I appreciated the comradeship of those duck shoots. I am sure Mr Landeryou would agree that unless one goes duck shooting one cannot appreciate the friendship there is to be found in such activities. I have hunted wild pigs in the Balranald area; it is something I found frightening, because wild pigs are very aggressive.

The gun owners I know are responsible people and they have a great deal of commonsense. None of the people who marched from the City Square to the demonstration outside Parliament House would fire a shot in anger.

The massacres in Hoddle Street and Queen Street are deplored by all honourable members. It is to be hoped such events do not recur, although I would not venture to say that such events could not happen again. But honourable members must adopt a realistic attitude because such events have happened throughout the world. For example, there was the Hungerford massacre in England, the newspaper reports of which were horrific.

I support the motion moved by Mr Chamberlain. I own three guns as a primary producer: a pea rifle, a semiautomatic—no, a shotgun—and another gun, although I use them rarely these days. I have used the guns on the farm to shoot foxes and rabbits—and perhaps ducks, if I have the opportunity.

The Hon. J. E. Kirner—You do not shoot ducks with a semiautomatic!
The Hon. F. J. GRANTER—No, I said it was a shotgun. The shooting of rabbits with a pea rifle requires a great deal of skill. I cannot shoot a rabbit on the run, but I can shoot one if it is a sitting shot, or something like that!

Shooting rabbits is one way of removing them from a farm. The Minister for Conservation, Forests and Lands would say that in some areas the rabbit population is increasing. That is not the case in the area I represent. Rabbits are almost extinct in that area—which can result from a great deal of work by farmers. However, in some areas the rabbit population is increasing; and the pea rifle is a handy weapon to get rid of rabbits.

I found it interesting when I was coming down to Melbourne for the demonstration. Large numbers of people were gathered in places such as Pyalong and Kilmore waiting for buses to arrive. I was impressed when I arrived in the City Square to see the large number of people who were there. I did not think so many people would come to the demonstration.

The people who addressed the meeting seemed fair and reasonable. The sporting shooters I have met over the years have always been sincere in fighting for their rights. I have addressed meetings of sporting shooters, not during the current campaign but during the previous campaign, and I have been impressed with the interest that was shown by people in the gun lobby—or sporting shooters, as I would call them.

A number of people throughout Victoria are esoterically interested in shooting as a sport and hobby; they should not be barred from pursuing their interest. The number of people who possess and use guns to shoot vermin on farms is considerable; Mr Baxter spoke about the number of foxes bought by a skin firm in Wodonga. That has happened throughout Victoria. Many people receive money for their efforts in shooting and skinning foxes. The skinning process is unpleasant; the skins need to be pegged out with great care because the better the skin, the greater the price it will fetch.

If strict regulations are introduced, many people will not declare their firearms, some of which have been handed down from grandfather to father to son. They treasure those possessions. The case presented by the opposition parties and led by Mr Chamberlain is a fair and reasonable one and should be supported. Mr Landeryou conceded, as I am sure all would agree, that no regulations would have prevented the Queen Street and Hoddle Street massacres; they were carried out by deranged people.

The Hon. W. A. Landeryou—If the guns were not available, they might have been stopped.

The Hon. F. J. GRANTER—I do not concede that firearms would not be available to those types of persons; they would get guns, as would a criminal.

The Hon. W. A. Landeryou—The government can make it harder for them.

The Hon. F. J. GRANTER—It could be made harder for them, if one puts it that way; those people should not have guns.

No gun control would have prevented those massacres. Guns in the possession of the right people are quite in order, especially for the sporting shooter. In the country, as in the city, many people possess guns; as Mr Evans and Mr Baxter would know, when the duck season opens many people travel from the city to go on duck shoots, often travelling through my home town of Heathcote to Echuca, or through the Bendigo area to Kerang. The commencement of the duck season each year is an historic occasion.

Like many people, I am pleased that the Minister for Conservation, Forests and Lands declared a duck shoot this year, and I hope it will continue. Ducks are beautiful—we have all seen them on the dams—but they are subject to a sport that has been handed down over the years. I do not understand why the hunting season should not continue, because the ducks breed during the closed season. There are many ducks at this time of the year, although whether they will be around on 19 March is debatable—they seem to know the date of the opening of the season and disappear. I do not know who tells them.
The Hon. G. A. Sgro—They are clever birds.

The Hon. J. E. Kirner—There is a duck bulletin issued by the Department of Conservation, Forests and Lands!

The Hon. F. J. GRANTER—I support my Leader and members of the opposition parties who have spoken and I trust the House will vote to disallow the regulation.

The Hon. B. W. MIER (Waverley Province)—I oppose the disallowance motion. In one sense it has probably been a good thing to have aired the motion, because for the first time there is a clear indication of where the Liberal Party stands on the question of gun regulation and gun laws. We have known for some years where the National Party stood, and that was clearly demonstrated by Mr Landeryou in his previous speeches and in his references to action he has taken over many years and the responses he has received from the National Party. At least they have been consistent. It is a different situation with the Liberal Party, whose Leader has demonstrated a series of ill-considered positions and policies that seem to change from week to week when the question of gun laws and what should be done with respect to the violence in our society is raised.

I welcome the opportunity of referring to a matter raised by Mr Landeryou; unfortunately the debate could well have turned into a question of country versus city. An atmosphere has been generated during the debate today that could well be perceived as meaning that the National Party and the Liberal Party members know all about guns while the government knows nothing about them. That comment was made on occasions by a number of speakers, in particular by Mr Dunn.

I have a fair knowledge of guns, going back many years to when I was a boy. I have always been a city person, having lived in the western suburbs. During my early years my father and relatives used to take me shooting beyond the western suburbs, to areas that are now occupied by housing developments, to the Werribee area and to the You Yangs. Before the days of myxomatosis, one of my relatives was a professional rabbiter; in those days, he did not have to go far to catch rabbits. On school holidays we would go away with him, rabbiting for days on end. The method used was a time-proven one, and one that was successful until approximately a year ago—we used ferrets for the warrens and steel-jawed traps.

We used pea rifles—22 rim-fire single shot rifles. I used a 12-gauge single barrel shotgun. We were always taught that, if we did not get a rabbit with the first shot, we would be wasting ammunition if we continued to pursue it. We were taught never to fire at a rabbit on the run but, rather, to wait until it sat before firing.

The Hon. H. R. Ward—You would not even give a rabbit a fair go!

The Hon. B. W. MIER—We had only one shot at the rabbit. Although not many automatic or semiautomatic weapons were around in those days, we always considered that those sorts of weapons were not very sporting. We considered that the rabbit, or whatever game we were hunting, had a sporting chance if we just had one shot at it.

I direct attention to a contradiction in the argument presented this afternoon, which is that the most inefficient way to hunt rabbits professionally or to clear properties of rabbits is by using a rifle. I point out that the most effective way of doing that is by using methods other than those that were used in my day. Of the many rabbits we caught, barely 5 per cent were killed by use of a rifle; they were mainly caught through the use of traps and ferrets. As I pointed out, in those days I was taught all the safety practices that had to be adopted in the use of firearms. One of the most pertinent factors was that automatic and semiautomatic weapons were dangerous.

The second experience I had with firearms was gained through compulsory learning, when I was drafted into the military forces as a national service trainee and trained in the use of a whole host of weapons, a number of which were automatic and semiautomatic firearms. That experience demonstrated to me the damage that could be caused by and
the danger of automatic and semiautomatic weapons if they were used by the wrong people or were left in the hands of people with little knowledge of the proper use of firearms.

History has demonstrated clearly over the years that unless firearms are properly administered and unless they are in the hands of people trained in their proper use, not only will accidents occur but also crime will expand. I do not wish to rattle off numerous statistics this afternoon, because I am sure honourable members are fairly familiar with them. The incidence of crime—particularly violent crime—is on the increase, and most of that violent crime occurs with the use of firearms.

The Hon. B. A. Chamberlain—That is not right.

The Hon. B. W. MIER—It is right.

The Hon. R. I. Knowles—Crime is on the increase; you are certainly right there. The crime rate has doubled under this government.

The Hon. B. W. MIER—Without boring the House, I shall quote one statistic. Of the 824 armed robberies that occurred in 1986–87, 655—almost 80 per cent—involved the use of firearms.

The Hon. B. A. Chamberlain—that is only one element of violent crime.

The Hon. B. W. MIER—Of the 824 armed robberies, 80 per cent involved the use of firearms.

The Hon. B. A. Chamberlain—How many of those firearms were registered?

The Hon. B. W. MIER—I should like also to point out that, in his contribution to the debate, Mr Dunn clearly demonstrated to me that he did not have much knowledge of the use of firearms, particularly when he indicated that when one used a non-automatic or non-semiautomatic weapon, one had to take a second sight. If Mr Dunn had had any proper training in the use of firearms, he would know that it was not necessary to take a second sight when using such a weapon. Mr Dunn’s remarks demonstrate that, just because one comes from the country and just because one is a farmer, one does not necessarily have an extensive knowledge of firearms. It highlights the points made by Mr Landeryou. Unfortunately, members of the National Party have tried to transform this argument into one of city versus country.

Another point that has already been made today, particularly by National Party members, is that the real answer to the problem of violent crime is to increase the numbers of the Police Force. On the one hand, they say there should be no restriction on the purchase of any type of gun, whether semiautomatic or fully automatic, irrespective of its calibre, its velocity or range, and there should be open slather on the use of such weapons; yet, on the other hand, they say that, if a person does the wrong thing, all that is needed is an increase in the number of police to rectify the problem.

That equation does not really work. The experience in the United States of America has clearly demonstrated that it does not work. In that country, the ownership of firearms is considered a right, and that is really the basis of the whole debate this afternoon. In the United States, it is claimed that it is a democratic right for citizens to own firearms. Regardless of how many police officers are on the streets in the United States, the crime rate there increases by the hour. That country puts possibly more effort into police force activities than most countries in the world, yet it has the highest violent crime rate in the world.

If there is a problem, it has to be attacked at its base, where it begins. In this case, that starts at the gunshot; that is where the problem should be tackled. To suggest that the government does not have support on this measure is absolutely ludicrous. It demonstrates how far out of touch the opposition parties really are on this issue. Any survey conducted by the Liberal Party—I am not sure about any National Party surveys, because they would...
relate only to rural areas—would clearly show that the Victorian community is calling out for stronger and more forceful gun laws and restrictions on the use of firearms. The fact is that it is a privilege to own a gun; it is not a right.

Quite recently, my wife had the unfortunate experience of being at the scene of an armed hold-up at the local bank. My wife is just a normal citizen, who was making her weekly visit to the Glen Waverley branch of the Commonwealth Bank late last year, when she saw some strange events taking place, of which she did not take much notice at first. As she drove closer to the bank and was about to park the car, she saw three bandits in the process of holding up the bank, armed with automatic and semiautomatic weapons. The hold-up involved not only the bank but also an armoured car, and one of the bandits, who was wearing a balaclava, came out into the street and fired an automatic weapon at random in all directions. It is amazing that no-one was killed.

The Hon. B. P. Dunn—Was the gun registered?

The Hon. B. W. MIER—A number of people were wounded. The point is that enough is enough. Society has had enough of those sorts of incidents. My wife was forced to lie on the floor of the car to escape injury.

The community has had enough of this sort of practice; enough is enough. Guns need to be strictly controlled. The attempts by the Opposition to disallow the regulation introduced by the Minister late last year clearly demonstrate that the Opposition is not fair dinkum on this issue and highlights the position of the Liberal Party which, clearly, has now sided with the National Party in its Rambo approach to gun laws in Victoria.

The Hon. D. M. EVANS (North Eastern Province)—I support the motion moved by the Leader of the Opposition in this place, Mr Chamberlain, ably supported by my colleague, Mr Hallam.

We need to understand that we are talking about a series of different issues. Many people within this Chamber become confused on the issues. There would not be a person in this place who is not horrified by the events that took place in Hoddle Street and Queen Street but it would be wrong to think that simply as a result of bringing in the government's regulation 347 which we are currently discussing these sorts of events will no longer occur. Indeed, I do not believe that is so. If I believed it would have an effect, it would be a different matter.

I will spell out to the House some of the ways in which the demented and crazy people in the community have, in recent times, been able to carry out acts and operations that have led to the death of human beings. The key issues that have been discussed and the key incidents discussed by government members in the debate have been the Hoddle Street and Queen Street massacres, as they have been called rather floridly by the press.

There would be no disagreement in this House with the fact that those two incidents were carried out by people who were not in a normal frame of mind. They were mad people—lunatics. Other incidents that have occurred in the past few years where lives were lost include a person who flew his aeroplane into the Connair terminal in Alice Springs four or five years ago; a man who drove a semi trailer into a restaurant in the same town and killed a number of people, and the people who exploded a bomb in Russell Street—I understand that that matter is sub judice—in which one person was killed.

A short time ago a person carried explosive materials in his motor car, drove to South Yarra shopping centre, and was killed when his car exploded. He had parked his vehicle so that it was apparent that he intended a number of people to be killed, not just one or two. There was also the lady who poured petrol on herself and her children recently, and they all died.

So, unfortunately, there are many different ways in which people who are demented enough to want to take their own lives or other people's lives can do it. I suspect, although I can offer no proof, that at least a percentage, albeit a small percentage, of incidents where
people are killed in road accidents are suicides and, in some cases, it may well be that those suicides include the deaths of other innocent people.

To say that banning guns will totally and completely stop or markedly affect the way in which human beings who are demented will kill themselves or others is just not true. It is also not true that the regulation will do more than make a minor alteration to the statistics on the number of domestic violence incidents that lead to the deaths of other human beings. I suspect that if a person cannot find a gun—if that is the weapon he or she chooses to use to kill himself or herself, or members of his or her family—that person will certainly find some other method.

It is interesting to look at the statistics of the Australian Institute of Criminology in its Crime Digest of February 1988. Although it does not quote Victorian figures, it quotes figures for New South Wales. The figures for homicides by firearms and other means in New South Wales in 1987 show that 37 per cent involved the use of firearms, 32 per cent involved the use of knives and 21 per cent of them occurred as a result of people being bashed to death—and I assume that includes assault with a blunt instrument of some kind within homes.

It is clear that there are efficient means of one human being dealing death to another human being without using a gun or a rifle so that, in effect, I am saying that a person who decides to kill someone else and is in a frame of mind to do it, will find a way of doing it.

Some people might say, “Let us lock up all the gelignite”. But if one wants to know how to make explosives, one can find out in any classroom in Victoria and the ingredients required can be bought from the local fertiliser supplier. Some ammonium nitrate mixed with some fuel oil makes an effective explosive and I believe other mixtures are equally effective. If one is bent on destroying another person’s life, numerous methods are available.

I have attended many meetings throughout Victoria on this subject. Mr Baxter and I were present at a meeting at Wodonga attended by more than 1400 people. I attended a meeting in Mount Beauty at which 150 people turned up. I chaired a meeting at the request of a local citizen as an independent chairman—and I tried to be impartial—in Wangaratta, and 700 people attended. In Warrnambool a meeting was called at which more than 1000 people were present.

There was a chair at that meeting for one Mr Crabb, the Minister for Police and Emergency Services, but he was not there. He should have been, if he believes in what he is doing.

The Hon. J. E. Kirner—Were you there?

The Hon. D. M. EVANS—Yes, I was.

The Hon. J. E. Kirner—That explains why he did not go!

The Hon. D. M. EVANS—He should have been prepared to put his money where his mouth is and talk to the people and tell them why he believes the laws his government proposes are good laws.

For those who did attend the meetings, the one thing that stood out more than anything else was the fact that people present were ordinary, normal citizens of all age groups and both sexes. They behaved themselves extraordinarily well. The meeting that I chaired in Wangaratta which 700 people attended was the best behaved public meeting that I have chaired in a long time, and I have chaired a few public meetings.

The fact is that this topic reaches the ordinary people in the community. I have attended meetings at which women were present, and they indicated their concern at the general tenor of the government firearms legislation. It is not just a matter of concern for the men; many women are also concerned. It has been stated a number of times that this is a city versus country exercise.
The Hon. W. A. Landeryou—No, we said you are turning it into that!

The Hon. D. M. EVANS—I will take up that issue because at no stage has the National Party attempted to turn the matter into a city versus country exercise. In fact the speakers for the National Party have said constantly that the issue goes across all social boundaries and into all parts of Victoria. Members of the National Party have been present at meetings at which many city people have been present. My colleagues in another place, the honourable members for Benalla and Lowan, addressed approximately 50,000 people—not 30,000 people as the media suggested—on the steps of Parliament House within 50 metres of where I now stand, a substantial proportion of that crowd being people from within the metropolitan area of Melbourne. Certainly, a number of country people were present, but the people who attended that rally came from all parts of the State.

It is not a city versus country issue; I strongly refute any suggestion that the National Party or anyone else has attempted to make it so. The meetings that I have attended in country areas have included speakers who are resident in the metropolitan area, people who have been prepared to travel long distances into country areas from the city, not only from within the country, in order to address those meetings.

I want to give a clear indication of the sorts of people who have spoken to me in the streets about this issue. I have not conducted surveys; I have waited for the ordinary people to come along and talk to me.

I have spoken with an area bank manager, a senior journalist—located no more than 500 metres from where I am now—a principal of a State school, not a registered school, a lawyer, counterjumpers in local stores, farmers, people walking down the streets, women, and some very elderly citizens in the community. They were all respectable people who expressed grave concern at the direction in which the government is heading.

Perhaps the most cynical view expressed in the whole of the gun debate came from Animal Liberation Victoria at a march in Melbourne when Mr Laurie Levy and some other members of the movement actually influenced people whose relatives had been massacred in the Queen Street incident to become involved in the march and carry a coffin up the front steps of Parliament House.

I have not previously known Mr Levy to become involved in domestic violence issues. He has engaged—honestly and openly—in the war against duck shooting and similar issues. However, in this case, he was prepared to use the genuine anguish of people involved in these dreadful massacres in Queen and Hoddle streets to promote a campaign that had nothing to do with the issue. That was a totally cynical attitude.

Since the march, Animal Liberation Victoria has suggested that in ten days' time, at the opening of the duck shooting season, confrontation is likely between the movement and the duck shooters. I regard members of that movement as being people of violence. If there is to be any licensing of people to have guns, members of that movement are totally unsuitable to obtain licences because they are violent people.

Honourable members should consider some of the basic causes of violence in the community. Many of our young children are inured to violence by what they see in newspapers and on television, where few details are spared. Young children have access to videos of the most violent nature. Although one may say that parents should have control over what their children read and view, frequently parents do not know the quality of videos that their children are watching.

Despite the protestations of the Minister for Transport, the former Attorney-General, that some efforts were being made by him—and I sincerely trust he was correct in that—to control the more violent and less acceptable videos in the community, they are not being controlled. The community is increasingly becoming inured to violence. Our children are becoming increasingly hardened to it and regard it as a normal part of society. Most children are capable of sifting reality from unreality and making judgments between their own behaviour and that displayed on the television screen, be it a video or a news
broadcast, but the problem is those those few people who do not have the capacity to make realistic judgments are reinforced in the views they hold about violence being acceptable or bringing them notoriety or revenge for real or imagined grievances.

Australia has one of the lowest rates of murder for each 100 000 of population, but that does not make that small percentage insignificant. It is clear that at least one of those involved in the two massacres experienced by Melbourne was in possession of violent videos and had been substantially influenced by them.

I have been told about a video that is available for approximately $45—I have not seen it—that shows in graphic detail as many as ten or a dozen ways in which a human being can be killed, from guns and knives to chainsaws. Although most people in the community have the capacity to sort out reality from unreality and to divorce themselves from this type of activity, a small percentage of the community would be fascinated by such a video and could possibly be influenced by it.

Any action taken by us to counteract the significant but small percentage of murders that are committed using firearms will mean that we put at disadvantage a huge number of people in the community without doing much about preventing murders. We will not save many, if any, people from being murdered simply by having this type of regulation, because murderers who are in that state of mind will find some other method of killing the people they want to kill or some other way to commit suicide.

Many good and decent people have come to me and said that they are offended by being lumped in with the criminal element and with crazy and demented people in the community simply because they want to own guns for their normal recreational sport.

The regulation that this House now seeks to disallow is based on an incorrect premise. It is important to understand that this is not an issue that affects one particular class of people; it cuts across every class. Mr Landeryou mentioned people such as bank managers and accountants who accompanied him on a duck shooting expedition. That example shows that this cuts across city and country alike. It also cuts across all age groups and across all sections of the community.

The majority of people who want to own guns believe they are entitled and have the right to be trusted. The fact that one or two people cannot be trusted with guns or with a host of other things that are normally available in the community does not mean that others should be put under restriction.

The ordinary person in the community can be trusted and believes he should be trusted. He is offended—regardless of where he comes from—by the sort of regulation which has been put forward and which this House now seeks to disallow.

The sitting was suspended at 6.28 p.m. until 8.4 p.m.

The Hon. G. A. SGRO (Melbourne North Province)—Mr Evans, in his remarks on the motion, mentioned the number of accidents and deaths caused by aeroplanes, semitrailers and trucks. Trucks do not break into houses, and aeroplanes do not kill people in the way the honourable member envisaged. Mr Evans did not say that truck drivers and pilots of aeroplanes have to undergo strict licensing tests and observe many regulations.

It is true that semitrailers, trucks and aeroplanes kill people from time to time, but not necessarily through a deliberate action of the pilots or drivers of those machines. If it is all right for the pilots of aeroplanes and the drivers of trucks and semitrailers to have to obey rules and regulations, why should not people who own guns have to obey rules and regulations? Guns kill far more people than do aeroplanes and trucks.

The Hon. B. P Dunn—What about cars?

The Hon. G. A. SGRO—The National Party accepts that the drivers of cars must obey rules and regulations. All honourable members travel in cars from time to time and are required, if drivers of vehicles, to be licensed.
I have some disagreement with my colleague, Mr Landeryou, who said that he had gone duck shooting once or twice. Last year I refused to go duck shooting with people with whom I have been shooting before, because on previous occasions they had too much to drink.

The Hon. W. R. Baxter—That is not all duck shooters.

The Hon. G. A. SGRO—No, but most of them. I have one or two glasses of alcohol myself. It is a pleasant social evening. The community must have regulations on the use of firearms.

Recently I attended the funeral of a person who was one of the victims of the Queen Street massacre some months ago. Approximately 600 to 700 people were in attendance, men, women and children, many of whom were crying. Many of the people who attended that funeral who knew me approached me and asked what the government was going to do to stop this sort of thing happening again. All honourable members know that, no matter what the government does, no matter what legislation is passed, it cannot stop demented people from shooting others, but, as Mr Landeryou stated, these regulations can stop a person with $200 or $300 in his pocket from going to a sports shop and, on the spur of the moment, purchasing a weapon with which he can shoot people.

If the Liberal Party had said that the government’s policy was not strict enough and that it wanted to enact tougher regulations, the government would have agreed with it. The Liberal Party wants to stop the use of military-type rifle but allow the use of the .22 rifle. The sole purpose of guns is to kill people or animals, nothing else. As Mr Evans indicated, semitrailers, trucks and aeroplanes and the drivers and pilots of them are a necessity, but shotguns and rifles are designed purely to kill people or animals.

I indicate to the House that I have guns and a shooter’s licence for those guns. Members of the Opposition stated that the .22 rifle was used to kill rabbits. That is rubbish. Many property owners poison rabbits or use other means of killing rabbits. Many times I have gone spotlight shooting with very powerful rifles. People start with shooting rabbits, but by 10 o’clock at night they shoot anything in front of them—kangaroos, emus, anything at all.

Members of the National Party said there was some division within the Labor Party on this issue. I have had some argument with my own brothers, but I do not care a damn. If the government were worried about taking action because of what some people think or its prospects at a future election, it would do nothing at all. Politicians have to take action, even if that action is unpopular, because they have a duty towards the people they represent.

I still vividly recall those 600 or 700 people who attended the funeral in Moonee Ponds for the young girl who went to work that morning, just like many of us, and was shot down in the Queen Street massacre for no reason at all. That could happen again. All honourable members hope it will not happen again.

The Hon. B. P. Dunn—The regulation will not stop it.

The Hon. G. A. SGRO—Why do we not try? Three weeks ago I attended the big demonstration at Parliament House. I remember in the early 1960s when I protested against the killing in Vietnam, the same people accused me and condemned me as a lawless person. What do they do today? They want guns.

The 99 per cent of those who own guns are responsible people. Unfortunately, as happens in the world, those 99 per cent of gun owners have to suffer the consequences because, if one life can be protected, I would be the first to suffer the consequences and say, “Take my three guns”. If honourable members opposite know that guns kill people, why do they not do the same?

The Hon. R. M. Hallam—I do not intend to kill anybody.
The Hon. G. A. SGRO—But many people are killed by guns. Today I heard Mr Hallam speaking against the government. I saw the recent demonstration at Parliament House where people had cans of beer and were drunk. Each time Mr Hallam spoke, the people became stirred up.

All honourable members have responsibilities. Shooters should have licences just like other groups that are required to have licences. One hears many hypocritical arguments on this subject.

I was fortunate enough—or unfortunate enough—to know the members of the family that lost a daughter. That upset me very much. I still see in front of me those people who suffered the consequences of the madman with the gun. There are many mad people in the streets. All honourable members know that there are bad drivers and bad shooters. We should not allow those people to have guns so that they can do whatever they like.

The government says that it will not ban all guns and that single and double-barrelled guns will be allowed. A few weeks ago I visited Tallangatta and someone asked me why the government was against the .22 rifle when one could get hold of a double-barrelled gun and kill twenty people at a time. That is one of the arguments of the people who protest about the gun laws.

Mr Hallam, Mr Dunn and Mr Baxter all agree that more control is needed. Why does the National Party not join with the government on this issue? Many arguments took place about the issue within the Labor Party. Honourable members opposite should not think that everyone in the Labor Party accepts it. Many Labor Party people disagreed but, after argument and discussion, they came to understand that something must be done. We do not say that the solution is perfect.

The opposition parties say that we should come halfway; perhaps we can meet a quarter of the way and come to some agreement. There is not much difference between the views of the opposition parties and the government; the opposition parties want to ban some firearms and the government wants to ban some. However, tonight the opposition parties said that we should forget what the government has done and disallow the regulation. If the opposition parties can produce a better amendment, I would be the first to agree. However, they just said that the regulation was rubbish and should be abolished. That is not good enough.

Governments and politicians have responsibilities. One cannot depend on what the majority or the minority say; we make the laws. I do not necessarily think that what we are doing will win many votes. I am convinced by what the Premier says. The opposition parties can say whatever they like, because they are upset. What the government is trying to do is to put a stop to these murders so that what happened a few weeks ago will not happen again.

If we can save one single life, we should do so. After all, we are all religious people and believe that one should not kill. At the same time, I know some people who have up to fourteen or fifteen guns in their cupboards. They may all be registered, but why do those people need so many guns? Cigarette packs carry warnings about the dangers of smoking, and medicines bear warnings that the product must be kept out of the reach of children, but honourable members opposite are objecting to a policy that tries to control madness on the part of people buying guns. Even an apprentice can buy a gun with the first $200 he earns.

I am convinced that something must be done. If the policy is not good enough, I will be the first to say that it should be changed. In the long term no-one will make political mileage out of this issue. The opposition parties may win today, but they may lose tomorrow. For the sake of saving lives in this State the parties should come together and come up with reasonable and sensible policies to safeguard the people.

If I were a member of one of the opposition parties perhaps I would act in the same way that Mr Dunn is acting. I admit that; I am not hypocritical.
The government will not win the election on this policy. However, it has a duty to save lives. I am convinced that the government is trying to save as many lives as it can. If that is not the case, the government will re-examine the law, and one hopes that the Opposition will assist in this regard.

The Hon. R. I. KNOWLES (Ballarat Province)—It has been an interesting debate and honourable members have had canvassed from the other side of the House a whole range of issues relating to the ownership and use of firearms—except for one issue; namely, the effectiveness or ineffectiveness of the regulation the government introduced to ban semiautomatic weapons.

I have listened to many of the speeches, especially that of Mr Landeryou, and there was little with which I could disagree. However, absolutely nothing that Mr Landeryou said was in contradiction of the motion moved by Mr Chamberlain.

I am quite sure the present gun laws are inadequate. It is too easy for someone to obtain a shooter's licence and a permit to purchase a firearm. I speak from personal experience. My shooter's licence lapsed and last year I sought to renew it. I did not need to know anything about firearms to answer the ten questions that I was required to answer to obtain a licence to shoot.

Opposition members have acknowledged that there is a lot to be done to improve the situation; they are not arguing that there is not a need for stronger gun laws or that there is not a need to ensure that only those who are responsible and suitably equipped and have the capacity to use firearms should have access to the ownership and use of firearms. I quite openly do not subscribe to the notion that there is some magical right to own firearms. However, no progress is made if the argument is on privilege as opposed to rights.

The ownership and use of firearms is a reality in this community. Firearms are here to stay. The challenge faced by the Parliament is to determine how to put in place laws which will ensure that the ownership and use of firearms is restricted to responsible members of the community. There has been much comment about the need for change.

The Hon. E. H. Walker—Why do you not come out and support the disallowance?

The Hon. R. I. KNOWLES—I am coming to that. None of the government members has supported the regulation, but they have supported changes to the law. The closest that any government member came to it was summed up by Mr Sgro's comments that the government had to do something. What did the government do? It banned all semiautomatic rifles. However, the government has left as perfectly legal the ownership and use of other firearms which are much more dangerous.

The Hon. J. E. Kirner—Give back the guns without a change in the law—justify that!

The Hon. R. I. KNOWLES—I shall come to that, because the Opposition's position is consistent. The Opposition has said that the present law is inadequate and needs to be changed. We shall use the opportunity provided in Parliament to effectively amend the Bill. The Opposition will effect changes to ensure that firearms are restricted to ownership by those who are responsible and capable of handling and using firearms.

The Opposition will not support measures which make a farce of trying to change the situation. Anyone who has even the most minimal knowledge of firearms knows that the regulation is nonsense. Why? It is because of all the facts which have been outlined.

The Hon. J. E. Kirner—This is outrageous!

The Hon. R. I. KNOWLES—The government has banned firearms which are a lot less dangerous than other firearms which are still available. It is easy to say that a particular firearm is banned.

The Hon. J. E. Kirner—Return the guns!
The Hon. W. R. Baxter—They are already there!

The Hon. J. R. Kirner—Return the guns to use!

The Hon. R. I. KNOWLES—The government should provide that a particular category of firearms shall not be freely available in the community. There are firearms falling into that category. The first step then will be to prohibit those guns.

The Hon. J. E. Kirner—This is absolute sophistry!

The Hon. R. I. KNOWLES—The government must then go to the next step and indicate what measures can be instituted which will remove the guns from the community and not drive prohibited firearms underground. The only way of achieving that objective is by instituting a realistic buy-back scheme.

The government should indicate that there are firearms which it contends should not be owned and used in the community. It should then acknowledge that it is changing its previously held position. The Government should acknowledge that, while those firearms were able to be legally used, in 1988 there will be a change effected by the Parliament on behalf of the community.

How will the government get rid of the guns already in the community? The only way is by instituting a realistic buy-back scheme.

The Hon. B. P. Dunn—But how do you get the people to hand back their guns?

The Hon. R. I. KNOWLES—If there is any category of firearms which should not be used in the community, the way to remove those weapons from the community—whether they are held legally or illegally—is by instituting a realistic buy-back scheme.

The Hon. B. P. Dunn—You want to get the illegal ones.

The Hon. R. I. KNOWLES—If the government determines that there are firearms which should not be used, I reiterate that the only way to get them out of the community is by introducing a realistic buy-back scheme.

The Hon. B. P. Dunn—How do you get the illegal ones held by criminals? They will not turn them in!

The Hon. R. I. KNOWLES—I am trying to look at it logically and consistently. The government has flatly refused to acknowledge that it has to do anything other than introduce a regulation which bans the use or sale of semiautomatic rifles. That is all it did. When the government was under pressure, what did the Minister for Police and Emergency Services indicate? That the government would get rid of the confiscated guns by selling them to America! The Minister was to become Victoria’s biggest arms dealer! What sort of credibility does the government have in attempting to stand on high moral ground when the Minister for Police and Emergency Services is advocating selling firearms to America? It has absolutely no credibility at all!

Members of the House listened this afternoon to argument based on high moral principles in criticism of the Opposition’s defence of the gun lobby. I do not support the unbridled ownership of firearms. Changes need to be made but they must be realistic, workable, and defensible. Mr Landeryou said earlier that it is a tragedy that firearms control has become a political issue.

In December last, the Leader of the Opposition and the Leader of the National Party offered to work with the government to effect changes to the gun laws in the interests of the community. When the Prime Minister called a national conference, the Federal Leader of the Opposition, Mr Howard, offered to participate so that there could be a bipartisan approach to changes to gun laws. Those approaches were rejected at both Federal and State levels.
The Premier has yet to meet in a formal capacity with the leaders of the sporting shooters' organisation, the very people who have a vested interest in ensuring that there are effective improved laws to restrict the ownership of guns in the community. They are the people who have a vested interest in improving the education system to ensure that those who take up sporting shooting as a hobby or recreation are equipped to do so. The Premier has refused to meet those people.

The Minister for Police and Emergency Services did not even meet those people until well after the government had announced what it was planning to do. Yet members of the House have had to sit here and listen to a charade from the government side in which it was claimed that the Opposition is making changes to firearms law a political issue.

The Opposition has indicated on many occasions that it is prepared to support any measure that is practical, effective and equitable.

The Hon. E. H. Walker—Suggest one! Give us your plan!

The Hon. B. A. Chamberlain—You should see our amendments.

The Hon. E. H. Walker—I saw your amendments—a large bore military weapon—you must be kidding!

The Hon. R. I. KNOWLES—If the government had something like $70 million available to finance a realistic buy-back scheme of all semiautomatic rifles, the Opposition would be delighted to outline a range of measures that would be much more effective in reducing the level of crime in our community. The government should ban military-type weapons and introduce a realistic buy-back scheme.

The Hon. J. E. Kirner—We have done that—been there, done that.

The Hon. R. I. KNOWLES—You have done that.

The Hon. E. H. Walker—We have banned semiautomatics.

The Hon. R. I. KNOWLES—The Opposition is saying that military-type weapons should be banned and that a realistic buy-back scheme should be instituted to get them out of the community. The government should institute effective educational programs to ensure that no-one who takes up shooting as a sport or recreation can obtain a licence to do so until he has undertaken thorough and practical training in the safe use and ownership of firearms.

The government should institute a system of effective registration. Approximately 100 000 applications for registration of firearms have never been handled. As Mr Hallam said, approximately 250 000 to 300 000 firearms have not been registered. The government has not suggested what it will do about that. I should have thought that unregistered firearms were the major threat to the community. All the government has done is to ensure that more firearms go underground.

Many responsible people—and I make it clear that I do not approve of this—are saying, "I will not surrender my semiautomatic .22 rifle; I do not believe I have broken the law; I do not believe I am any threat to society and I will not surrender that firearm because of an ideological commitment by the Labor Party on the basis that it wants to be seen to be doing something".

Why does the government not amend the law to ensure that when the police are called to a domestic dispute, they have the power to confiscate any firearms held in the house? Domestic violence is supposedly the major concern, and rightly so. The Premier has said that nothing could have stopped the Hoddle Street and Queen Street massacres. Anyone who thinks about it recognises that that is right. However, many domestic disputes resulting in homicides would not have occurred if firearms were not present in the house.

The Hon. J. E. Kirner—May not have occurred.
The Hon. R. I. KNOWLES—I said, “may not have occurred”.

The Hon. J. E. Kirner—You said, “would not”.

The Hon. R. I. KNOWLES—I meant to say, “may not have occurred”. The majority of homicides are domestic homicides.

The Hon. E. H. Walker—Fewer guns, fewer murders!

The Hon. R. I. KNOWLES—The Minister for Agriculture and Rural Affairs is too intelligent to believe that that statement has credibility. One gun in the wrong hands is more dangerous than 100 guns in the hands of a responsible citizen. It is absolute nonsense to suggest that there are more murders because there are more guns in the community.

The Hon. E. H. Walker—That is true; the statistics prove it!

The Hon. R. I. KNOWLES—Statistics can mean whatever one wants them to mean. The majority of homicides are domestic homicides. In the majority of cases, there has been a long history of members of the Police Force attending the domestic situation. In many domestic homicides, a lot of warning signs have been given indicating that tension exists.

The Hon. E. H. Walker—What are you going to do about it?

The Hon. R. I. KNOWLES—Given that warning signs exist, the Opposition believes the problem should be tackled by empowering police to confiscate firearms.

The Hon. E. H. Walker—At the time the warning sign appears?

The Hon. R. I. KNOWLES—Why not?

The Hon. E. H. Walker—Do you expect police to become involved in a domestic situation or a warning sign and take a gun out of a house?

The Hon. R. I. KNOWLES—The government’s argument is that people do not have the right to own a firearm; it is a privilege to own a firearm. If attention were paid to warning signs given in domestic situations—

The Hon. W. A. Landeryou—This is your greatest performance in ten years!

The PRESIDENT—Order! Mr Knowles should ignore interjections.

The Hon. R. I. KNOWLES—I was hoping it would be an intelligent interjection that would advance the argument. More would be achieved in reducing the level of criminal misuse of firearms if early warning signs were picked up and firearms were removed from homes. That action will do more to reduce the misuse of firearms and the injuries that occur than placing a blanket ban on semiautomatic weapons. That ban is absolute nonsense!

This motion is not about arming or rearming the community; firearms already exist in the community. The motion is about whether Parliament controls the ownership of firearms or whether it allows the firearms to be traded on the black market. The government is giving the people who legally own semiautomatic -22 rifles two choices: they can keep them but not use them, or they can surrender them because they are not allowed to sell them. What will those people do? They will either break the law—which Parliament should not encourage—or they will dispose of their firearms on the black market.

The government is putting the community at risk and is compounding what is already a real problem. It has already been acknowledged that approximately 250,000 firearms are unregistered, but the government wants to increase that number. That is what this regulation will achieve. The Opposition is not prepared to go down that path. The Opposition wants changes to the law regarding the ownership and use of firearms that will be efficient, effective, enforceable and equitable. This motion is one small step to try to get some rationality into the debate.
Let us address the real issue, which is the attempt to protect the community from the misuse of firearms. Let us not get caught up in the ideological humbug of the government, whose motivation is nothing more than the wish to be seen to be doing something. After the Hoddle Street and Queen Street massacres, the Premier said nothing could have been done to prevent those events. Regrettably, that is true. However, the government can take a range of actions to minimise the risk of domestic homicides. Unfortunately, those actions are not embodied in the regulation that bans all semiautomatic weapons.

I support the motion moved by Mr. Chamberlain, and I indicate my support for the motion of which he has given notice. If the government is fair dinkum about treating this issue on a non-political basis, it will pass both motions and will work through some of the provisions outlined in the Firearms (Amendment) Bill (No.2).

The Opposition will support most of the provisions of that Bill, but some provisions are illogical, irresponsible and unworkable. The Bill is silent on a number of measures that could be instituted to offer some protection to the community. The Victorian community is indebted to Mr. Chamberlain for moving his motion, and it ill-serves this House for members of the government to wield the claptrap we have heard about holding oneself above the political issues. Not one member of the government has been prepared to defend this regulation.

The government has referred to a range of issues. One could almost believe that we are debating the Firearms (Amendment) Bill. The government has been free to express its views on a whole range of issues but not one member of the government has defended the particular regulation and explained how that will make a positive contribution towards reducing violence with the exception of Mr. Sgro who said that the government has to be seen to be doing something.

The motion is perfectly defendable. The Opposition is prepared to support stronger gun laws if they are efficient, effective, and enforceable and will make some contribution in tackling the real problem in our community.

The Hon. L. A. McARTHUR (Nunawading Province)—I oppose the motion and support the legislation. A do-nothing case has been wheeled up. The government has attempted to take the first step in this situation. The regulation does not address all of the problem and it does not address a major proportion of the problem but it does address some of the problem. It is a first step towards there being fewer guns in the community.

Does the House want a first step or does it want a do-nothing case? Is it going to disallow the regulation, which will result in a do-nothing situation?

We have heard of and know about the development and extent of violence in the community. Things have occurred in our community we did not believe possible. We know of the Hoddle Street and Queen Street massacres, but does the House believe the community will accept a do-nothing case? The answer is, no.

The community expects the government to make a start in reducing guns in the community and to making it more difficult for those who would misuse them to obtain them.

Most gun owners are responsible. Few gun owners are law-breakers. Neither the government nor members of Parliament can allow a do-nothing situation to continue when there is the remote possibility of a military-type weapon or an automatic weapon falling into the hands of someone who is mentally deranged.

The National Party referred to increases in the incidence of violence. Whether related to school, family, the materialistic society, the media, drugs or social morality, it does not matter, the causes need to be investigated. They need to be isolated so that violence in all its forms can be reduced in our community.

The signposts are evident but, surely, the horrors of incidents not only with guns but also with other methods of homicide in our community point to the fact that the
government and members of Parliament should do something. Disallowing this regulation is doing nothing.

Whether one likes it or not, it is a do-nothing case. The regulation was a hard choice but it was needed immediately. The Bill was being drafted with further action across the board to deal with the issues of violence.

The Social Development Committee, other committees and other people should be working on this. It might be said that the signpost points to the media but, in the meantime, the community does not want a do-nothing approach from the government.

The regulation is a blunt instrument, I agree. It is the first step. I believe we can go further. I do not know whether there is a need for a 5 or 6-shot Beretta semiautomatic shotgun. I would need convincing of that.

I shall come to some of the arguments and point out the difficulties of the case that has been made of farmers who are well armed to kill rabbits and who are expecting elephants and wild pigs to charge across the home paddock.

Before I launch into that matter, I state my qualifications are not great on shooting. I have a shooter's licence, but I do not shoot. At twelve years of age I was taught to use a ·22 pump-action Remington by my father. From memory, it has 1906 stamped on it. It is not new. I have used a 410, a double-barrel, an over-and-under gun. I have used one that Mr Hallam—who made a good speech—did not refer to, a 310 Canadian service rifle. What have I hit? Mainly mother earth, some targets, a few ducks and a few rabbits. Pig shooting to me was climbing trees.

The Opposition has referred to a number of matters, and I shall take one of the fun issues first. The argument that I cackled about was the rabbiting argument that was espoused by some National Party members who know much better about rabbiting than what they have said. They said that the exploding rabbit population could be kept down with rifles.

The Hon. J. E. Kirner—Semiautomatic rifles!

The Hon. L. A. McArthur—It was said that rifles are a significant means of rabbit control and that one definitely needs a semiautomatic to shoot rabbits. When spotlighting, one would be able to hit the rabbits over the head with a stick, and one would not need a rifle at all if there are that many rabbits about.

Before the 1950s and the introduction of myxomatosis program—I can remember well that there were a lot of rabbits about—there were twice as many people in the country areas and there were a thousand times more rabbits. There was no Sunday afternoon sport and there was not much transport. There was not much affluence and a lot of young men and women went spotlight shooting. This was a minor sport after football, cricket and tennis. We had great fun shooting because the country was overrun by rabbits.

There is no way that an automatic rifle or a semiautomatic ·22 will make any difference to the rabbit problem. National Party members know that well. It has not made the slightest difference in the past.

The Hon. B. P. Dunn—It has helped!

The Hon. L. A. McArthur—National Party members know that the only satisfactory method is biological control. They know that poison does not necessarily work on rabbits.

The Hon. D. M. Evans—It worked pretty well!

The Hon. L. A. McArthur—That is correct. It can be achieved through biological control or poison. I should like to put to rest the shooting notion promoted by the National Party.
The rabbit argument amused me. The debate is dividing the country and the State on the issue of violence. The motion seems to me to be a foolish political tactic. Support for the proposal is divided more by gender than by city and country, if there is any division in support for the case of the government as opposed to the do-nothing case. The government's case is supported by a large majority of thinking men, a large majority of thinking shooters and a huge majority of women.

The Hon. W. R. Baxter—How did you work that out?

The Hon. L. A. McArthur—Mr Baxter should go doorknocking in Kew and he will find that out.

The next argument was that the proposal would not stop the criminal element from getting guns. It has been argued that it has not been possible to stop the criminal element from robbing banks for centuries and so forth. The government is not deluding itself into believing that the regulation will stop all the activities of the criminal element. Honourable members have been saying that the criminal element will continue to obtain guns, knives and gelignite to blow up banks, and some honourable members have virtually given three easy lessons on how to make explosives. I think it may have been Mr Evans who did that.

The Hon. D. M. Evans—Every school child knows it. You probably taught it when you taught at schools. Did you teach science?

The Hon. L. A. McArthur—I repeat that the criminal element will always be able to obtain most of the things they need, but the government must ensure that tragic crimes are not made too easy for those people who would not otherwise commit a crime or who, through some emotion, trauma or derangement, contemplate, plan and commit such a crime. If the government makes it more difficult for those people to obtain weapons by making them wait longer and reducing the number of weapons available, it will perhaps prevent some crimes.

The other argument that has been put forward concerns whether the government should penalise the significant number of law-abiding citizens in order to keep guns away from the disturbed or deranged people who may commit a crime. If the number of guns available is reduced by the regulation it may save one or two lives, and one will never know of the major crime that may have been prevented. No statistics will be available because those events will not have occurred. Perhaps we will be able to rest a little easier, for at least we will have tried to do something.

A further argument concerned farmers' needs for guns. From what I have heard, other than a contribution by Mr Hallam, it seems to me that most farmers need far more artillery power in oratory in the House than they will ever need on the farm. In my conscience I can easily admit that a property owner will need a double-barrelled shotgun, perhaps a pump action rifle or a single-shot .22 or a clip loading .22 calibre firearm but nothing else. If a farmer needs an automatic or semiautomatic rifle to put down a sick beast, for the Lord's sake, he should get the neighbour to do it.

The Hon. B. P. Dunn—The neighbour may use a semiautomatic weapon to do it.

The Hon. L. A. McArthur—He will shoot the animal between the eyes with one shot, as a farmer should be able to hit a barn door. Why would a farmer need a semiautomatic weapon to put down an animal? If it is because he would need a second shot with a gun, he should not be putting the animal down.

The Hon. D. R. White—They tried to put Jeffrey down three times, and they missed!

The Hon. L. A. McArthur—I remember the advice that was given by Sir Robert Menzies; he said that it always takes two barrels to bring down a Leader. As the Minister for Health suggests, it looks like the Opposition will need a double-barrelled six-shooter to bring down the Leader of the Opposition!
I shall return to the excess firepower that the people who support the do-nothing case advocate as being necessary for the farmer. I know the damage wild dogs can do to sheep and the damage foxes can do to lambs, how they leave them in a line from one paddock to another, but a person who cannot bring down a fox with a double-barrelled weapon or kill a dog with a shotgun will not do so with a rifle. It is complete rubbish for people to suggest that they can bump across paddocks at 60 or 70 kilometres an hour and kill foxes on the right hand with a .22 calibre weapon while those on the left do not count. That case does not exist. The rabbit case is complete rubbish, and on that case the opposition parties should hang the semiautomatic and automatic .22 calibre argument.

The government has taken the first step. It did not sit on the do-nothing case when violence of the most abhorrent kind came into our community. Honourable members have suggested that this House disallow the regulation for the time being, allowing easier access to weapons, and claim that they will do something later on. They even have the temerity to ask why the government did not join them or why the government did not approach them quietly in an attempt to adopt an all-party approach to take the political heat out of this issue. However, they did not approach the government. They have been grandstanding. They came into this Parliament with an attempt to take away the first action, the action of a responsible government in the face of abhorrent circumstances. I certainly support the regulation.

The Hon. H. R. WARD (South Eastern Province)—I move:

That the debate be now adjourned.

The House divided on Mr Ward’s motion (the Hon. R. A. Mackenzie in the chair).

Ayes 21
Noes 20

Majority for the motion 1

AYES
Mr Chamberlain
Mr de Fegely
Mr Dunn
Mr Evans
Mr Granter
Mr Guest
Mr Hallam
Mr Hunt
Mr Knowles
Mr Lawson
Mr Long
Mr Macey
Mr Miles
Mr Reid
Mr Storey
Mrs Tahan
Mrs Varty
Mr Ward
Mr Wright

Tellers:
Mr Baxter
Mr Birrell

NOES
Mr Crawford
Mrs Dixon
Mr Henshaw
Mrs Hogg
Mr Kennan
Mr Kennedy
Mrs Kirner
Mr Landeryou
Mrs Lyster
Mr McArthur
Mrs McLean
Mr Mier
Mr Pullen
Mr Sandon
Mr Sgro
Mr Van Buren
Mr Walker
Mr White

Sessonal Orders

9 March 1988

The Hon. B. A. CHAMBERLAIN (Western Province)—I move:

That so much of the Sessional Orders be suspended as would prevent—

· the completion of the debate and the resolution of the question on the motion for the disallowance of Statutory Rule No. 374/1987; and

SESSIONAL ORDERS
The Hon. E. H. WALKER (Minister for Agriculture and Rural Affairs)—I oppose the motion moved by the Leader of the Opposition. Since approximately 2.35 p.m. until 9.5 p.m. the House has been debating inconclusively a motion introduced by Mr Chamberlain yesterday and moved by him today on the disallowance of a regulation made by the government last November.

I think the Leader of the Opposition is trying to suggest in this motion that he has some capacity to control the Business of the House at 9.5 pm on a Wednesday when the House has at least 2 hours' Government Business to deal with. This is a political try-on by the Leader of the Opposition, who does not seem to have much support from members of his party. At this time the House ought to be dealing with Government Business and adjourning General Business on the basis that at least two or three Bills should be dealt with.

Honourable members have listened to and participated in a fine debate which the Opposition has moved to adjourn until later this day. The Opposition has matched the government speakers one for one. The government has matched the Opposition. The debate has been extremely open. Even the National Party has taken part. The Opposition has truncated the debate that it introduced and now it has moved a motion to bring on another debate.

As the House ought now to be dealing with Government Business, the government opposes the motion.

The Hon. D. R. WHITE (Minister for Health)—It is interesting that this evening the Opposition has moved a motion to try to take control of the business and activities of the House. It has not had the courtesy of arguing in support of its claim. It is easy to understand why.

Last night, on the first day of the sitting of the House, the business of the House was dealt with and Bills were proceeded with. The House was dealing with two potential health matters, one of which the Opposition was ready to continue with—the Pathology Services Accreditation (Amendment) Bill—but because the hour was approaching 10 p.m., the Opposition was not prepared to accede to the resumption of that debate.

Why was that? It was because that was Government Business. The Opposition knew new Government Business could not be introduced after 10 p.m., therefore it was not prepared to adjourn debate on another matter to allow debate on the pathology services Bill to continue. Today, it wants to prevent and stifle the continuation of Government Business. The Opposition will attempt to argue that the House has been debating a motion since 2.45 p.m. and that the motion has nothing to do with the Opposition. It has nothing to do with the government and nothing to do with the normal business affecting government!

The government is elected to govern and to effect its legislative program. In the course of doing so, it provides the Opposition and the National Party with the opportunity of moving motions for debate while General Business is being dealt with.

The longstanding tradition of this House, the understanding and agreement that has been reached over a long period, is that the opposition parties have the opportunity on a Wednesday to take precedence with the first item of General Business for the day and, if that is dealt with expeditiously, perhaps to move another motion, but it has never been a tradition of this House that the Opposition and the National Party should use that opportunity to stifle the capacity of the government to go on with its program and its legislation.

It is interesting to note that in coming here this evening and moving this motion the Leader of the Opposition, who sits on his little cushion, could not even develop an argument to support the proposal he was putting forward.
It is easy to see why he was not prepared, he had to wait until the bells had rang and Mr Hunt was here to tell him what time it was. He had not prepared his argument; his mind is at his law practice somewhere in Hamilton. He has never attended to the business of being the Leader of the Opposition and was not prepared to lead an argument tonight, and still has not.

After the Leader of the government spoke an opportunity was given for the Leader of the Opposition to take the initiative and Mr Hunt interjected by saying, “Don’t bother, Bruce, we can’t afford to have you on your feet. You’re too much of an embarrassment. Just be quiet, let it pass, and perhaps they will not notice you.” The government has been trying not to notice him for years! The de facto Leader just before 9 o’clock sat there and put the Notice Paper over his face and issued the Leader of the Opposition with instructions and gave him advice because he was not thinking. After the division he told him what to do and after that he told him to sit down and shut up. That is what has happened; he has not got to his feet. Who is leading the chook raffle over there?

What we want to know is what argument is being presented. Will you allow him to speak now, or have you given him a piece of paper with his speech notes, so that the ventriloquist knows what he is saying?

We have a job to go on with tonight, that being Government Business, and we do not wish to be stifled and humstrung after the opposition parties have had more than 6 hours and have debated their motion at a time usually devoted to General Business.

The Hon. A. J. HUNT (South Eastern Province)—Every member of this House knows that on Wednesday General Business takes precedence. It is a long-established rule. Today a rare circumstance has occurred when neither Government Business nor General Business takes precedence. A third class of business, put into the Standing Orders of this House by Standing Order No. 86 last year, is certain business of the Council and the disallowance of regulations is neither Government Business nor General Business, it is the business of the Council.

The government tonight, for reasons best known to itself, has sought to stall and stonewall that business of the House, to prevent General Business, which normally takes precedence, from coming on.

There are not only rules, there are conventions that govern the hearing of General Business. We in the Opposition and the National Party are entitled to demand at least an opportunity to put items listed as General Business.

What this motion seeks to do is to ensure that we have an opportunity to go on with General Business as soon as the business of the Council is finished. If the government wants to go on until 3 o’clock in the morning stonewalling the business of the Council, General Business should start at that time.

For this government to think that it can frustrate the bringing on of General Business by prolonging debate is not acceptable, and the simple purpose of this motion—

The PRESIDENT—Order! The House is far too disorderly. The Minister for Health has had an opportunity to speak. The Minister for Transport may wish to speak, but I suggest that he remain quiet until that opportunity is provided to him.

The Hon. A. J. HUNT—The simple purpose of this motion is to ensure that, no matter how long this debate is stalled, there is still the normal opportunity of this day to conduct General Business; and that is the reason why the motion was moved.

The Hon. W. A. LANDERYOU (Doutta Galla Province)—With the greatest of respect to probably one of the finest minds on the other side of the Chamber, that is the worst insult that has ever been delivered from that side of the House. Mr Hunt knows, and Mr Storey knows, that Mr Hunt came into this Chamber last year to say to the government and to honourable members that what he really had in mind was that he was embarrassed on occasions when he had to take a certain position with respect to private members'
business and the conduct of the proceedings of the House. What he really wanted to do was to introduce a third category of business—Business to take Precedence.

Mr Storey looked me in the eye at a meeting of the Standing Orders Committee and said that the procedure we should adopt was to have a third category so that we could take politics out of it. All that has happened today, in defence of the great Jeffrey Kennett, is that the Opposition has tried to squeeze every ounce of politics out of government proposals on gun control.

That is all members of the Opposition have tried to do, and now they come to the government and try to put the same argument but come to different conclusions. Then they say, “Look, the real role of this Opposition is not to operate on the basis of what we call Business to take Precedence, and the crocodile tears do not force us into a position where we might have to put a recommendation on behalf of the all-party committee with which we may not personally agree—we may personally disagree with it—but we feel such great abhorrence for it that we must make certain that the House has an opportunity to discuss the matter”.

The Liberal Party did not express the proposition of opposition to the regulations to the appropriate committee; its members did not delay for that because Jeff Kennett and the rest of the clowns who support him could not wait to run to the press to tell the world what their changing position was day by day. What they really wanted to do was to play politics with the lives of Victorians—and they know that—because the legal rights whackers over there had them boxed into a corner this morning over their party’s—

The Hon. R. M. HALLAM (Western Province)—Mr President, the remark made by Mr Landeryou is unparliamentary and insulting, and I ask that it be withdrawn.

The PRESIDENT—Order! Mr Hallam finds the word offensive and I ask Mr Landeryou to withdraw it.

The Hon. W. A. LANDERYOU (Doutta Galla Province)—Mr President, I withdraw any word the honourable member found offensive. What is occurring is the gradual prostitution of the political institutions of the State by members of the Opposition. They know that. Let them live with it, because they could not care less about due process or about people’s rights. What they are concerned about is political point scoring. The Liberal Party members want to turn it into a case of the city versus the country. They say, “Let us put our guns at the city limits, book them in”. Mr Chamberlain was allowed to argue briefly a position that was adopted privately and publicly by the Liberal Party, that we should, as a Chamber as a matter of precedence, consider issues that arose with respect to government regulations following an all-party committee recommendation.

Liberal Party members having used their right to give notice, not through the proper procedure, not through the consideration of an all-party Parliamentary committee—the procedure laid down by Parliament and laws of this State—but using it as a result of a decision made by the Victorian Parliamentary Liberal Party, they approached this House and used and abused it in a way that demonstrated that this was an obvious political exercise. They then had the gall to suggest this motion was not Opposition business, that it was not taking away the rights of the government to run the House and determine agenda business, but was their initiative. In that context it is an absurd proposition, but I want to put another argument which is far more serious in the long term.

It appears clear to me that conservative forces in this State are so desperate and hungry to exercise their “natural right” to govern that once again we will get back to the November 1975 morality. The Opposition will do anything and everything necessary to achieve government. It does not care who it destroys or hurts, or what institution gets in its way in conducting that campaign.

Mr President, you have a responsibility as Presiding Officer of this Chamber to use your influence and high office to prevent this prostitution of the processes of the House.
We have been involved in the experimental operation of Standing Orders, under which we have operated today. This is the first time that this procedure has been used. It is the first time that it has been used and abused in the sense that no intention was in the mind of the Leader of the Opposition other than to use this process to advance the political cause of the party that he represents. No other intention was involved. The House has not been debating a matter that emerged from the considerations of an all-party Parliamentary committee. It has not been involved in debating a matter of interest to the House other than through that procedure.

Mr President, it appears to me that you should be using your high office to save this House from being abused in this way. It is sad if the Opposition believes it has been outmanoeuvred, as its members have said, but the reality is that a rule cannot be interpreted one way to suit certain political circumstances and for the Opposition then to say to the government: "We have been here a couple of days. We denied you the process last night, but we will not let you proceed. Although we are meeting for the second time and we have argued all day about the issue which, in the end, we will have to back down from, you are not allowed to debate the government's proposed legislation for the second day".

I recognise that the Liberal Party has had a few months off and that question time so far has been pathetic, as has debate on this motion, except for the contributions of one or two members of the National Party. Mr President, it is an abusive process to allow the Opposition, no matter what its numbers might be—and from time to time they are fluid—to abuse the procedures of this House because it was conned into believing it was using a process enabling a motion to be debated in the interests of the House rather than purely for political purposes.

The Hon. W. R. BAXTER (North Eastern Province)—Members of the National Party are not prepared to put up with the sham debate they have just heard from the Minister for Health and from Mr Landeryou.

The Hon. W. A. LANDERYOU (Doutta Galla Province)—On a point of order, Mr President, I request that you instruct Mr Baxter to withdraw those words, as I find them offensive.

The Hon. D. R. White—I am a bit sensitive about it, too.

The Hon. W. R. BAXTER (North Eastern Province)—I am prepared to withdraw the word. I was not referring to Mr Landeryou as a sham; I was referring to the debate as a sham. I am quite happy—

The Hon. W. A. LANDERYOU (Doutta Galla Province)—On a further point of order, Mr President, I ask that the words be withdrawn unreservedly. I suggest that Mr Baxter should accept your advice on this matter.

The Hon. W. R. BAXTER (North Eastern Province)—Mr President, I was not in any way ignoring your advice. All I am saying is that Mr Landeryou is remarkably touchy tonight. Three times he has referred to me in debate as a member of the Australian League of Rights. I let him get away with it until it became too much for my colleagues.

The PRESIDENT—Order! Will Mr Baxter withdraw his remark?

The Hon. W. R. BAXTER—I have withdrawn the remark, but I might refer Mr Landeryou to Mr Unsworth's remarks about Mr Truman. A moment ago the Minister for Health alleged that this House refused to suspend the 10 o'clock rule last evening to enable one of his Bills to be debated. I say clearly to the House that the National Party was not given the opportunity of suspending the 10 o'clock rule. If it had been given the opportunity and the invitation I, as my party's Whip would have acceded to that request, but no such request was made. In fact, the National Party's spokesman on health matters told the Minister last night that he was prepared and ready to deal with the Bill if the Minister made the appropriate arrangements, but the Minister declined.

The Hon. A. J. Hunt—It does not even require leave.
The Hon. W. R. BAXTER—That is right, the Minister should not allege that the government's program was interfered with or held up last night by the Opposition and the National Party because that is certainly not so.

The second point I make is that unless the motion is carried here and now, tonight, there will be no opportunity for Government Business to proceed because the 10 o'clock rule will apply. If the motion to suspend the 10 o'clock rule is agreed to Government Business will be able to be dealt with tonight. If the Leader of the government does not accede to that, he will be responsible for preventing his government having its business dealt with tonight because the 10 o'clock rule will stop him. The opposition parties are giving the government the opportunity of proceeding with Government Business tonight but the Minister has thrown it back in their faces. I do not believe the Minister has carefully examined the logic—

The Hon. E. H. Walker—That is nonsense!

The Hon. W. R. BAXTER—If the Minister does not do it tonight, it will be his fault. I ask the Minister to tell me what is nonsense. Finally, the House should take note of amendments made to Standing Orders last year by the Standing Orders Committee which gave the disallowance of regulations some precedence and set it apart from General Business and from opposition parties' business and made it a separate category.

Mr Landeryou let the cat out of the bag because he alleged, or concluded, that the Opposition had somehow been caught out in its strategy. That indicates there was some move afoot within the government to have debate in this House truncated by the 10 o'clock rule because of some agenda that the government has. So the request to proceed with Government Business tonight is not genuine. The government wants the 10 o'clock rule to operate for its own agenda, and I submit that it has been caught out.

The Hon. M. J. ARNOLD (Templestowe Province)—On numerous occasions when this House has tried to change the method of dealing with subordinate legislation and with regulation review, I have warned honourable members that it would lead the House into disrepute because the Opposition would use its numbers to change a position set up on a consensus basis. Through cooperative efforts of Mr Hunt, the Minister for Transport, myself and others, we established a method of allowing subordinate legislation regulations to be dealt with through the processes of Parliament. We did that by following what Mr Hunt proposed as the model for the way in which subordinate legislation should be dealt with by Parliament.

Early last year, things were happening in the minds of several members of the Opposition who decided they would alter or try to subvert the way Parliament should determine subordinate legislation covering how regulations should be dealt with—the proper process that Mr Hunt would still support, and he knows it. But, because of cheap political gains, the Opposition decided to change the process without thinking it through. A number of members on this side of the House and I warned Parliament about what would happen.

Government members said that a farcical situation would result. It goes back to the days of the proposed appearance of the mountain cattlemen before the House, when the House was brought into disrepute. The House is supposed to have credibility; yet the Opposition has brought the House into disrepute a number of times because of the way in which it has established various committees.

Editorials have been written in the papers asking questions about the way in which the House conducts its business. In the Age, Claude Forell wrote an article speculating on what nonsense honourable members were playing at. In Saturday's Sun Ian Munro wrote an article commenting on the nonsense that is occurring in this House. The opposition parties change the rules to suit themselves; they are playing too many funny games. Such actions bring the House into disrepute.

Government members warned the House that such a situation was likely to occur. I shall reiterate the arguments because they must be stated time and again. A Bill dealing
with subordinate legislation was introduced into this House because of the cooperative efforts of the members of all parties. That cooperation occurred over a long period. Mr Hunt introduced a Bill that was referred to the Legal and Constitutional Committee—an all-party Parliamentary committee—which reviewed the proposed Bill. The committee made recommendations that were considered by all parties in the House.

The Subordinate Legislation Act led the way in the review and operations of regulation making and regulation review in this country. I attended a conference in another State with some other members close to the House at present. At the conference the Act was held up as a beacon because it promised independent and rational procedures of review. The Bill got rid of party political considerations; they were inappropriate when regulation matters were dealt with. There are people close to the House who agree with what I am saying. They stood up and made speeches agreeing with what I am saying.

The Legal and Constitutional Committee established a Subordinate Legislation Subcommittee, with representatives from all parties in this House, so that honourable members could calmly and rationally consider regulations that came before the House. A process was also set up to enable the community to have its say on regulatory impact statements.

The regulation was going through that process. It came before the Subordinate Legislation Subcommittee. The subcommittee had partly reviewed it. Members of the subcommittee were advised that it was within the appropriate power but it was agreed that further information was required. Government members did not demur. What happened? Events in this House overtook the decision of the subcommittee. It was decided that there was no point in going through with the legitimate process the House had agreed to previously.

That agreement has held fast for the past three or four years. The process has ensured that regulation making in Victoria has been the best in the country. Today the Opposition has moved the disallowance of the regulation and has subverted the normal process that all honourable members know should have been followed.

Opposition members are attempting to say that it is not Opposition business. Of course it is Opposition business! A process was set up, which the House had approved—and that process should have been followed—with the agreement of all parties. The Hansard debates of the time will show that there was agreement from Mr Hunt and from Mr Dunn. Opposition members should not say that they have decided they will not go through those processes.

Honourable members know the correct way to proceed—that was agreed on four years ago, and it has operated well. Some 400 or 500 regulations have been dealt with in that way. Suddenly the Opposition has decided it does not want the regulation to go through that agreed process. There is a fear of what the result might be.

Opposition members wanted to bring the matter on for debate today—and to debate it for 4 or 5 hours. The government has the right to debate the matter and to have the matter resolved. Government members cannot be accused of trickery because we have been willing to debate the matter irrespective of how long the debate continues. That is how a Parliament should operate. I am sick of the suggestion that government members are indulging in chicanery.

The Opposition should not subvert an established process to which all honourable members know should have been followed.

The Opposition should not subvert an established process to which all honourable members have agreed. The Opposition cannot determine not to operate within that process and then expect government members to sit back and say that they agree with the rules being changed.

The House has agreed on the way in which subordinate legislation should be reviewed in this State. That process has been praised by every State in the country. It has been praised by members of the Victorian Opposition even at seminars and conferences in other States. Yet Opposition members say they will not go through that process—"We want to disallow it; that is our motion." Suddenly Opposition members are saying, "Hang
on, it is really not Opposition business.” Of course it is its business! There can be no argument that it is its business.

Mr President, as someone who understands the need for matters to be fully debated in Parliament, I ask you this: if the matter is not resolved through the process which this House has set up, how is the matter to be dealt with? If the matter is not dealt with in that way, honourable members are not carrying out their duty as members of this House. The problem has not arisen because of any duplicity on the part of members of the government.

As Mr Landeryou pointed out strongly, the issue is an important one. The issue centres on the determination of a form of words that controls the operation of this House. Honourable members must determine the order in which matters are dealt with; and those matters can be put under certain headings. It is up to all honourable members to determine how daily business is conducted.

All honourable members are aware that it has been the traditional practice of this House that Wednesday is the Opposition’s day and it establishes how it wishes to debate certain matters. Government members are willing to give the Opposition its full debating time on the issue which it has made its primary consideration for today.

It was within the ability of the opposition parties to shorten the time available to their speakers. Mr Chamberlain made a speech and Mr Hallam made a speech. Members of the opposition parties could have stopped speaking at about 3.30 p.m., but members of the opposition parties spoke throughout the afternoon, as well as speaking into the evening. They were controlling their part of the day, and they cannot resile from it.

Opposition members are attempting to put an argument that is dishonest. Unless the matter is made clear to all honourable members and to those people who are listening about this place everyone will wonder what the issue is about.

Mr President, I know you are concerned about me reiterating my argument. We established a process as to the way in which regulatory regulations should be dealt with. The opposition parties have determined that this is the way that the subordinate legislation should be dealt with. They have taken it on board and have debated it throughout today.

At 3.30 p.m. they did not say that they were finished for the afternoon and that it was really other business with which they wanted to deal. They had gone through the day.

I urge the House to make the appropriate decision in relation to the matter.

The Hon. J. H. KENNAN (Minister for Transport)—What we are witnessing is the disintegration of the Liberal Party. That is not surprising, having regard to the fact that its members have been singularly unable to adopt the role of opposition.

What we see again this evening, as we saw this afternoon, is that during debate on an Opposition motion, when Opposition members were putting something that was really quite improper, the whole of the front bench of the Opposition deserted the Chamber—at least for a good deal of the afternoon.

The Hon. A. J. Hunt—We have seen the government desert the front bench for the whole afternoon time and time again!

The Hon. J. H. KENNAN—Now we have an angry old bear coming out of his cave! Mr Hallam said that Mr Hunt and his colleagues have been given their riding instructions by the National Party and have changed their minds.

The Hon. R. M. Hallam—I did not!

The Hon. J. H. KENNAN—Yes, you did. You were pleased that they had become parochial like members of the National Party. Mr Hunt, Mr Chamberlain and others on the front bench are the same; when they are not there one does not realise who their normal frontbench members should be. Opposition members left—walked out to go either to afternoon tea, to the races or to another party meeting which had been specially
convened to ascertain their Wednesday position on guns. I think they had a Tuesday position on guns; they met yesterday at lunchtime, decided on their position, and by lunchtime Wednesday they had a different firearms policy. That was the Wednesday lunchtime position on the Opposition's policy on guns.

I understand that Mr Hunt is at a certain stage in his political career and has enormous trouble in preventing himself laughing at jokes made at the expense of the Opposition. He sits there making some interjections. Now he gives a few instructions to Mr Reid; they have let him out of the cell and said, "We think it is time you came back. Here is your cushion; pine away".

The Hon. R. J. LONG (Gippsland Province)—On a point of order, Mr President, what the Minister for Transport is saying has nothing to do with the motion; therefore, I ask that you bring him to order, and direct him to deal with the motion.

The PRESIDENT—Order! On the point of order, I have been listening to the Minister for Transport and hoping that he would almost immediately come to the point we are debating, namely the suspension of Sessional Orders. I ask him to come to the question.

The Hon. J. H. KENNAN (Minister for Transport)—I am grateful for your guidance, Mr President. We now have a clown on the Opposition front benches, there being no other members on the front bench; they have taken one of their backbenchers, dressed him up as a penguin and told him to sit there.

The Hon. G. P. CONNARD (Higinbotham Province)—On a point of order, Mr President, I direct your attention to those remarks which I take to be a narrow insult. I ask the Minister for Transport to apologise.

The PRESIDENT—Order! I understand Mr Connard is asking the Minister for Transport to withdraw the words he finds offensive—is that so?

The Hon. G. P. CONNARD—Yes.

The Hon. J. H. KENNAN (Minister for Transport)—I think I understand that he finds the phrase "like a penguin" offensive.

Honourable members—Withdraw, withdraw!

The Hon. J. H. KENNAN—I apologise to the penguins and to Mr Connard.

The PRESIDENT—Order! I ask the Minister for Transport to withdraw the words.

The Hon. J. H. KENNAN—I withdraw both apologies.

The gravamen of the Opposition's complaint is that it wants more time for Opposition business. Let us look at what the Opposition has done with the time usually allocated. This is the first week of the sessional period for this year; Opposition members come in and, in the time they would normally have available, promote a motion that Mr Hunt knows is fundamentally offensive. When it comes to the bane of the regulations in the Planning and Environment Bill, they say that as a general rule they support the proposition that regulations can only be disallowed by both Houses.

They then say there had been an exception to that rule in the case of the Town and Country Planning Act, and the exception was being continued. Mr Hunt was later embarrassed by that statement, and he is still embarrassed. He interjects in his usual disorderly fashion because the Opposition is now relying on amendments it made to the Firearms Act last session to enable either House to disallow the regulations.

The Opposition has moved a motion in effect asking for more time, but look at the credibility of the issue and the way its members have behaved! They have torn up the conventions that Mr Hunt acknowledged in the debate.

The Hon. A. J. Hunt—I did not.
The Hon. J. H. KENNAN—You did.

The Hon. A. J. Hunt—That is gross misrepresentation.

The Hon. J. H. KENNAN—You have to be careful; I have warned you, Mr Hunt about your temper in the past. You have been generally much better behaved in the past twelve months or so, and dressing in that white suit does not give you permission——

The PRESIDENT—Order! The Minister for Transport on the question before the House.

The Hon. A. J. Hunt—Stick to the truth!

The Hon. J. H. KENNAN—In the debate on the Planning and Environment Bill Mr Hunt acknowledged that there had been a general and long observed rule that regulations be disallowed by both Houses. Equally, in the Bill dealing with planning, he said that there had been a specific piece of legislation long in place which said that regulations should be disallowed by one House.

The Opposition then came into Parliament the next sessional period and, in relation to the firearms question on which its members have wasted much time this afternoon, said that there is a longstanding position in relation to the Firearms Act in contradistinction to the position previously expressed that regulations can be disallowed by either House.

On its first official day this year Opposition members spent hours on this disallowance of the regulation so that more than 200 000 dangerous weapons can be used immediately in the community. They used that time not by way of stating that the regulation is beyond power; not by referring to one of the headings on which the Legal and Constitutional Committee has power with respect to subordinate legislation, but by saying that there are a number of exceptions that may be taken to a particular form of regulation.

There was an admission from, I think, Mr Kilowles—who has long since lost interest in this debate and has departed from the House—to say that the Opposition thinks the regulation is in power and that there are no problems lawfully made. Opposition members have said, “We are not going to challenge on any proper grounds; we are going to turf it out for political expediency.” They have said, “We have been told by the National Party that we have to be tougher on the guns question”. They further said, “We have spent all this time on that subject; we want yet more Opposition time”. This is an Opposition in patent disarray. Any person watching the debate during the afternoon would have seen Opposition members when they lost interest and boycotted the House, walking out as a collective front bench on their own motion! Not a bad performance, although a couple have come back.

The Hon. A. J. Hunt—You all push off!

The Hon. J. H. KENNAN—Opposition members were all in the Chamber a moment ago; half of them have gone again, and Mr Chamberlain will be summoned back for instant advice from Mr Hunt. Yet, in his contribution to the debate, Mr Hunt had the audacity to talk about frustration! The Opposition has been frustrated in its attempts to frustrate the government. What an outrage! Opposition members are not in the Chamber because they have a big job of frustration ahead of them and the government is here trying to govern.

This action is typical of the logic of the Opposition, which is carrying on in the most mischievous, negative way. Is it not significant that the Opposition is not seeking more time, as it always does, to put any policy position on any substantive issue that the political agenda should be addressing before the electorate of this State? It is not hard to be a Minister in this place, because one is not shadowed in any sense; honourable members opposite are in the shadowy shadows.
Mr Hunt was allegedly shadowing me in my portfolios of planning and environment and Aboriginal affairs, but he did not come forward with a single conservative idea. No-one said to me, “The Opposition has this whiz-bang policy on planning”. I am sure if someone said that and I asked what the policy was, the answer would be, “We do not really have one. It is a joke.” It is a standing joke.

The PRESIDENT—Order! I have been tolerant of the Minister for Transport. He is ranging fairly widely now. I remind him of the Sessional Orders. I ask him to wind up his remarks or I shall ask him to resume his seat.

The Hon. J. H. KENNAN—Thank you, Mr President. This motion is another attempt by the Opposition to frustrate.

The Hon. A. J. Hunt—No, to get on with business.

The Hon. J. H. KENNAN—Mr Hunt says that the Opposition has moved this motion because it wants to get on with business. It does not want to get on with business; it wants to get on with its own irrelevant, nitpicking Opposition matters. No single policy has been put forward.

Question time has taken place in this Chamber twice this sessional period—I cannot recall whether Opposition members asked any questions—yet, not once did Opposition members raise a matter of policy or a substantive political issue. Opposition members raised matters on the motion for the adjournment of the debate last night, but not one of them raised a matter of policy. Opposition members are vacuous. The House should not put up with their requests for more time to put their vacuous and mischievous matters before it.

The Hon. B. T. PULLEN (Melbourne Province)—I am not a member of this House who usually spends time or pretends to understand the fine points of the procedure of this House. I shall leave that to others. However, I have some view about what is due process, and I should like to make some comments on that.

Today the Opposition has seen fit to move the disallowance of a regulation, which is clearly very important to Victorians because it centres on a matter of much concern—law and order and the ability of people who have a number of firearms in this State to keep them.

The Opposition has moved the motion to disallow and, I suppose, since Wednesdays are usually set aside for consideration of Opposition business, it is entitled to do so. It has been supported by the National Party. It is clear that it is a matter which many honourable members believe is important, because not only have the Leaders spoken on the matter but also a number of other members of both the Liberal and National parties have chosen to express their views in this debate.

Members of the government party have countered their arguments and, whether one agrees with the result in the end, one has to acknowledge that there has been reasonable debate and that people have expressed their points of view sincerely. The debate has continued for some four and a half hours on a matter on which I believe the people of Victoria place some importance.

I am disappointed in Mr Hunt and the action he has taken. I do not normally agree with him, but I acknowledge that up to now he has often played a constructive role in indicating how the business of the House could be conducted. Unfortunately he now has become so fickle in regard to this issue that on a matter that was of so much importance to both the National Party and the Liberal Party earlier today, he would now deny other honourable members the opportunity of speaking on it, including those of his own party as well as government members. The Opposition has decided, for the most specious of reasons, for the most trivial of reasons, to terminate the debate now and move on to something else.

The precedent that the Opposition is attempting to create in this instance is deplorable. It does no credit to Mr Hunt and the forward thinking of the Opposition; and it will do no
credit to the National Party if it goes along with this shabby motion. By and large, that is the basic position. It is not a healthy position for the future operation of the House.

I understand how this House works. There is Government Business and there is an opportunity for consideration of opposition business. It has worked that way during the time I have been a member of this place and there has been a reasonable show of effort by honourable members at working within that system. The Opposition threatens that process by this cheap manoeuvre. I suggest that, before it attempts to take further action, it should think very carefully about proceeding with the motion.

The Hon. A. J. Hunt—You will get your chance to speak as soon as this debate is over.

The PRESIDENT—I call the Minister for Conservation, Forests and Lands.

The Hon. J. E. KIRNER (Minister for Conservation, Forests and Lands)—It seems clear to me that, although Mr Chamberlain and the Opposition might understand what they are doing, in fact, the motion now before the House, which proposes to change the process of the House, will turn this House very clearly from being what everyone in the Opposition has argued it should be—that is, a House of review—into a House of device. This shabby little episode this time——

The Hon. B. P. Dunn interjected.

The Hon. J. E. KIRNER—That is by agreement. There is no agreement on what is happening in this Chamber tonight.

If Opposition members want to change this House from being a House of review to a House of device, let it be on their heads. I suggest that they examine what they have done on the last few occasions on which they have tried similar devices.

Firstly, the Opposition used a device in regard to the mountain cattlemen issue farce to bring into this House cheap political point-scoring. That did not work because the Opposition used a cheap device, and did not use it well enough. In addition, the Opposition managed to leak the cattlemen's submission to the House to the press before its presentation in the House and so abused the privilege of this House. There is no doubt about who made the mistake in using that cheap device.

The second attempt to bring disrepute to this House, expertly described by Mr Arnold, meant that instead of following a proper agreed process set out in the Subordinate Legislation Act to address regulation review properly and in a way that people believe is acceptable to the House, the Opposition went along with the National Party's cheap device to try to run government from behind and insert in every major piece of proposed legislation that it could think of a provision relating to disallowance of regulations by either House.

That is exactly what the Opposition decided to do today; also another cheap device. The Opposition moved, not because it really wanted to express a sensible view about gun laws, but, as Mr Baxter said quite correctly, because it wanted to get the jump on the National Party and move its motion on the disallowance of the regulation before Mr Baxter could move his.

The Opposition has been hoist with its own petard by that cheap advice. That is why Mr Knowles made probably the most dramatic speech he has made in this House for ten years, and that is why he is not in the Chamber now. He is absolutely ashamed of having to go through a device the effects of which would be to get rid of an important government policy and leave a vacuum.

All that can be done under the foreshadowed regulation would be the provision of advice to the House; it would not be possible to create another policy position. Therefore,
a vacuum would be left and 200,000 guns would be returned to community use while no other controls were in place. In anticipation of new gun laws, the Opposition says to the people of Victoria, "Our solution, while we are trying to find a better solution, is to give the guns back". That is another device.

The Hon. A. J. Hunt interjected.

The Hon. J. E. KIRNER—You brought on this debate, you can worry about that.

It has reached the point where the Opposition does not want to do any more on the debate. Despite the agreed processes of the House that parties tell each other how many speakers they have, despite the fact that Mr Chamberlain, who moved the motion, has not replied to all the points that he made and despite the fact that the Leader of the government in this place has not replied, the Liberal Party has moved to truncate the debate.

The Hon. A. J. Hunt—No, we did not.

The Hon. J. E. KIRNER—Yes, you did. What a cheap device!

The Hon. B. A. Chamberlain—We want to adjourn it to later this day.

The Hon. J. E. KIRNER—Really? Do I have an absolute guarantee on that?

The Hon. B. A. Chamberlain—Yes.

The Hon. J. E. KIRNER—At least that is a step in the right direction; but the point is that there was no need to do it. The debate could have been finished and the Liberal Party well knows it.

Opposition members are looking embarrassed because they have used a series of cheap devices to turn this place, which ought to be a place of respect for the processes of debate, into a joke. The National Party said it wanted to debate the regulation because nobody had had a chance to debate it and yet the National Party also wants to truncate the debate.

The Hon. A. J. Hunt—We are going to return to it!

The Hon. J. E. KIRNER—We ought to reject this approach and get back to the proper processes of the House.

The House divided on the motion (the Hon. R. A. Mackenzie in the chair).

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Majority for the motion 1

AYES
Mr Baxter
Mr Birrell
Mr Chamberlain
Mr Dunn
Mr Evans
Mr Granter
Mr Guest
Mr Hallam
Mr Hunt
Mr Knowles
Mr Lawson
Mr Long
Mr Macey
Mr Miles
Mr Reid
Mr Storey
Mrs Tehan
Mrs Varty
Mr Ward
Mr Wright

NOES
Mr Arnold
Mrs Coxedge
Mr Henshaw
Mrs Hogg
Mr Kennan
Mr Kennedy
Mrs Kirner
Mrs Landeryou
Mrs Lyster
Mr McArthur
Mrs McLean
Mr Mier
Mr Murphy
Mr Pullen
Mr Sandon
Mr Sgro
Mr Van Buren
Mr Walker
Mr White
AYES
Tellers:
Mr Connard
Mr de Fegely

NOES
Tellers:
Mr Crawford
Mrs Dixon

ADJOURNMENT

The Hon. E. H. WALKER (Minister for Agriculture and Rural Affairs)—I move:
That the Council, at its rising, adjourn until Tuesday, March 22.

I want to make a comment about the motion for the adjournment of the sitting. Over the years that I have been Leader of the House, and that is since September 1983, I have tried to conduct the House in a reasonable fashion, and that has been brought home to me as being reasonable on the basis that, time and again, Opposition and government members have said to me that they appreciate the manner in which the House has been run.

The Hon. J. V. C. Guest interjected.

The Hon. E. H. WALKER—Mr Guest may want to be funny but I am trying to put a simple case as clearly as possible. Over the years extremely good agreement has been kept between Leaders of the three parties and I have said that people should not sit here beyond midnight, if possible. By agreement, we have been able to hold to that decision with few exceptions. Most honourable members have appreciated that.

The Hon. A. J. Hunt—That is totally inconsistent with what you said before.

The Hon. E. H. WALKER—The Honourable Vasey Houghton in his last speech in this House said that he appreciated that the manner of running business in this House was then better than at any other time during his period here—and he was here for some 21 years.

I believe I have been supported strongly by honourable members about the sitting hours of the House. This is the first week of the sessional period. It is quite normal during that first week to have Government Business on Tuesday and Opposition business on Wednesday, and for some weeks into the early part of the sessional period the House sits only on a Tuesday and a Wednesday. I hope that practice can be sustained.

Debate on a significant issue for both sides of the House has occurred today. The disallowance of a regulation is a significant issue and the whole matter of gun law is important to all parties. Debate today has been good. However, Mr President, if we are to sustain the reasonable agreement we have had over the years about the running of the House, the disruptive procedure suggested should not be countenanced. It would be a pity if a hostile situation arose between parties because of the way we appear to be moving this evening.

I implore those opposite to consider the disruptive nature of this move. I would not want to stop the consultative approach I take to sittings of the House.

The Hon. J. V. C. Guest—You would be the one to suffer.

The Hon. E. H. WALKER—Mr Guest is not here very often and he is not party to most of the negotiations relating to the running of the House. The Leaders of the opposition parties have been cooperative in those negotiations.

It would be of no advantage to any member of the House or any party to continue tonight’s sitting. All it would do would be to make a late night, and that would not be to the credit or assistance of anyone.

The Hon. Haddon Storey—What is the alternative?
The Hon. E. H. WALKER—If Mr Storey has a suggestion of a limited kind, I am prepared to listen but, frankly, judging by the way the motion reads, honourable members could be here until 3, 4 or 5 o'clock tomorrow morning because these issues would take until then to debate.

The Opposition wishes to complete debate on the disallowance motion, the gun laws motion and the Nunawading re-election motion. Each of those issues is important enough for honourable members to be given a reasonable chance to debate it. If the House takes time to hear that debate tonight, it will get the sittings off on a wrong footing.

If it is suggested that the House should sit tomorrow, I shall certainly consider that; if a suggestion is made to complete one piece of business, I shall certainly consider that. However, to move that the House considers three pieces of business and allows all honourable members a chance to speak is simply out of the question, if the House is to keep reasonable hours.

I implore the Opposition to reconsider. I ask, Mr President, that I have a chance to discuss with Mr Chamberlain and Mr Dunn the motion for the adjournment of the sitting and perhaps we can come to some agreement.

The sitting was suspended at 10.15 p.m. until 10.27 p.m.

The Hon. E. H. WALKER (Minister for Agriculture and Rural Affairs)—Mr President, I appreciate your having given the parties a chance to discuss the matter that I brought forward.

I have had a response from the opposition parties in relation to the motion for the adjournment of the sitting, and I understand that they want to complete three of the items on the Notice Paper: Notices of Motion, Business to take Precedence, No. 1 and Notices of Motion, General Business, Nos 11 and 13.

I am sorry the Opposition has determined to do that. In my view, it is quite outside the normal agreements and arrangements that have been made, but the government can do little about it.

The motion was agreed to.

The Hon. E. H. WALKER (Minister for Agriculture and Rural Affairs)—I move:

That the House do now adjourn.

The House divided on the motion (the Hon. R. A. Mackenzie in the chair).

Ayes 21
Noes 22
Majority against the motion 1

AYES
Mr Arnold
Mrs Coxedge
Mr Crawford
Mrs Dixon
Mrs Hogg
Mr Kennan
Mrs Kirner
Mr Landeryou
Mrs Lyster
Mr McArthur
Mrs McLean
Mr Mier
Mr Murphy
Mr Pullen
Mr Sandon
Mr Sgro

NOES
Mr Baxter
Mr Birrell
Mr Chamberlain
Mr Connard
Mr de Fegely
Mr Dunn
Mr Guest
Mr Hallam
Mr Hunt
Mr Knowles
Mr Lawson
Mr Long
Mr Macey
Mr Miles
Mr Reid
Mr Storey
The PRESIDENT—Since the atmosphere in the Chamber is becoming humid, honourable members may remove their jackets if they so desire.

DISALLOWANCE OF STATUTORY RULE

Firearms (Prohibited Weapons) Regulations 1987

The debate (adjourned from earlier this day) was resumed on the motion of the Hon. B. A. Chamberlain (Western Province):

That, pursuant to section 49 (1a) of the Firearms Act 1958, the Firearms (Prohibited Weapons) Regulations 1987 (S.R. No. 374/1987) be disallowed.

The Hon. H. R. WARD (South Eastern Province)—Earlier this afternoon honourable members heard a fine address on the subject by Mr Knowles. He summed up clearly the attitude of the public and the position of the Liberal and National parties on this subject.

To say that the Premier was made responsible for the situation, as expressed by Mr Landeryou, is sheer nonsense. The whole debate began initially with irresponsible statements by the Premier. A media debate took place; there was no Bill and no proposals for inclusion in legislation—just talk. No facts and no Bill were available. No call was made by the Premier for a round-table conference.

The Hon. M. J. Arnold interjected.

The Hon. H. R. WARD—Mr Arnold should stick to conducting dirty tricks with the mountain cattlemen; that is where he belongs.

The PRESIDENT—Order! I will not tolerate honourable members shouting across the Chamber in this manner. I ask Mr Arnold and Mr Ward to restrain themselves.

The Hon. H. R. WARD—The Leader of the National Party, Mr Ross-Edwards, and the Leader of the Opposition in the other place, Mr Kennett, proposed that a round-table conference should be called to discuss this important social issue. Honourable members opposite expressed sheer nonsense with respect to the Federal scene when they said that the Leader of the Opposition in the Federal Parliament could not participate in a debate on the gun laws. Of course, that argument can be thrown out.

What happened? Honourable members opposite say that the Liberal Party made the situation political. That is nonsense. It was the Premier who set out to make the issue political. Although he brainwashed the media in all areas one could possibly find, he was getting his message across in some form, but it was all lies.

It was the Premier who established the confrontation and set out to divide metropolitan and country areas. Well we know it. In carrying out doorknocking to ascertain what people were thinking, it was interesting to discover their comments about the attitude of the Premier. He set a pattern for civil disobedience. It was clear what he wanted to do; he wanted to force people to march and go against the government and the laws of this country. However, the Premier has fallen on his face. His actions were totally irresponsible.
Mr Landeryou admitted that country people are practical people with their feet on the ground. We saw the impracticability of the proposals put forward and fudged through the press by the Premier. All that the Premier was doing was shooting darts here and there to find out what he could do against the ideology of his own party. Law-abiding citizens, when considering the jack boot, totalitarian approach of the Premier in running this State, considered that their basic freedoms were under threat.

When this occurs, rationality disappears, people become emotional, and irrelevance clouds the real issues. This has been apparent today. Everyone sees himself as a sheriff; self-protection becomes the main cry; people look for survival and go to extremes when talking about it. People who are law-abiding citizens feel themselves to be victims and this is a pity. In the meantime, criminals can get off.

Earlier today, there was a point made about the attitude of women to firearms. This is important. I have found in discussing this subject with women that they are scared not only for themselves but also for their children and their husbands. I can talk of somebody who has been shot twice by registered gunmen.

The Hon. B. W. Mier interjected.

The Hon. H. R. WARD—We do not want to hear from a wimp like you.

The Hon. B. W. MIER (Waverley Province)—I ask that Mr Ward withdraw that remark.

The PRESIDENT—I ask that the remark be withdrawn.

The Hon. H. R. WARD (South Eastern Province)—I am happy to withdraw the remark.

The protection provided by the police must be considered in this debate. Banning certain firearms is absolutely useless. The government has introduced prohibition of certain firearms and that has failed. All members would agree that military-type, semiautomatic weapons should be banned from use in the community.

The Premier did not know what to do. He reacted to the emotion exhibited in the community, introduced the proposed legislation and thought that he would get away with it. The Premier will not get away with it because he has made a set of impracticable suggestions. When the Bill comes back from the other House I hope it will have been amended with practicability and sensibility.

The Hon. B. T. PULLEN (Melbourne Province)—As a number of people have spoken on the Bill, I intend to add some matters which are explicit and not a duplication of previous contributions.

I shall deal with three areas. First, as other speakers have done, I shall indicate my personal position on guns. Second, I shall indicate what I consider to be the import of the regulation which the Opposition is seeking to disallow. Third, I wish to indicate what I believe the community expects of the government and of the Parliament in this matter.

I oppose the disallowance of regulation 374. I indicate a limited experience with the use of guns. My situation is not unlike the experience of a lot of people of my generation. As a young person, I was exposed to a bit of rabbiting and was taken out into the country by the father of a friend and given some tuition in the use of firearms. I value that as an experience and, looking back, I realise that the father of my friend who took me shooting was a man who had quite strong and good attitudes towards gun safety and that, in terms of the matters in which he trained me and which he demonstrated to me, there was nothing wrong.

Apart from that reasonably well-remembered boyhood experience, the other experiences I have had with guns have not been so savoury. The first of those two instances which I recall most vividly occurred when I was camping at Cook’s Mill near the Cathedral Range in Central Victoria. While I was walking by the creek, a number of shots passed by me.
When the shooting ceased I walked on to find out what was happening. I found my wife in the midst of a group of Citizen Military Forces recruits. She had realised they were shooting in the area where I was walking and she was telling them to stop. They were engaging in random target shooting—not shooting into a hill or anything like that—and were shooting into an area of forest, where anybody could have been.

The second experience I relate was in a public camping area at Noojee. There were four people in separate tents and we awoke to find people driving and shooting around us. Frankly, I was too frightened to go out and tell them to stop because I thought that if I emerged they might accidentally shoot me as somebody coming into their sights.

I do not want to maintain that there are not shooters who behave reasonably. But the basic purpose of guns, unlike cars and aeroplanes which can occasionally be used for violent purposes, is for nothing else but to release a powerful amount of energy in a short time, with the purpose of sending a projectile through something to try and destroy it or kill it. It could be argued that some people treasure guns as objects of art which they put on their walls and admire, but that is not their prime purpose.

It is not by accident that guns have a propensity for damaging people; it is the very purpose of their existence.

The Hon. B. P. Dunn—What about clay target shooting? That is a legitimate sport.

The Hon. B. T. PULLEN—Accidents occur in any area where guns are used because of the potential they have to cause damage. The regulation being debated forms an important part of the principle which underlies the rejection of the notion that the ownership and use of guns is a right and not a privilege. Criteria must be established on how and why people use guns and in what circumstances they may be used.

The acceptance of the notion of privilege is an indication of the coming of age of our society, and, in particular, in Victoria. There has been folklore about the use of guns; it perhaps goes back to the days of Henry Lawson and ideas of the countryside having been settled principally by people in the outback. There is a notion that settlement of the nation involved the ability to ride horses, to camp, and to be able to relate to the tough and dry life of the Australian bush. Part of that image is concerned with the freedom to use a gun to find tucker and later to control vermin and so on.

That is a viable historical view on the use of guns in the Australian bush and countryside. To a very limited extent, in some areas of Australia it is still viable.

What must be realised is that Australians are now basically a city-dwelling people, with most of the population concentrated in an urban environment. Many people in that environment do not have a legitimate reason for owning or using a gun in their daily lives; they do not have a need to check vermin or animals on their property. Urban dwellers do not in many cases have a need for a gun as part of their recreational activities.

Many people own guns because of some mystique or association. An attitude of maturity is emerging in which people do not need the security of owning a rifle or any other weapon to indicate they are fully complete as an Australian male.

Opposition speakers in the debate are having difficulty in coming to terms with the need for clear limitations and justification for a person needing a rifle, a shotgun or any weapon of that kind.

A principal reason is that there is a price to pay. Most evidence indicates a direct correlation between the number of weapons within society and the number of accidents, injuries and homicides involving guns. It is no accident that in the United States of America—a country that has enshrined in its Constitution, and whose citizens regard it as part of their democratic rights, the right to bear arms—the homicide rate is some six times greater than that of Victoria. I do not claim that the number of guns in that society is entirely to blame as other reasons are also involved. However, it is equally specious to suggest that there is no correlation between the freedom of access to guns in a society and
the number of incidents involving guns, accidental or deliberate, that lead to loss of life or injury. There is more chance of an accident involving a gun occurring in a society where guns are freely available.

A number of speakers have referred the House to statistics regarding homicides caused by guns. It is worthwhile reminding the House that 47 per cent of murders and manslaughters in Victoria involve firearms. One of the few studies of sufficient depth—a seventeen year study of homicides in New South Wales between 1968 and 1985—found that guns were used in 35 per cent of all homicides and 41 per cent of spouse killings. The study found that the rate of domestic killings involving guns was disproportionately higher in rural areas where the rate of gun ownership was higher than in city areas. Hence, even in Australia there is a direct correlation between homicides and other incidents involving guns and the number of guns within the community!

The figure regarding domestic killings and the number of guns in rural areas is interesting. People in the country often tend to be more careful and are better trained in the use of guns than people who live in the city and who own guns but who do not use them very often, yet the rate of killing is higher. The community must understand that there is a correlation between incidents involving guns and the number of guns in society.

The regulation the Opposition and the National Party are attempting to disallow bans the presence of a dangerous type of gun in society. Not only has there been a tendency for an increase in the number of firearms in the United States of America but also there is a tendency for people to want to own more powerful guns than in the past. There is a progression towards higher calibres and higher velocities of weapons that can deliver bullets at a faster rate. The character and not simply the number of guns in the community must be considered.

Mr Knowles asked what was the importance of the regulation. It is unfortunate that he is not in the Chamber to hear the answer. Although the correlation between the number of guns and the risk to the community is clear, the type of guns that are available must also be considered. If one accepts that some people, due to their occupations, need to use firearms, the question must be asked whether the weapons available are the most appropriate. Even some members of the Opposition accept that the use of some weapons cannot be reasonably justified. Such weapons are often called Rambo-type weapons or submachine-guns.

The regulation allows for that and provides a signal to the gun-owning community and the people of Victoria that the composition of weapons held within the community for legitimate purposes must be considered. If the Opposition proceeds with the motion, it is up to the Opposition to address the composition of weapons in the community and to explain why shooters will be so deprived by having to use weapons other than semiautomatic rifles. From the discussions I have had with shooters, I do not believe they require semiautomatic firepower to meet the requirements of shooting rabbits or whatever.

One of the biggest advances in firearms has been the use of telescopic sights on rifles. Those sights allow a relatively poor shot to shoot rabbits with considerable accuracy and without needing to repeatedly pump bullets around. The ability to repeatedly shoot bullets is an encouragement to do so in a careless manner. It allows people to test that skill on unnecessary targets.

The only reason I have been given by shooters that could possibly justify the use of a semiautomatic weapon is that if an animal is injured with one shot, a shooter requires the ability to fire again to put the animal out of its misery. That is a specious argument. It is more an excuse for a person to have in his possession a semiautomatic weapon. That is the only argument I have heard that has some semblence of reason, but it is not sufficient to justify the ownership of weapons of that kind.

An ordinary bolt action rifle is sufficient for most uses. A skilled user can put a bullet into the breech without much difficulty. Shooters do not require semimachine-guns to continually pump bullets.
The Hon. B. A. Chamberlain—It is not a semimachine-gun.

The Hon. B. T. PULLEN—It is a fact that a semiautomatic weapon can continually pump a bullet from the gun on each action of the trigger. That is precisely the reason why a need exists to consider not only the number of weapons in society but also the character of weapons. The regulation deals with that issue. Victoria will not follow the path of the United States of America. The philosophy behind trading in a perfectly satisfactory rifle for one with more power can be likened to someone trading in a four cylinder vehicle for an eight-cylinder car so one can have more power under one's foot at the traffic lights.

That is the way the guns are marketed. In the Parliamentary Library there are gun magazines which contain advertisements encouraging anyone interested in guns to purchase a weapon which has a higher muzzle velocity, which is easier to use, which pumps bullets out more quickly, which has more penetration and which knocks animals over better than other guns. Those advertisements clearly develop a hegemony of thought calculated to encourage shooters to obtain ever more powerful weapons.

They signal the way Victoria does not want to go. The government wants the capacity of weapons to relate only to legitimate uses. The Opposition is frustrating that aim if it proceeds with the disallowance of this regulation. The Opposition is signalling the community that it is not concerned about checking the gun trend in Victoria. It should reconsider this matter.

The Opposition has not given a reasonable answer as to why the regulation is inappropriate and why there is no justification for it.

The Hon. R. I. Knowles—You are the first government member who has attempted to express a rational opinion.

The Hon B. T. PULLEN—I do not want to repeat the arguments put by other honourable members about the feelings in the community. The community is intelligent in its perception of the situation. People do not believe gun control is the only answer to reducing community violence. The situation is more complex and involves the exposure of young people to violence, the alienation of some people from other members of society, and it involves a host of other reasons that the government is endeavouring to address.

Many honourable members are supportive of addressing those issues. It indicates the will to do something about the situation. But if Parliament signals that it is not prepared to tackle this gun issue the community will have no confidence in Parliament addressing other deep-seated issues of violence in our society.

The Opposition must be careful in its juggling of support in country electorates and in its competition vis-a-vis the National Party. It should not go down that path because it will lose credibility.

The public holds an overwhelming view that something should be done, and that has been made clear. A couple of days ago I received a letter from Archdeacon Philip Newman of the Diocese of Melbourne, which encapsulated the views of many people from whom I received letters. In his letter of 6 March 1988, Archdeacon Newman said:

I believe it is important that gun laws are considerably tightened. I do not think that this is a limitation of human rights as some claim. The State has always recognised that some weapons should not be available without restriction, and if there is no reason for someone to have a gun, then they should not. If there are reasons, such as for work, then it should be permitted as long as it is closely controlled and the people trained and licensed.

I ask you therefore to support moves to greatly restrict the availability of guns of all sorts.

The signal that the Opposition is sending differs from that which people expect. The Opposition is doing a disservice to Parliament and to its party by proceeding with the disallowance of the regulation.

The Hon. G. R. CRAWFORD (Jika Jika Province)—I oppose the motion for disallowance and I support the regulation.
The regulation is the first step in a number that need to be taken to tighten the gun laws to remove as many guns as possible from the community. That is the fundamental reason for the regulation.

The Opposition’s motion to disallow the regulation and to make a substitute will cause the opposite situation. If I understand the position correctly—I may stand to be corrected as I do not know the details of the proposition—it will remove a lesser number of guns from society.

Those people who support changes to the gun legislation recognise that it is impossible to eliminate guns completely from our society. Certain classes of people have legitimate rights to carry guns.

The argument against the tightening of gun laws is hypocritical. It is not based upon the fact that society faces the terrible situation of people being killed almost every weekend, mostly by firearms. The regulation is not the complete answer but, by examining the catastrophes that have occurred recently and the death rate, particularly in Melbourne, since Christmas, the Government believes it would be legitimate for people to accuse it of failing in its duty if it did not exercise its obligation to protect the ordinary people in society.

Honourable members all recognise that if people are determined to take lives, the mere fact of depriving them of guns will not necessarily deter them from committing that act. But every week the pattern is there of people who have access to weapons using them to take lives.

Simply stated, the object of the regulation is to remove as many guns as possible from society so that they are not available for use particularly in situations when, on the spur of the moment, because of emotional upset, people lose control.

The Hon. R. I. Knowles—Would you not think that those people should have all guns taken off them rather than simply saying, “We are going to ban a particular category of gun”?

The Hon. G. R. Crawford—No. I cannot accept the Opposition's argument on this. The regulation sets out to remove a range of weapons that are considered to be of the worst type. It leaves a number of weapons within society yet we hear people saying, “Yes, but the weapon I have been left with is not as convenient to use as an automatic and therefore that should be left to me”.

I do not accept that argument and I do not accept the argument that a policeman should have the power to confiscate a weapon upon entering premises and confronting a domestic situation. I have no basic opposition to that proposition, but it is completely unreasonable to expect a police officer confronted with a demented soul with a weapon to remove that weapon. It is trying to close the gate after the horse has bolted.

The object of the regulation is to try to remove all guns from society so that the demented person does not have access to those weapons. The government recognises that the person might seize some other weapon, such as a knife or a baseball bat, but at least people being attacked with those sorts of weapons have a better opportunity of defending themselves or wresting the weapon from the attacker than if it were a rifle or revolver. The major problem is how to judge what is happening. That is the point I was making about the policeman in that situation. Will the proposition require people giving 24 hours’ notice before a domestic situation so that police can be sure that weapons will not be used against them when they enter the premises?

The Hon. R. I. Knowles—How will the government tackle that issue?

The Hon. G. R. Crawford—There are a number of issues.

The Hon. R. I. Knowles—That particular issue.
The Hon. G. R. CRAWFORD—It is the question of what is the cause of the situation, be it pressure of society, financial pressures, domestic pressures, relationship problems, illness or whatever. There is a range of reasons why people——

The Hon. R. I. Knowles—How will the government prevent that particular person from getting guns?

The Hon. G. R. CRAWFORD—The fundamental aim is to get as many weapons, especially rifles and revolvers, out of society so that they are not available. That is the first step. Of course, other questions need to be resolved. As the House is dealing with gun regulations and the Firearms Act, it is concentrating on those factors. Society, for example, must pay considerably more attention to what the media are feeding to our children in the form of motion pictures and all sorts of productions.

It astounds me that someone could produce dolls which have parts of their anatomy hanging out, simulating injured bodies. I cannot understand anyone producing such a toy, and I certainly cannot understand anyone buying it. Nevertheless, those things are happening and honourable members must face the situation that those products are having an influence on our children. However the motion does not deal with that subject matter; the motion concerns regulations covering firearms, which are an everyday factor in Victorian society. Victoria's murder rate since Christmas is at a record high, and the number this year will probably be the highest it has ever been.

One reads reports in newspapers about families being shot dead, including a mother, a father and a couple of children, all shot with a rifle, and a neighbour saying that the father was a clean-living person and seemed to be a good family man. Something has happened to upset that domestic situation.

Honourable members have recognised that certain people should have guns available to them, but I ask honourable members to cast their minds back to a country town—I cannot recall the precise town—where a policeman's wife allegedly took a telephone call and sent her husband out to try to apprehend some intruder in a building, but was met by the wife's boyfriend, another police officer, who shot and murdered the husband. That policeman was licensed to kill, but that is what happened in that situation. It was a cold, calculated plan worked out by a couple of lovers, and no-one is suggesting that policemen should not have access to guns.

The fundamental purpose of the regulation is to remove as many of those weapons as possible from society. The government is not saying that that will eliminate all the sorts of situations where violence might erupt. I recall an incident with a friend of mine who had never owned a gun and never held a shooter's licence. He had a domestic problem with his wife and borrowed a gun from a friend of his, saying he was going shooting with the blokes and so forth, when he had intended to take the rifle to his wife. He was fortunately prevented from doing so by his friends who discovered what was happening.

People are confronted with all those situations in society. If someone wants to have a go at me, I would prefer them to attack me with a baseball bat, a knife or anything other than a gun. That is the position as people see it at the moment. The proposal will obviously cause inconvenience to some members of society, but is that not the case with any legislation that is introduced? Somebody has his nose put out and will not be in perfect circumstances when legislation is passed. The regulation does not take away the rights of farmers, policemen and other people who are recognised to have some right to hold a rifle of some sort, but it is designed to remove as many of those dangerous weapons from society as possible so that they are not available to be used in other circumstances.

I cannot accept the proposition being put forward by the Opposition because, in my view, it is hypocritical. On the basis that the legislation is not good enough, the Opposition is saying that the government should disallow the regulation and come up with some other proposition, as I understand it, that will remove from society not 200 000 guns but a much smaller number. The Bill is being debated in another place at the moment and will shortly
reach this House when the Opposition will have the opportunity of putting forward propositions to improve the measure. I cannot accept the motion, in which the Opposition seeks to annihilate the first step that the government has taken, on the basis that it will fix up the situation sometime this week, by and by.

I do not accept that argument. It is not sincere and the Opposition is only putting up a show. The regulation is a step in the right direction and it should not be rescinded or overridden. I invite the Opposition to explain its proposition for improving gun laws when the new Bill is before the House.

The Hon. C. F. VAN BUREN (Eumemmerring Province)—I shall make a brief contribution because my colleagues have adequately covered this important gun regulation. I am totally opposed to the motion by the Leader of the Opposition and I support the regulation. I am sad that an important debate on gun laws has been treated so appallingly by the Opposition. Its performance in the House tonight has been poor.

Members of the Opposition and the National Party have caused mass hysteria in the provinces. Mr Baxter told the House about the meetings he has attended in support of gun ownership. That sort of campaigning was used prior to the 1982 State election when the Rambo-style circuses went from one meeting to another. As a party organiser, I travelled around the State with the Speaker in another place and at every meeting we saw the same faces—600 screaming Ramboes. Nothing has changed.

The Hon. B. P. Dunn—Most of them were once your supporters.

The Hon. C. F. VAN BUREN—They are still my supporters. My province includes a country area and I have not received one complaint about the government’s proposals when they have been explained. Those travelling circuses conducted by the opposition parties are shades of 1975. Today the Opposition wanted to tear up the rule book and throw it in the rubbish bin. The Opposition wants to do whatever it wishes.

I was around in 1975 and I remember what the Liberal Party did to the Whitlam government; it is trying to do the same today to the Cain government. It will not succeed because the people will not let it happen. I understand the attitude of the National Party because it has always played up to its supporters in the bush.

Gun laws are a hot issue in the country areas. Members of the National Party have said to their constituents, “We support you. Have as many guns as you like and shoot anyone. Don’t worry about it!” The Liberal Party has no policy. It is up and down like a yoyo on the firearms issue. The so-called Leader of the Opposition in another place calls for tighter gun laws one day and then the next, when somebody pressures him, he will not support tighter controls. He changes his stance and is inconsistent. The Opposition tries to make political mileage out of this issue.

As the Minister for Health said about the Liberal Party, it has one policy at breakfast, another at lunch, and a different one at dinner. It comes back the next day and the policy has changed again. That is the policy of the Liberal Party! The government has stood firm on this issue. It had to take immediate action after the Hoddle Street and Queen Street shootings because that is what the community expected from the government.

After those tragedies the Rambo-style people were out on the streets with their guns. This was only a week or ten days after the victims of those tragedies had been buried. It was shocking! That is not the sort of attitude the community wants to see. The government is confident that it is on a good path. It does not want people shot. Members of the opposition parties have to learn that.

If the government had not taken that action, it would have been laughed out of power. It has been strong. The Premier must be congratulated on his willingness to take a firm stand and to make the hard decisions. The facts are that more people are being killed by guns. They are being slaughtered or they are committing suicide. Does the Opposition
want the community to accept that? If one talks to the people on the street, one soon understands that they want tighter firearms control.

The Hon. M. J. Sandon—They want action.

The Hon. C. F. VAN BUREN—That is right; they want action. More murders are being committed and every day a bank is held up by some idiot who has a gun. I am not suggesting that there should be no guns in the community. Like many of my colleagues, I have also been duck shooting and used a gun. I understand what that means but, unfortunately, the wrong people in society are in possession of guns. If those people lose their tempers the first thing that happens in a violent domestic situation is that the guns are used to shoot their spouses.

The government must ensure that responsible people are in possession of guns. The thrust of the debate is not that farmers should be prevented from owning guns. People who need them will be given them, but they will have to use them properly. The honourable member for Evelyn in another place told me that many of the road signs in his electorate have been shot at by the Rambos in our community. Constituents of the Gippsland Province do not want people shooting like mad dogs; they want controls. The government is willing to act and is prepared to do something about controlling firearms. I support the regulation.

The Hon. D. E. HENSHAW (Geelong Province)—I shall begin by quoting a letter that I found in my Parliamentary box yesterday. It is from Mr. Graham Mourney, Secretary of the Presbytery of Barwon of the Uniting Church in Australia. The letter is addressed to me in the following terms:

The following resolution was carried firmly at the Uniting Church in Australia Presbytery of Barwon meeting held at Geelong on Monday, February 19—

"That the Presbytery of Barwon write to the Premier, Leader of the Opposition and local State Parliamentarians notifying them of our strong support for the proposed reforms of the laws of gun ownership in this State."

Yours sincerely,

The letter is symptomatic of representations that I have received from individuals, from farmers, from banks, and from members of the Victoria Police Force expressing a need for a reduction in the number of guns in the community and for restrictions on their availability. The government has moved in that direction and has drafted proposed legislation. It acted immediately by proclaiming a regulation. I oppose the move by the Opposition to disallow the regulation. The motion is short-sighted and political...

My experience with firearms dates back nearly four decades and, I confess, is limited. My experience in my youth was restricted to shooting a relatively simple bolt action .22 rifle. Shooting rabbits with that rifle was easy. I did not have a telescopic sight which would probably have made it easier. Semiautomatic weapons are unnecessary for shooting rabbits.

That leads me to the point that, as I understand it, the disallowance of the regulation as proposed by the Opposition will have the primary effect of removing the ban on the use of semiautomatic .22 rifles. Members of the opposition parties have suggested that those rifles are harmless—they are known as "bunny guns" and pea shooters—that is difficult to accept. Mr. Pullen has already pointed out that such weapons are used in approximately 47 per cent of gun-related homicides. I am assured by knowledgeable members of the Victoria Police Force that if a siege situation arises involving someone who has gone berserk with a semiautomatic .22 rifle, the police would take that situation just as seriously as they would if any other weapon were involved.

In other words, they regard that weapon just as lethal as any other available. They also advise me that being a smaller projectile their flak jackets are less impregnable to those bullets than with larger calibre bullets. That is a concern that has been put to me by the police.
The proposal to disallow the regulation is not warranted. We should examine the proposed legislation so that we can debate it in a sensible fashion and come to a reasoned position on how it should affect the community at large versus owners of various weapons.

The process the Opposition suggested of completely disallowing the regulation is an overreaction. It is causing instability in the community. The Opposition should adopt a more constructive approach and work with the government. We should be able to look forward to the day when we can travel along country roads and not see road signs or tanks riddled with bullet holes. One day we might see police no longer wearing firearms because guns are so rare in the community: I look forward to that day.

The Hon. J. E. Kirner (Minister for Conservation, Forests and Lands)—I oppose the disallowance motion and support the regulation. It was interesting to note that several Opposition members said that they do not believe the debate had really focused on the purpose of the regulation. Government members have no doubt at all about the real focus of the regulation. It is the right, particularly of women and children, to feel safe in our community; that is the purpose of withdrawing semiautomatic guns from the community.

When that is accepted as a prior right, a right that comes before what some people see as a traditional right to own guns, then the government has a responsibility to act, even though we acknowledge, as Mr Crawford put it, that it is not the total answer to engendering a feeling of security in our community.

I was in Shepparton recently and a woman came up to me and introduced herself; she said that she had been caught in the Hoddle Street massacre. She had been driving through the Hoddle Street area in Clifton Hill at that time and was caught in the cross-fire. She did not know what to do, so she kept on driving. She had her daughter with her in the car.

She said to me, “I used to be a supporter of gun ownership as a right, but after the experience of driving through the hail of bullets, not knowing where the bullets were going and knowing that my daughter’s life was at risk, I now resent strongly those people who say that the right to own a gun is a prior right to the right of my daughter and me to safety in the community.”

She then said, “I wish you luck with your gun legislation, I hope your laws can prevent some other people having to go through what my daughter has suffered”.

Her daughter has suffered months out of her schooling after the Hoddle Street event. She was not touched by the shots, but the impact of that experience has kept her out of school for three months because her nerves were in such a state that she simply could not cope with facing up to the public again.

A second principle behind the government’s regulation is that the fewer guns there are in the community the smaller opportunity there is for violence. Guns in domestic cupboards are a major potential hazard, and many of the guns in domestic cupboards are semiautomatics.

The disallowance of the regulation right now would put those guns back into domestic cupboards available to be grabbed and used when people are at a stage where they are not in control of their actions.

The Hon. M. T. Tehan—Where are they now?

The Hon. J. E. Kirner—Probably sitting in the cupboards and some have been handed back. The point is that people now know their use is banned. What the Opposition is doing by removing that regulation which bans use is cutting across its whole argument. Mr Knowles put a reasonable and heartfelt view that we should work harder to achieve good gun legislation. That is a real plus because it is more than the government had from the Opposition in the last round of gun discussions.

I find the argument full of sophistry to say that before we have made up our minds how we shall improve the gun laws we make it legal again to use semiautomatic guns. What
can be the logic behind the argument that we leave a vacuum in the community's ability to resolve the issue, and while we are making up our minds the Opposition puts the very guns about which we are so concerned back into the community?

To support this view, I quote from a letter written by a policeman and published in the *Age* of Thursday, 3 March 1988, which states:

I am not a Labor voter, and I am a sporting shooter. I thank Mr Cain for his gun legislation because I am an ordinary member of the community, and can see the social value in, as Mr Cain put it, "removing guns from cupboards".

I happen to be a policeman. A couple of days ago, I attended a call described over the radio as "a domestic involving a firearm", allegedly involving a 14-year-old girl with a semi-automatic .22 rifle. On arriving at the scene of the "domestic" I spoke to two young girls, the eldest being, in fact, only 14 years old. Both girls were extremely angry over a disturbance which had occurred earlier in the night, and said that they were in fear of people who lived nearby.

Both girls denied having carried a gun outside their home, and a search of the house resulted in a .22 semi-automatic rifle, a magazine and rounds being removed from under the mattress of their parents' bed.

I mention the fact that I am a policeman only to explain my part in this incident. My opinion is expressed as a private citizen. This type of incident, the "gun in the cupboard", occurs time and time again, and can involve any type of person in the community: criminals and non-criminals, men and women, adults and children, the insane and the lucid. The public never knows about it until someone squeezes a trigger or aims a gun at another person.

What is of interest here is the fact that, while there may be no offence committed in the majority of these situations, the great potential for death and injury is present in all cases.

The gun lobby in this state seems to concentrate only on the matter of criminality.

I might say in passing, so does the National Party's contribution to this debate.

The article continues:

The rational basis for any argument on gun-related death and injury is responsibility. Because some people in our community can be quite irresponsible (through, for example, intoxication, immaturity, insanity, carelessness, emotional disturbances—and the list goes on) it is necessary to regard criminality as only a part (and I would suggest, a minor part) of the question.

Because not all people can be held responsible for themselves, it is necessary for the state to act by restricting general access to firearms. The "removal of guns from cupboards" is a step in the right direction.

The Hon. R. J. Long—This regulation does not remove it from the cupboard.

The Hon. J. E. Kirner—Not only do we have the voice of that policeman but also the voice of the boss of the Police Force, Mr Kel Glare, who said after the massacres that semiautomatic weapons have no rightful place in our community. Since the Opposition constantly calls on the government to heed what the Police Force and the Victoria Police Association are saying, I am amazed that in this case it does not feel bound to heed the careful words used by the Chief Commissioner of Police.

The Hon. R. M. Hallam—Did he say "automatic weapons"?

The Hon. J. E. Kirner—One can take the statistics or the opinions. There is no doubt that they both support the government's case. The government decided that a regulation was necessary to put the community on notice, so that it could take another step or a series of steps to improve gun legislation.

Even if the Opposition does not necessarily agree with that position on the regulation, it is outrageous to remove that additional protection from the community before any further legislation is put into place. I am intrigued as to why the Opposition has moved to do that. The only reason I can think of is that the Liberal Opposition moved the motion because it knew that if it did not do so, the National Party would get in ahead of it. When the Opposition talks about the government getting political in the gun debate, it should carefully consider what the Liberal and National parties are vying for, because it is not the trust of the community; in particular, they will not get the trust of women.
Domestic disputes are the cause of at least one-third, and in some years up to one-half, of killings in Victoria every year. Some 80 per cent of those killed in domestic disputes are women, and about one-third of those killed in domestic disputes are killed by firearms. A high proportion of women killed are from rural areas.

Earlier in this debate Mr Dunn spoke about families. If he has a real concern about families in this debate, as I believe he does generally, I cannot see how he can consistently argue that we should put aside this piece of protection before broader protection is put in place. Police, social workers, criminologists and family counsellors all agree that the removal of a gun from the family home can lower the chances of someone accidentally or unlawfully being killed. The New South Wales seventeen-year longitudinal study, which is the only longitudinal study on the issue of guns in Australia, demonstrates the point Mr Pullen was making: that the availability and supply of guns is directly related to the amount of violence in the community.

Over the past four years the number of rifles in the community has increased tremendously, as has the incidence of crime. There is not necessarily a direct correlation, but across the world there appears to be some correlation. The government is not saying, as the Opposition is not saying, that specific groups of people should not use guns to carry out their livelihood or chosen sport. However, I reject the view that genuine sporting shooters, whether the game is rabbits, pigs or deer, require a semiautomatic rifle. They do not. Even if they did require a semiautomatic rifle, at some stage in this debate one would have to make up one's mind where to put one's priorities.

The Hon. R. M. Hallam—That is different from the advice given by your department.

The Hon. J. E. KIRNER—My department is subject to government policy. The government’s view is that one does not need a semiautomatic gun to kill any of the creatures that I have just mentioned.

The Hon. R. M. Hallam—Then the policy has been changed?

The Hon. J. E. KIRNER—As Minister for Conservation, Forests and Lands, over the past six weeks and, indeed, during the past three years I have spent considerable time in country Victoria. I understand the point Mr Hallam made about genuine sporting shooters being concerned that, because of the lack of definition, in the debate they have been lumped in with irresponsible shooters. I understand that concern and I have spoken with people about it. I have even talked with Mr Hallam’s brother in Hamilton at the Flora and Fauna Guarantee seminar about that issue. However, I do not believe the answer is to amend the debate in ways that undermine genuine community concern. If it will be harder for me as Minister to manage the issue of the culling of foxes because the prior demand of the community is to protect people, so be it; I will just have to find another way. The same can be said about other issues such as people who say, “I would like to keep the gun that my grandfather owned”. If the prior interest or greater good of the community is that that gun should be handed over, that will have to be the case.

What this Parliament ought to be debating, and will be debating in respect of the gun laws, is not the issue of what to do with the regulation but what should be done for the greater good of the community. It is the duty of Parliament to place the greater safety of all Victorian citizens above the sensibilities of some. That does not mean we do not take account of the sensibilities, but we must place the safety of all citizens above the rights of a few.

This regulation is born out of a necessity to take action at a time of emergency. The government would have been derelict in its duty if it had not taken some action. The government had the power to do that under the regulation. The Opposition had the power to disallow the regulation after proper discussion and examination under the provisions of the Subordinate Legislation Act. It has not done it that way, and the government will now be placed in a difficult situation tonight because I do not believe the Opposition will change its mind—there will be a hiatus.
The Hon. B. A. Chamberlain—No, there won't, because the Premier will proclaim another regulation in the morning.

The Hon. J. E. Kirner—Despite the smart comment made by the Leader of the Opposition, all the Opposition can do is to advise the government.

The Hon. B. A. Chamberlain—I just said the Premier will proclaim another regulation in the morning.

The Hon. J. E. Kirner—I know what Mr Chamberlain said, but all the Opposition can do is provide advice. Let us not make any mistake: this motion will leave a hiatus.

Mr Baxter concluded his speech with an interesting quotation, which disturbs me. The intention of the National Party appears to be to divide what happens in this Parliament from the will of the people. I think I am quoting him correctly by saying that the particular gentleman he met did not mind leaving the guns in the hands of the people but he would be concerned about leaving them in the hands of the government. On this issue the government is in fact carrying out the will of the majority of the people.

I should prefer to finish with a slogan which seems to me to sum up the situation much better. It is, "Let us control the guns before the guns control us."

As a concluding statement, members of the House need to reconsider the regulation so that there is a holding position until satisfactory new legislation can be introduced. I ask members of the Opposition to think again about what they are doing. If the Opposition uses its numbers to disallow this regulation and if over the next two or three weeks—while new legislation on which I believe we can get a sensible position between us is being prepared and introduced and debated—there is another massacre of 1, 2, 3 or even 4 people, and it is done with a semiautomatic weapon, let us be clear at whose feet the blame will be laid.

The Hon. C. J. Kennedy (Waverley Province)—I have listened carefully to the debate. One thing that strikes me is that one would imagine that the Opposition believed rifles were purchased merely to shoot rabbits and other vermin and were used for nothing else. Another observation which may be made from the debate is that members of the government are interested in people and do not want people to be killed.

It may be that rifles in Victoria were bought originally for killing rabbits and other vermin. The massacres in Victoria have resulted in 30 people being killed, and since the beginning of the year, a woman somewhere in the State has been shot each day, accidentally or on purpose.

On listening to the contributions from the Opposition, one would have heard a recital of the virtues of the .22 semiautomatic rifle. A .22 calibre is roughly a quarter of an inch and a lucky or well-aimed shot to the human brain or heart is enough to kill somebody.

Anyone who has years of experience in the Army with most types of weapons learns that a shot from a bolt action rifle can do an enormous amount of damage. Members of the House should remember it was a bolt action rifle which killed President Kennedy in 1963. It is hard to understand what satisfaction a shooter gets from using a semiautomatic rifle, where by just pulling on the trigger twelve rounds of ammunition can be fired in a space of seconds. It is hard to understand what satisfaction a person derives from target shooting with a semiautomatic rifles. It should be remembered that in legitimate target shooting it is the bolt action rifle that is used and not an automatic.

The Opposition has a policy of allowing non-military weapons to be purchased. In other words, any weapon may be bought and used, so long as it is not a military weapon such as an FN30, a Bren gun, an AK47, a flamethrower, a mortar, a grenade, a 25-pounder, a 105 howitzer or a bazooka. Most weapons sold on the market are semiautomatic weapons which have been heavily remaindered by American companies. Honourable members should not forget that the gun that kills people was not bought for that purpose but was intended for shooting rabbits or vermin.
When police are called to premises to investigate a domestic argument, which usually occurs on a Friday or Saturday night when people have been drinking heavily and their personal problems come out, one of the first things they ask is, "Are there any weapons in the house; any guns; is there any ammunition?" The police do their best to remove those weapons.

I quote briefly from an excellent article headed "Homicide: the social reality" by Alison Wallace. It was published by the New South Wales Bureau of Crime Statistics and Research of the Attorney-General's Department in August 1986. It says in part:

The small percentage of killers who do carefully premeditate their killings are going to find a means whether or not guns are available, but it is highly possible the majority of impulsive killings would not occur if a gun was not readily available. As several observers have indicated, even if another weapon is selected, it is in all likelihood going to be a less lethal weapon than a firearm.

The article continues by saying:

Research has demonstrated that the death rate for victims assaulted by guns is several times that of those assaulted by knives or other weapons. Such research would indicate that guns increase the probability that death, rather than injury, is the end result of an attack.

Honourable members can see that there is something terribly permanent about the result of using a gun in an attack.

A number of people find a certain attraction in guns. Guns make an awful amount of noise and the recoil into the shoulder might give some people a thrill. The smell of cordite is fascinating to a number of people.

I return briefly to the report:

Of the urban and provincial urban killings, 32 per cent involved firearms, compared with 45 per cent in rural areas. Not only was there a higher proportion of gun homicides in rural areas but the gun homicides rate for these areas was also considerably higher. When the mean rate of gun homicides per 100 000 population was calculated over the 14-year study period, the gun homicide rate was found to be more than 60 per cent higher in rural than in urban areas. This difference was statistically significant. There is a much greater rate of firearms ownership in rural areas. It is tempting to believe the relationship between gun ownership and the greater proportion of gun homicides is more than coincidental. Indeed, the argument that the two are linked becomes even more persuasive when it is recalled that the domestic homicide rate is higher in rural than in urban areas. This could be evidence that the possession of guns increases the probability of a homicide among family members and friends, as has been argued in the United States.

It is interesting to note that fatal accidents, murders or homicides occur out of all proportion to the numbers of people in rural areas, because the rate of gun possession is high in rural areas.

I refer to another interesting aspect of the report:

Shooting was the most common method of killing in the spouse homicides: 40-9 per cent of the victims had been shot by their spouse, a higher percentage than that in the total homicide sample. The second most common method was stabbing... followed by bashing... or battering with object... There were some clear sex differences, however, in the methods used to kill spouses. Women always used a weapon. Stabbing was the most frequent weapon used by wives: nearly half... of the women stabbed their husband.

Guns were used in a further 40-5 per cent of the cases. Only one woman allegedly poisoned her husband and no woman bashed or strangled her husband to death. Men, on the other hand, used guns more than any other weapon against their wife.

Manual means are the second most common form of killing. I could give the House more statistics, but they are mostly irrelevant.

I have pointed out the difference in the use of guns as between rural areas and city areas and highlighted the way men use guns against women.

I support the government's attitude on the motion. I support the regulation. I oppose the cheap and snide attacks made by the Opposition. Honourable members should not forget that guns, whether they be .22 calibre rifles, semiautomatic or automatic weapons, are not toys; they are deadly weapons.
The House divided on the motion (the Hon. R. A. Mackenzie in the chair).

Ayes: 22
Noes: 20

Majority for the motion: 2

AYES
Mr Baxter
Mr Birrell
Mr Chamberlain
Mr Connard
Mr de Fegely
Mr Dunn
Mr Evans
Mr Granter
Mr Hunt
Mr Knowles
Mr Lawson
Mr Long
Mr Macey
Mr Miles
Mr Reid
Mr Storey
Mrs Tehan
Mrs Varty
Mr Ward
Mr Wright

Tellers:
Mr Guest
Mr Hallam

NOES
Mr Arnold
Mrs Cox edge
Mr Crawford
Mrs Dixon
Mr Henshaw
Mrs Hogg
Mr Kennan
Mr Kennedy
Mrs Kirner
Mr McArthur
Mrs McLean
Mr Mier
Mr Pullen
Mr Sandon
Mr Sgro
Mr Van Buren
Mr Walker
Mr White

Tellers:
Mr Landeryou
Mrs Lyster

The sitting was suspended at 12.8 a.m. (Thursday) until 12.33 a.m.

SUGGESTED FIREARMS REGULATION

The Hon. B. A. CHAMBERLAIN (Western Province)—I move:

That this House is of opinion that the following regulation should replace Statutory Rule No. 374 of 1987:

"For paragraph (a) in Regulation 24 of the Firearms Regulations 1984 substitute—

'(a) a firearm which—

(i) is not a pistol;
(ii) is a centre-fire rifle;
(iii) is semiautomatic;
(iv) has a bulk reloading capacity of eight or more rounds of ammunition; and
(v) is in the opinion of the Registrar of Firearms of a kind requiring the exercise of special precautions;

(aa) a firearm which is a centre-fire semiautomatic rifle which incorporates a pistol grip in its design or configuration at the time of manufacture, or which is subsequently fitted;

(ab) a firearm which is a semiautomatic rifle fitted with a folding stock.'"

It is the view of the Opposition that certain types of firearms should not be allowed to be used in Victoria. That view is supported by the major shooting and farmer groups to whom we have spoken. Generally speaking, those weapons are described as military-style semiautomatics.

The Opposition has used a definition contained in Western Australian regulations that have been in operation since 1981; I have a copy of the Western Australian Gazette dated 24 July 1981, containing the appropriate prescriptions.

I propose the same definition as contained in that publication, with two alterations: under paragraph (aa) we have reinserted the embargo on semiautomatic firearms having
a pistol grip, which actually makes them antipersonnel weapons; secondly, under paragraph (ab) provision is made for a semiautomatic rifle which has a folding stock.

When debate on firearms generally occurs, the Opposition will be paying attention to those firearms which can be cut down and concealed on a person. That is an area of much mischief particularly in the United States of America. The Opposition is proposing a statutory rule, enforced by the Labor government, that has been tried and tested over a number of years. The terms are supported by associated sporting groups that have recommended the provisions. That should replace Statutory Rule No. 374 of 1987, which the House has just voted to withdraw.

I commend the motion to the House.

The Hon. R. M. HALLAM (Western Province)—The National Party supports the motion. I shall be brief in explaining the position of the National Party, as the issues have been well canvassed during an earlier debate.

The motion suggests that Statutory Rule No. 374, which took effect from 15 December 1987 and which has now been disallowed by a resolution of the House, be replaced by a regulation which would contain a number of quite specific things. It would include as a prohibited weapon a firearm that is not a pistol but a centre-fire rifle, and a semiautomatic weapon with a magazine capacity of eight or more rounds of ammunition which is, in the opinion of the Registrar of Firearms, a weapon requiring the exercise of special precautions.

The motion also includes as a prohibited weapon a firearm which is a centre-fire semiautomatic rifle incorporating a pistol grip; additionally, it includes a firearm which is a semiautomatic rifle fitted with a folding stock. That prescription accurately covers the firearms that we say have no place as sporting firearms, and should be prohibited. The National Party prefers that the prescription be effected by legislation rather than by regulation. We have a fundamental objection to a far-reaching change introduced by way of regulation when those changes became retrospective in their effect. I took the House through the position of the National Party in relation to retrospectivity.

On balance, the motion achieves the restriction on the Rambo-type military firearms. On those grounds the National Party is prepared to support the motion.

During debate on the earlier motion the National Party was invited to submit some positive suggestions as to how the criminal misuse of firearms should be addressed in Victoria. It was implied that we were obstructionist and bereft of ideas, and that the debate had degenerated to a point-scoring situation. The motion now being considered represents a very positive step by suggesting to the House a practical way in which the government may prohibit the firearms which all agree represent the major risk. I repeat the undertaking given on several occasions that the National Party would be delighted to be involved in meaningful discussions with the government to seek some real solutions to the problem that has been identified, and on which all parties agree.

Placing a restriction on the types of firearms that may be purchased is simply not the way to go. I admit that as a junior member of the third party my invitation may not carry much weight in other quarters; I have no pretensions about my position in the House. I have often said that if I take one more step backwards I will be in the street. The invitation I extended was genuine.

If the government will not listen to advice from the Shooting Sports Council of Victoria—a very responsible organisation—or from the Firearms Consultative Committee which the government established, or to advice from the review team which the government set up; if it will not listen to a senior police officer whom the government sent to New Zealand to investigate firearms legislation or to the Registrar of Firearms, I am not surprised that it will not listen to debate in the House.

When it was announced that the government intended to move against semiautomatic firearms, the National Party took the initiative of contacting the then Minister for Police
and Emergency services in another place to arrange an interview. I drove from Hamilton to Melbourne to see him and to plead with him not to include rim-fires and shotguns in the prohibition.

As it turned out, the timing was most unfortunate because the Minister had been replaced as the Minister for Police and Emergency Services. However, in the view of the National Party, that was a positive course of action. I place on record that that was done with the best of intentions. The National Party agrees that this is an issue of enormous importance, and it genuinely regrets that its offers of assistance to find the best possible solution, in which it invited the government to take part, were largely ignored.

The National Party remains opposed to the concept of a substantial change to the law being made by regulation and, in principle, it opposes such a change to the law being made retrospective. The National Party has given ground on this issue, and it has done so in the spirit of cooperation and assistance in the hope that a better solution can be found to the problem of the criminal misuse of firearms in this State. It is on those grounds that I signify the support of the National Party for the motion now before the House.

The Hon. J. H. KENNAN (Minister for Transport)—What honourable members have just heard underlines the absolute unfitness of honourable members opposite to make any pretence of being an alternative government. I do not think Mr Hallam was suggesting that he was putting himself or, indeed, his party, forward as part of an alternative government, but I must say in fairness to him that his arguments are certainly no worse than those of the so-called Opposition.

Mr Hallam indicated today that he was pleased to note that his party was having a great impact on the thinking of the Liberal Party on this issue, and that the Liberal Party has now compromised on its position in the direction of a National Party program approach.

This motion is offensive, and nothing can better illustrate why Opposition members are behaving in this Chamber like the rogue Upper House backwoods majority that they are. When one analyses it, one sees that the motion relates to a regulation-making power that has been sanctioned by both Houses of Parliament in an Act that was assented to in the ordinary way. The regulation-making power is broad enough to cover this and to allow the prohibition of weapons. As I understand it, it already does prohibit the possession of some weapons.

Honourable members opposite are saying, “We have no doubt about the width of that regulation-making power, and that this regulation was lawfully made and approved by the Governor in Council on the advice of the executive in the proper way. But we do not like it, and despite the fact that both Houses of Parliament have passed an Act which enables the executive to put forward this regulation to the Governor in Council and have the regulation adopted by way of subordinate legislation, we will ignore that process because we are no longer prepared to put up with the restrictions of ordinary constitutional government in this State”.

Opposition members say, “We have been beaten twice at the polls, after a long period of government, and we are not prepared to cop the system any more. We are therefore on about the following course: we will amend, wherever possible, Acts of Parliament to say that the Upper House alone can disallow a regulation, even though when we were in government for 27 years we regularly introduced Bills into Parliament that did not say that. In order to entrench the power in this Upper House backwoods rogue majority, we have therefore amended it”.

While this government was making an effort to tighten the Firearms Act, in between massacres and in between the slaughter of people including children, the Opposition set about its destructive pattern of not only attacking and undermining the government’s legislation in a substantive sense but also making sure that the regulation-making power that had been there—and which no doubt was ratified by Parliament under the previous Liberal governments—was virtually ignored.
Members of the Opposition say, “We will attack that and undermine it so that if the government dares to go out and rely on a lawfully made provision, we will bring it into Parliament—even though it is within power, even though the Legal and Constitutional Committee has not examined it, and even though it is subject to the usual conditions—and we will strike it down”.

That sort of action is unheard of, and the process that the Opposition is on about is an example of why its members are no longer prepared to put up with the unusual legal and constitutional laws and conventions of government. They say, “We are having great trouble in our party. We have to have regular party meetings. We have a Leader who is under regular challenge”. The outcome of the Kew by-election is no doubt very much on their minds, as is the question of whether there will be a challenge to the leadership after the by-election and whether that challenge will be successful.

Opposition members say, “We are in a bit of a mess. We have no policies. We do not come into Parliament with policies. We do not purport to adopt the ordinary political conventions, particularly in respect of the life of a Parliament that is in its last quarter. We are not prepared to behave like an ordinary political party and put up a range of policies. Instead, we are on about rorting our majority and concentrating almost all our efforts in this Parliament on making sure that the majority in the Upper House can defy the will of the properly elected government in the Lower House. We are prepared to ignore any suggestion of convention or propriety that has hitherto gone before”.

On the second day of this sessional period, on the day reserved for Opposition business, honourable members are debating possibly one of the most pressing issues in the community, yet the Opposition has no policy framework on which to pursue an alternative government policy out in the electorate, to enable its members to travel throughout the electorate and say, “If elected to government we will adopt the following policies”. Instead, by moving this motion the Opposition is saying, “We are on about rorting the firearms legislation, as we did in the last sessional period, in order to give us the power to strike down proper and lawful regulations made within the strict confines of the law”. The Opposition admits all of that: it admits that the regulations have been made according to all proper conventions, yet its members say, “We are going to turn all that on its head and use the power we have rendered ourselves.”

The Opposition is adopting an attitude similar to that which it adopted when it used to be in government: that is, in and for its mates. All honourable members are aware of that. Any person who has been the Minister for Planning and Environment in government knows what the people out in the community who are affected by development and planning will say as to what will happen if this lot, now in opposition, ever returns to government.

I shall refer to these matters later, and honourable members will debate the situation when a senior Minister was the Acting Attorney-General under the former Liberal government and what happened at this stage, and what happened in relation to a release of a particular prisoner and what the prisoner did during the circumsstanced release. Government members can get out the files on all of that, because that is apparently what we are now into. We will see who is embarrassed and where those sorts of inquiries will lead. I shall come back to that at a later time.

If the Opposition wants to start on this sort of game, the government is learning a lot about the way the Liberal Party ran government and it is true that the sort of rort that the Opposition is trying to perpetuate here is not untypical of the way in which it ran government: it ran government to suit itself and its mates, as against the interests of the community. We will get into the situation of the fingers in the till and allegations as to why Mr Hunt did not resign when he should have. If Mr Hunt thinks that he will come out of this unscathed—if he thinks he will rort convention and behave like this and the government will just continue to cop it—he is wrong. If one wishes to examine the files on what has occurred in the past in the Attorney-General’s Department and elsewhere, the
government is happy to start digging those out. If the Opposition starts tearing up the conventions, it will blow up in its face and elsewhere, in Mr Hunt's case. That is what the Opposition is on about. Opposition members will bleat and scream, but they have started it.

What Opposition members are saying by this motion is, "We do not care about proper government any more. We don't care if this regulation has been properly made". Mr Hallam and Mr Knowles said here this afternoon that there is no question that the regulation has been properly made. There was a regulation-making power which is broad enough to cover this circumstance, but the Opposition says, "We are not interested in taking this through the Legal and Constitutional Committee or any of the ordinary processes. This is a law that has been properly made and we say that we are striking it down".

The government is striking it down because the Opposition is on about mischief, trouble and bad news. That is what the Liberal Party has reduced the situation to. It is no longer on about conducting a proper political agenda or about the public interest; it is on about self-interest, frustration and obstruction. It has been a carefully planned strategy of obstruction.

The party takes an Act like the Firearms Act and, even though for decades a provision has existed that regulations can be disallowed only by both Houses of Parliament, the Opposition amends that because it can see that the government may want to make regulations under a regulation-making power that has been clear and unchallenged and passed without challenge or debate for decades, even though Parliament has had the opportunity of reviewing it on prior occasions. Because the government may want to use that regulation-making power validly and lawfully, the Opposition wants to be in a position to strike it down of its own accord.

It cannot persuade both Houses of Parliament and the people to elect it so it wants to rort the process and say to the government, "Unless you let us amend your legislation this way, to give us the power to strike down regulations on the strength of our majority of one in the Upper House, we will block every Bill. We will not pass your Bills, you can forget your legislative program and forget any pretence of government." What sort of petty blackmail is that? It is the blackmail of numbers!

The Opposition is not on about public interest. It is not saying, "We do not have a committee of Parliament to properly vet these regulations; we are concerned about regulations that might be invalidly made and there is no process for review." It does not put forward a single public interest or a legal or a constitutional argument to justify its stand.

Instead, the Opposition is saying, "If we do not like something, we could not care less whether it is validly or lawfully made or whether both Houses of Parliament pass an Act saying that future governments may, by regulation, enact subordinate legislation to the following effect." The Opposition is saying, "We do not care; we want to be in a position to interfere with that at any time by ourselves, without public sanction, without review, without the Lower House agreeing to it and without us putting forward any policy or conducting a proper campaign on it."

The Opposition wants to waltz in with this resolution and say, "We are going to stop you exercising your ordinary powers of government. We, the Opposition majority in the Upper House, will start telling the executive government what regulations to make." It is an extraordinary proposition, and the Opposition is heading down a destructive path. It does not yet understand—although I think Mr Hunt and one or two others around him may have an inkling—that it is a self-destructive course.

The government will not cop it. Opposition members can thrash around and have their internal party fights; they can have their seasonal elections for their Leader, their daily party meetings, their contradictions as to what policy the corner party is dictating to
them—as Mr Hallam boasted this afternoon—but it will backfire on them because they have no regard for decency, legality or constitutional principle. They are behaving like a bunch of rogue elephants and, when the time comes, government members do not mind digging out the files, if that is what they are on about.

Opposition members were in power for a long time and government members have learned plenty of what the Opposition is on about. We understand the visits at weekends to Ministers' houses for special deals; we have learned a lot about these things. Government members are happy to dig back into the files and have a look at Acts of Parliament and say, "Why was this special privilege or bonus conferred on this group?" We will look back and find out why and we do not mind doing that.

The government has hitherto got on with the job of governing and will continue to do so, but it the Opposition wants to come on with this sort of nonsense and if it wants to turn the Upper House into some sort of self-destructive circus—and the ratchet has been winding down all the time—let it do so.

Because of the Opposition, Parliament is becoming less and less concerned about public interest, public good, legislation, and political debate in the proper sense for the public good. It is more and more about a few sectional point-scoring interests rather than appealing to the wide majority of people. It no longer puts forward policies and programs in the public interest but panders to a few sectional interests to satisfy a few internal appetites.

The government finds this deeply offensive and puts the Opposition on notice that if it wants to go on with this sort of stuff and tear up all the conventions and act in a deeply hypocritical manner, having passed Acts of Parliament that confer regulation-making powers and then tying them down, even though they say it is within power, they will reap the wild wind and it will give some of us the greatest pleasure in delivering it.

The Hon. M. J. ARNOLD (Templestowe Province)—The bareness of the Opposition's argument is shown by the fact that in moving this alternative regulation, honourable members have heard only two speakers willing to stand up on the Opposition side of the House and suggest its acceptance by the House. It is an indication of the lack of support that exists in the Liberal Party at present.

We all know that the Liberal Party is split and party members are at odds with each other; this latest situation brings it home. The Liberal Party has only one speaker willing to get up and support the introduction of the regulations. In fact, what it supported was the disallowance of regulations, the debate that ensued earlier today.

What Opposition members really believe is that they want to get back to the old days. They do not even want to introduce a regulation that will permit some 5000 or 6000 as an alternative to the 200,000 guns that the government is prohibiting under its regulation. It seems to me that that is a strong indication of the current state of the Liberal Party.

We all know where the National Party stands. National Party members are scavengers; they pick up anything they can; they have no morality on this question. They go to the lowest common denominator they can and mislead the people in the electorate. They are not representative of the people in their electorates, they go out and mislead. They do not give the people the information that comes forward from the government, they do not even purport to educate their constituents as to what the government is trying to introduce. The National Party misleads constituents and beats them up into a sort of hysteria that leads to demonstrations in the streets.

I should like to reflect on the words that Mr Hallam used. He is not being honest in the way he puts his argument because he says he has not purported to encourage any of his constituents not to obey the law, yet many people have come to him and said they will disobey the law. I put it to him that he does not explain the law to them as being set out in the regulations and the proposed legislation of the government because it does not suit his interests and it does not suit his party's interests, and that is where the National Party stands.
National Party members would not explain the provisions properly to the people because it is not in their interests and they are never in the business of explaining to the constituents what benefits flow from any legislation. The Liberal Party knows it is in a cleft stick because the majority of its seats are in metropolitan areas and it has done the same sampling as the government has done.

Liberal Party members have done the same doorknocking as the government and the issue has been spelt out in letters by the Leader of the Opposition in another place. He sent letters to 2000 people telling them the gun issue was one on which "we would lose an election" That is why they are hamstrung at present and can only get one speaker to support this regulation. That is why the rest of the National Party members are mute.

The Hon. R. J. Long—It is not a regulation.

The Hon. M. J. ARNOLD—It is a recommended regulation.

The Hon. R. J. Long—It is a suggestion.

The Hon. M. J. ARNOLD—Mr Long is not on his feet supporting the regulation because he is too frightened about what is happening in Gippsland. All Liberal Party members sitting opposite are not game enough to get up and support their purported leader in this place.

The regulation would have the effect of banning 5000 guns compared with the 200,000 that the government’s regulation will proscribe. The guns that the Opposition is talking about are not the guns that are being used in the average suicide or domestic violence situation, nor are they the guns involved in children’s accidents; they are the extremely dangerous guns being used by the Rambos of our society from which the Opposition disassociates itself and concentrates on those on the periphery, which is not the real issue.

At least the National Party has taken a specific view so that we know where it stands. Its members are willing to support anybody who supports them. They pretend not to support the extremists and the Rambos of the community, but we know that is only a pretence.

The fact is that the opposition parties have disallowed a regulation earlier today that should be applied in this State. I shall go back through the arguments put by Mr Hallam and show that he was incorrect. The regulation gives the power to prohibit guns and relates to the aspect of retrospectivity to which he referred. There is no argument about that and no dispute in Parliament or in relation to advice given to the Subordinate Legislation Subcommittee of the Legal and Constitutional Committee when it considered these regulations in part. If Mr Hallam had bothered to investigate that far, he would have found that out.

The legislation was specifically designed to allow regulations to ban certain weapons or prohibit the use and possession of those weapons from time to time. The measure had some flexibility about it. There is no point in saying that Parliament decided that the government should have this power but that it is not using it in the way Parliament believed it should be used so it should be stopped, and then to pretend that the government is doing it by stealth.

The government has carried out this exercise through the normal processes and honourable members know that. If they do not, they should learn something about regulation-making powers in this State.

Technical arguments have been put about the introduction of the regulation as if they justified the fact that 200,000 weapons will now be freed up in this State. The government opposes strongly the suggested regulation and believes it is a backward step. The Opposition seems to have this continual desire to water down measures that relate to such important social issues. I wonder at the real motives behind the people who make such decisions. Those motives cannot be overtly political so there must be some hidden agenda to make certain members of a political party want to do it. They are then joined by the Liberal...
Party. It is a reflection on the operation of this House and I oppose strongly the recommended regulation.

**The Hon. J. E. KIRNER** (Minister for Conservation, Forests and Lands)—The process objected to by the government in this motion has been well canvassed by the Minister for Transport and Mr Arnold. If the government accepted this motion it would significantly reduce the impact of the government’s policy of banning semiautomatic rifles.

The effect of the previous disallowance and the adoption of this proposed regulation would be to ban 6000 to 7000 semiautomatic rifles instead of the 210 000 banned under the disallowed regulation.

**The Hon. R. M. Hallam**—Where did you get that figure from?

**The Hon. J. E. KIRNER**—From the gentleman in the Firearms Consultative Committee for whom you have so much time. The impact would be to return to the position that existed before the government’s regulation was gazetted in December.

That represents a serious weakening of government policy on what we regard as dangerous rapid-fire rifles. At the same time, of course, it would make small inroads into what we know is an arsenal of such weapons in the community. It not only points up the fact that it is a danger to the community to go ahead with this set of proposals but it also points up the proposition that the Minister for Transport and Mr Arnold were making, that what the Opposition is doing by a proposed set of advice on regulations is trying to use this Parliamentary process in a most unusual way. The Opposition is actually using advice from a Parliamentary committee to the government on a regulation that no longer exists.

That seems to be a most extraordinary way to use this House. The only reason it is being done, of course, is because the Opposition is totally embarrassed that, because of the passing of the disallowance motion, a vacuum has been left. The Opposition knows that the newspapers tomorrow morning will say, “Semiautomatic guns back in the community by courtesy of the Opposition”.

The Opposition then says, “But we told the government what else it could do”. The point is that the Opposition cannot do what only the government can do. That makes it a spurious motion. It is a set of advice to get the Opposition out of a hole because it has put the community back into a situation that leaves it with little protection.

The government has no problems with paragraphs (aa) and (ab) because they refer to pistol grip rifles which were previously specifically banned. Paragraph (a) of the proposed regulation puts us back in the situation where only 7000 to 8000 semiautomatic rifles are taken out of the community.

The Western Australian legislation was referred to in debate. It was mentioned that that legislation operates in the same way as paragraph (a). It bans only high powered military-style rifles and the Western Australian police claim to have no trouble with rim-fire semiautomatics or centre-fire semiautomatic guns. That may be right and that is possibly what Victoria’s Chief Commissioner of Police might have said prior to the Hoddle and Queen streets shootings. The Western Australian Police Force has not yet had the experience of Hoddle and Queen streets or the events that happened near Irymple. Who are we to say that because Western Australia has such and such a law that Victoria should follow that line?

What we should be doing is going through the proper process of debating a Bill and making decisions on the basis of that debate. The reason the government is rejecting the motion before the House is not simply because of a concern about returning semiautomatic rifles and, therefore, extra numbers of guns back into use in the community, but because it is absolutely the wrong way to go about it.

The opposition parties go out to the public regularly and say, “We have to do these things because we have to get a proper process of debate going in the community”. They have never placed this notice of motion anywhere near the community. When did the
Opposition allow the community to examine Notices of Motion, General Business, No. 13, as the government has done with the gun law issue?

This notice of motion is not a normal Parliamentary process of making legislation or regulation. The Opposition is using Parliament as a device to control the government in exile, as the Minister for Transport so correctly said, and to stop the community from having a real say in the debate.

The government opposes the motion.

The Hon. B. A. CHAMBERLAIN (Western Province)—I shall address some of the remarks made by the Minister for Transport, the former Attorney-General, who, by his performance in the House tonight, certainly would disqualify himself from ever holding that position again.

The Minister attempted to intimidate the Opposition by threats of blackmail. It was one of the most reprehensible speeches given in this House and, if that is the state of public morality, it is no wonder the people want to get rid of this rotten government.

The Minister had the temerity to say that the Opposition had no regard to any legality, decency or constitutional convention. It is exactly because those remarks can apply to the government that the House has granted itself the power to disallow regulations. The government has consistently abused Parliamentary process. It does that in several ways, and I have spelt them out before. It has refused to proclaim parts of Acts that have been passed by both Houses of Parliament. Parliament has had to adopt a mechanism in relation to the proclamation of sections of Acts to ensure that the sleazy tricks cannot happen again. What has occurred with the regulation-making powers? The government has attempted to make exemptions to Acts, as has occurred with respect to the freedom of information legislation, in an attempt to get around the normal Parliamentary processes.

The Premier has used his overriding powers, for instance, in the freedom of information legislation to remove the safeguard mechanisms that Parliament has placed in that legislation. It is humbug for the Minister for Transport to say that the Opposition is breaking constitutional convention. The Opposition is using legislation passed by this House.

I could have objected to the fact that the Minister was reflecting on decisions of the House, on Acts of Parliament. I did not bother doing that, but it was the absolute limit when the Minister used threats of blackmail to try to intimidate the Opposition from pursuing legally permissible inquiries through Parliament. The Minister is a disgrace. It is an issue that borders on affecting the privileges of the House.

I make two further points about the government assertion that the Opposition has given itself the power to disallow regulations as though that were some strange apparatus in Australian constitutional history. That process has been on the statute books of the Australian Senate since 1932. It has been on the statute books of the New South Wales and Western Australian Parliaments for decades, and on the statute books of the Westminster Parliament for decades.

The Opposition is pleased that it has this power in place because it is designed to keep the government honest. That is a difficult process when a party is prepared to squander hundreds of thousands of dollars of public money on public opinion polls for party political purposes, or $150 000 on a Greek newspaper designed to look after the cause of the Labor Party.

The government time and again is abusing its public trust and is spending public moneys for blatant political purposes. The Opposition has no regrets about moving the previous motion or this motion. The government is a humbug so far as public morality is concerned.

The House divided on the motion (the Hon. R. A. Mackenzie in the chair).
The Hon. HADDON STOREY (East Yarra Province)—I move:

(a) That a Select Committee of five members be appointed to inquire into and report upon all aspects of The Constitution Act Amendment (Electoral Reform) Bill and the circumstances surrounding the holding and conduct of the Nunawading re-election on 17 August 1985 and the subsequent inquiries and explanations in relation to matters arising therefrom.

(b) That the committee shall consist of the Honourables A. J. Hunt, M. A. Birrell, B. P. Dunn and two other members who shall be appointed by lodgment of the names with the President within seven days by the Leader of the Government and in default of such lodgment then by lodgment of two names with the President by the Leader of the Opposition at any time thereafter.

(c) That the committee may proceed to the despatch of business notwithstanding that all members have not been appointed and notwithstanding any vacancy.

(d) That the committee shall elect a deputy chairman to act as chairman at any time when the chairman is not present at a meeting of the committee.

(e) That three members of the committee shall constitute a quorum.

(f) That a member of the Council, though not a member of the committee, may attend and participate in its deliberations and question witnesses, unless the committee orders otherwise, but shall not vote.

(g) That the committee may sit at such times and at such places as seems most convenient for the proper and speedy despatch of business.

(h) That the committee may send for persons, papers and records.

(i) That the committee may sit in public or in private as thought appropriate from time to time.

(j) That the committee may ask for explanations and receive evidence from:

(i) Ministers and members of the Legislative Council;
The motion seeks to establish a Select Committee of this House to inquire into and report upon three matters: firstly, all aspects of The Constitution Act Amendment (Electoral Reform) Bill; secondly, the circumstances surrounding the holding and conduct of the Nunawading Province re-election on 17 August 1985; and, thirdly, the subsequent inquiries and explanations in relation to matters arising therefrom.

Over the two and a half years since the Nunawading Province re-election, honourable members have witnessed a pattern of cover-up by this government. Honourable members have seen exposed the use of bogus how-to-vote cards at that re-election, and then a process of evasion and avoidance of all of the facts to such an extent that an air of conspiracy has been created about the whole proceedings.

The government then had the temerity to introduce a Bill referred to in the motion amid claims that it wants an electoral process that is fair and democratic, and it asked the House to respond to that Bill. It said that the Bill is designed to overcome the problems that occurred at the Nunawading Province re-election. One cannot say whether it will overcome the problems that occurred at that re-election until one knows exactly what happened. One must first discover how it was organised, how it happened and how one can understand the process that occurred on that occasion.

Over the past two and a half years the government has erected a facade comprised of lies, deceits, evasions and diversions because it has done everything it can to prevent a full examination of what took place on that occasion. The government has created smokescreens to divert the attention of people from the circumstances surrounding that re-election. Indeed, the cover-up has now become a major issue, perhaps even greater than the manipulation of the electoral process that took place at the Nunawading Province re-election.

The facts as to what happened have had to be drawn like teeth from the government. Throughout the whole process the government has taken every step to avoid those facts coming out; but slowly, bit by bit, some of the facts have emerged. As they have emerged, they have unleashed that stench of corruption which surrounded the actions of the government on that occasion. We have witnessed Ministerial interference in inquiries that have taken place. Attempts have been made to prevent the due process being undertaken through the Chief Electoral Officer's inquiry. We are still left with innuendo and suspicion, and that appears to reach the highest level of government.

The only way of getting to the bottom of what happened and discovering why there has been such a concerted effort by the government to cover up this matter is to have a full judicial inquiry, but the government has refused to have such an inquiry. That leaves only the creation of a Select Committee of this House to get to the truth of what occurred, find out who was involved, what they did, who knew what was going on, what was done to cover up, and why action was taken to cover up.

I shall remind the House of the facts without going into too much detail. On the day of the re-election what purported to be a card for the Nuclear Disarmament Party was handed out. In fact, as honourable members now know, it was a fake card put together by people
in the Labor Party which was designed to influence voters' preferences. When complaints were made Mr Peter Batchelor denied any Australian Labor Party involvement and said that the fake card must have been the work of some university students. He simply lied to the public about what had occurred.

Stories then started to come out in the media implicating various members of the Labor Party. Eventually on 10 October, some two months after the re-election, Peter Batchelor admitted his involvement. He did so simply because the heat had reached such a degree that he was put up as the person to take the blame. Over that period the stories which seeped out to the media showed that the printing of the card had been arranged by members of the Australian Labor Party and the distribution was organised in the office of the honourable member for Ringwood in the other place. Volunteers were told to ring a telephone number if they wanted any assistance, and the telephone number turned out to be for a telephone in the Premier's office. The Premier's adviser, Mr Michael Salvaris, was also implicated as having been involved.

It was clear that the card was a fraud. One would have thought that the Premier, who likes to claim he is pure and all things good and utterly opposed to corruption, would have admitted what had happened, would have accepted the responsibility for what was done by members of his party and would have made a full revelation of all the facts so that the matter could be put to rest.

Instead of that, there was a conspiracy to conceal all the facts. The Nuclear Disarmament Party made a complaint to the Chief Electoral Officer, who commenced an inquiry which involved his calling in the police to make their inquiries and report to him. The Premier refused to direct his staff, members of the Australian Labor Party, to cooperate and in that way inhibited the inquiry. The Premier avoided or evaded questions asked in Parliament which were designed to elicit the facts of the matter. Generally, the task was made very hard.

As members of the House now know, the Chief Electoral Officer received a series of legal opinions, based on reports given to him by the police, which recommended prosecution. It is also known that the then Minister for Property and Services, the honourable member for St Kilda, sought to influence the Chief Electoral Officer by suggesting that he seek other opinions, despite the wealth of independent legal opinion that had already been obtained. Finally, some advice was given suggesting no prosecutions and the Chief Electoral Officer then said there would be none.

It is ironic that the only reason we know the details is because—despite the government's protest and opposition—eventually the Administrative Appeals Tribunal required the government to reveal certain documents under the Freedom of Information Act. The information was dragged from a reluctant government and it was a revelation when it came out because it showed that the honourable member for St Kilda had interfered in the inquiries conducted by the Chief Electoral Officer, despite the fact that the Premier had repeatedly said in Parliament that the government had nothing to do with the inquiries and was leaving the matter entirely to the Chief Electoral Officer.

The information also revealed that the Solicitor-General had said that he was inquiring on behalf of the government as to when any prosecutions were going to be launched and sought to put the view that any prosecutions ought to be delayed for at least a week. That is known from the file note kept by the Victorian Government Solicitor of the conversation, which file note also was revealed only because of the freedom of information action.

It is known that the request was made during the last week of the sessional period, at a time when the government was coming under increasing pressure in Parliament because of this episode. It is not the frankness or cooperation of the government which has enabled as much information as this to become available. The information has emerged only through media inquiries and through the freedom of information action. It is very revealing that Judge Rowlands, in giving his decision in the freedom of information application, expressed concern that the independence of the Chief Electoral Officer appeared to be less
than it should have been because of the action of the then Minister for Property and Services.

What do we have? There is a situation where not all the facts are known. Some additional facts were revealed in the media a week or two ago. Apparently some information from police reports was made available to the media. All the facts which have emerged simply leave other questions unanswered.

The government's contribution has been to hinder and hamper every inquiry. The State Secretary of the Australian Labor Party has lied; there has been a lack of cooperation with the police; there has been a refusal to answer questions in Parliament; there has been interference with the work of the Chief Electoral Officer; and there has been the attempt to delay proceedings.

What is there that the government wants to hide? It is clear that the government is concerned about something, that it wants to hide the true facts, that it is frightened of any proper and full inquiry into what occurred in this episode. The government wants its secrets kept in the dark. The only way to get rid of the cloud hanging over our democratic process is to have a proper inquiry.

There are ten questions to which the inquiry will reveal the answers:
1. Who were the people involved in the original episode?
2. Who were the originators of the scandal?
3. When did the Premier first know about the bogus how-to-vote cards?
4. When did the then Minister for Property and Services first know about the bogus how-to-vote cards?
5. Did the Premier's adviser cooperate with the police?
6. Was there an attempt to cover up the facts?
7. Was Parliament misled?
8. Was there an attempt to influence the Chief Electoral Officer?
9. Did the government plan to string on the inquiry until after the time for prosecutions had expired—twelve months after the incident?
10. Will the Bill that has been brought in overcome the problems that have been revealed?

There are probably many other questions which can be answered by a proper inquiry, but the answers to those ten will reveal fully to the public what happened. The answers will remove the concern which is still felt by the community and which will continue to be felt about this episode until there has been a full and frank disclosure.

I have moved that the Select Committee be set up. The Select Committee will consist of five members. It will have the opportunity of reviewing The Constitution Act Amendment (Electoral Reform) Bill in the light of what it finds out about the bogus how-to-vote cards distributed during the Nunawading Province re-election and about the cover-up. The committee should be an all-party committee; the motion assumes that it will be. The Select Committee will have the power to send for persons, and that includes Ministers and members of Parliament. It will have the power to present interim reports to Parliament, if required. It will have the opportunity of throwing light where at the moment there is darkness and where there is concern and despondency.

I hope the government will cooperate with the Select Committee so that it can operate as all-party committees do, in an objective manner, to ascertain the facts which surround this episode and provide responsible advice to Parliament which will assist members of
the House in dealing with the Bill and will assist the whole community in ensuring that the electoral system in the State is fair and honest.

I commend the motion to the House.

The Hon. W. R. BAXTER (North Eastern Province)—I indicate the National Party's support for the motion. It is not appropriate tonight—the late hour notwithstanding—to canvass all the issues surrounding the Nunawading Province re-election; it is more appropriate that the Select Committee to be established should have that task. Members of the House should not pre-empt the work of the committee by speculating on the various issues tonight.

It is important to keep in mind that the integrity of the electoral system is basic to the maintenance of confidence in our democracy and that if any action is undertaken which undermines the integrity of the electoral system that action leads to a loss of faith by the people in our democratic system. The Nunawading Province re-election episode has seriously weakened the confidence of the people in our electoral system and our democracy.

Mr Storey has referred to some of those facts tonight and I will not recount them, although it is important to mention several. Surely one of the most deserving features would be the activities of and attitude displayed by Mr Peter Batchelor who, when questioned about the matter, engaged in an elaborate game of bluff and deliberate misrepresentation; perhaps one could even go so far as to say there were blatant lies. Subsequently he admitted to his involvement, but even then tried to palm it off by claiming that his involvement was that of a private citizen, not as an operative of the Australian Labor Party. It goes without saying that the flimsy excuse carried no weight.

Then there was a series of legal opinions; I should have thought that some of the persons who gave those opinions that were not accepted would appreciate the opportunity of clearing their names before a committee. There were the disturbing remarks made by Mr Justice Rowlands at the Administrative Appeals Tribunal hearing, when he cast some doubt upon the independence of the Chief Electoral Officer. It is universally held—at least on this side of the House—that the independence of the Chief Electoral Officer should be confirmed, and should be of paramount importance.

As Mr Storey said, there have been various items of information dribbling out during the three years since the election, indicating that there is something that the government is desperate to hide; it ought to be cleared up and the truth made known to all Victorians. Not only did the Nunawading Province re-election situation test the faith of people in the system but it tended to reaffirm an unfortunate attitude held by many in the community that, regardless of party, all politicians are somewhat crooked when it comes to elections.

Although that has nothing to do with the government or with what the committee might inquire into, an event on the Federal scene has confirmed in the minds of those who already doubted the integrity of the system that all is not well. I refer to the declaration by the Australian Labor Party at the Federal level in the New South Wales branch about donations to the 1984 election. That is a matter still subject to police investigations, and is yet to be resolved.

In the minds of many people that investigation has tended to throw further doubts on the integrity of the electoral system. There is a tendency in the community by many who are not close to the Parliamentary and political system to believe the worst when it comes to politicians.

In the electorate I represent lives a gentleman who is keen on publicity, and who is something of a demagogue. He has published a document in which he has made all types of extraordinary assertions to which I give absolutely no credence. He asserted that we may well have seen the last election in Victoria, as Mr Cain might seize power so that there will be no further elections. That is the most fanciful and extraordinary allegation that one could make.
However, following publication of that article, approximately six or eight people have contacted my office to obtain my opinion on whether the article contained any substance. The Nunawading Province re-election affair, the Mick Young affair and other allegations about interference in the electoral system are creating doubt in the community and sapping confidence in the honesty of the system.

It is essential that a full and open inquiry should clear the air, not only for the benefit of the electorate at large, but also to clear the reputations of all members of Parliament. My reputation has been besmirched by these events because we are all tarred with the same brush in the minds of many people. I do not like my reputation being tarnished. The National Party wants an inquiry to clear the air and to ascertain what transpired in the Nunawading Province re-election.

The Hon. D. R. White—Why aren’t you on the committee?

The Hon. W. R. BAXTER—Because I am fully engaged in investigating WorkCare, another disaster of the government; that is developing into quite a task. I would like to be on the committee but there are only 24 hours in a day.

As Mr Storey has said, the matter could be cleared up by a full and open judicial inquiry. Tonight I have received an extraordinary letter from the Premier, enclosing a copy of a letter he had written to the Leader of the Opposition in another place. I do not know why I was sent a copy of the letter—perhaps he thought I would intercede on his behalf with the Leader of the Opposition. That is not my role and I have no intention of so doing.

In the letter the Premier makes reference to how an Upper House committee might conduct itself, and expresses a number of concerns. The Legislative Council is exercising powers which it has held for many years and which have been used on previous occasions by the Legislative Council; certainly that would be within the memory of many members present tonight. I do not think allegations were made on those occasions that the inquiries were improper. If the Premier has some concern about a Legislative Council committee inquiring into the matter, the solution is in his hands. As Mr Storey said, the Premier can establish a full and open judicial inquiry; there would be no need for a committee of this House to make its own inquiries. However, as the Premier has steadfastly refused to take that course of action there is no avenue left to this House but to seek the facts through the establishment of a committee.

I have confidence in the capacity of the persons nominated in the motion, together with the two members whom I hope the government will nominate to the committee. As I have found while serving on the WorkCare committee, round-table discussions and the consideration of evidence by members of the different parties tend to go to the heart of the matter fairly rapidly and, believe it or not, often result in consensus being reached fairly quickly on what may have otherwise been divisive matters. I have no reason to believe the same would not apply to a committee established by this House to consider the Nunawading problem.

Members in this House have the capacity and integrity to approach the matter in that manner in an endeavour to establish the facts. That is all the Opposition asks for—facts. During the past three years there have been smokescreens, innuendoes and all types of suggestions from various places, including newspaper articles and appeals to the Administrative Appeals Tribunal.

It has become a total mystery. The motion seeks to elucidate that mystery through the committee, having been established here tonight, getting on with the job after the government has appointed its two representatives to the committee.

The Select Committee would be able to undertake its work fairly rapidly. I do not imagine it would be involved in a very long inquiry. It could then report to the House, and I assume that its findings would clear up the mystery that surrounds the Nunawading Province re-election.
The people's confidence in the electoral system of this State would be restored and we could prepare for subsequent elections in this State with the confidence that this democratic State of Victoria conducts its elections in a fair and proper manner and that the sort of chicanery that might occur in other countries has no place and will not occur in Victoria.

The Hon. E. H. WALKER (Minister for Agriculture and Rural Affairs)—I wish to commence my remarks by saying that I take some exception to being asked to stand attendant to Opposition business on a Thursday morning on a matter that is two and a half years old and on a motion that has been on the Notice Paper for some months. I believe it is totally unnecessary. I consider it a breaking of agreements generally held over the years.

However, since the Opposition forces us to do so, I believe we must continue to debate the matter at this hour. It is an important matter and I do not believe it can be properly managed at this hour, nor do I believe any other business of this House can be properly managed in this manner. I simply wanted to register that complaint.

The Hon. B. A. Chamberlain—Instead of filibustering earlier in the evening, you could have debated this motion.

The Hon. E. H. WALKER—Mr Chamberlain should not expect me to listen to him. I am sick of hearing him. He should not expect any decent sort of attention from here on, because I am not interested in making any sort of reasonable agreement with him in the future. Mr Chamberlain can go ahead and barrel it through with his numbers, but he should not expect any cooperation from members on this side of the House. The Opposition has broken some reasonably held management agreements in this House, and I take a personal exception to it.

Mr Storey has moved for the establishment of a Select Committee. The government considers it to be a rather desperate and cynical attempt to keep alive what I believe to be an old and dead issue for cheap political purposes. I cannot see it in any other light than that. One could almost have predicted that the Opposition would bring this issue back in this time slot, hoping it would get something going that would be politically advantageous during the year, and to try to undermine it in whatever fashion it can. That is how I see the motion being presented in the way it has been presented.

I suppose the Opposition will use its numbers to push the motion through this evening, in order to try to get something going that will be of favour to it electorally. It is a shoddy approach. The government does not see it as being relevant in any way.

Listed on the Notice Paper as Orders of the Day, Government Business, No. 7 is The Constitution Act Amendment (Electoral Reform) Bill. The government is strongly advocating the adoption of that Bill and its enactment because it believes the Bill addresses the issues that need to be addressed in this manner. It represents a correct and proper response to the concerns and problems that have been apparent in the electoral system. Nobody denies that problems exist.

The government has normally been strongly supportive of the committee system in the Legislative Council. As a House of review, the Council is well placed for its committees to examine important issues—the government does not deny that—and bring reports back to this Chamber for analysis and debate.

The electoral reform Bill that I mentioned should now be debated and passed. Honourable members should really be spending their time debating that measure if they wish to take positive steps in that area. The government has prepared the Bill, it has been introduced, and it should be debated and passed.

The introduction of the Bill is timely, and now is the occasion when it should be passed. The Bill has been available for scrutiny for some months. Therefore, I expect that serious members of this House are familiar with it. A Select Committee will not add insights into or, in my view, propose amendments to that Bill that have not already occurred to
members of the House. In other words, the measure has been around long enough to be well understood and to have received proper scrutiny.

Despite that, the government is prepared to accept the establishment of a Select Committee to examine the electoral reform Bill. It is not a bad process, and the government would welcome any objective analysis of such an important and urgent legislative reform. That is a proper use of the committee system.

The government is not opposed to that aspect of the proposed terms of reference of the proposed Select Committee. However, it is totally opposed to a Select Committee examining the Nunawading Province re-election of 17 August 1985. As I said earlier, it is a transparent political manoeuvre to add The Constitution Act Amendment (Electoral Reform) Bill to the proposed terms of reference of such a Select Committee simply to try to give the Opposition some respectability, and I believe it is a manoeuvre quite unworthy of the Deputy Leader of the Opposition in this place.

The government's opposition to this approach is based on four major grounds. Firstly, the anti-nuclear how-to-vote card incident associated with that re-election, although silly—and I want to refer to it as silly—was relatively insignificant and certainly not unique. There have been other similar incidents that have been more significant.

Secondly, the Nunawading case has already been subjected to the most thorough scrutiny by all authorities and bodies. In my view, further analysis is not only political gamesmanship but also a waste of time and resources. Honourable members could use their time better by getting on with debating the electoral reform Bill.

Thirdly, further examination of the Nunawading case is quite an abuse of Parliamentary privilege and an improper exploitation of the Parliamentary system. I am surprised that somebody as knowledgeable and senior as Mr Hunt is associated with it in any way.

Fourthly, as Claude Forell said in yesterday morning's Age, it is noted that there is serious doubt and legal disagreement on whether any cards such as those used in the Nunawading Province re-election contravene the law. That is an interesting point, and I am sure Mr Storey has read the article.

I shall expand on each of these grounds of opposition to the motion. Firstly, the Nunawading Province re-election how-to-vote card incident was insignificant and certainly not unique. The news files on questionable practices associated with how-to-vote cards in elections and by-elections go back a long way. Any impartial assessment of such incidents would have to conclude that all sides of politics—certainly all sides in this House—would have been involved. There have been two spectacular examples in Victoria in recent years, and I shall detail them briefly.

As most honourable members would be well aware, such an example occurred in 1979 during the State election for the Legislative Council seats of Melbourne North Province, which were then contested by Mr Sgro and by Mrs Hogg. The campaign was run by a so-called independent whose campaign advertising billed him as "Your Labor candidate".

The same independent candidate circulated a how-to-vote card which was headed, in large type, "LABOR", and which directed preferences to the Liberal candidate. The name of the real Labor candidate appeared on the card in minute type. The independent candidate was reported in the Age after the election as admitting that he had no connection whatever with the Australian Labor Party. He was further reported as saying that the word "Labor" on the card meant that he represented the working people. He referred to himself as a worker.

In fact, that independent candidate was a Coburg businessman, and it is worth noting that the card also contained the statement, "Your candidate represents honesty in your electorate". That is an interesting statement for such an individual to make.

The how-to-vote card in question was the subject of a Supreme Court hearing on the day of the poll. The outcome of the hearing was that the Supreme Court refused to prohibit
the distribution of the how-to-vote card because the judge said he was not persuaded that the card would be likely to mislead a voter in the execution of his or her vote.

The Supreme Court could hardly have known the outcome of the election at the time it made its decision—it made the decision on polling day. The independent candidate received 19·6 per cent of the vote—an extraordinary percentage. The Labor vote in that province was 10·1 per cent down on the previous election but, more importantly, it was 19·7 per cent down on what it was in the subsequent election.

In other words, there was a close relationship between the reduction in the true Labor vote and the vote for this independent. Mr Sgro knows this case only too well because he was also involved in the election and, at a later stage, he may want to outline his view of what occurred—that is was a clear-cut case of a how-to-vote card scam.

A more recent example occurred at the March 1985 State election in Gippsland South involving the Liberal Party. The incident followed a decision of the ALP to direct preferences to the National Party. It is true to say that, from time to time, the Labor Party has directed preferences to the National Party.

The Hon. B. A. Chamberlain—And vice versa—1970!

The Hon. E. H. WALKER—Senior local Liberals and their associates, including the Liberal candidate and former National Party member of Parliament, Mr Neil McInnes, wanted to maximise the Liberal vote so they put out a fake ALP how-to-vote card, contrary to the ALP's wishes, and the card directed ALP preferences to the Liberal Party candidate, who was then Mr McInnes.

The fake ALP card was designed to look like the official ALP card. It was identical in shape and was even printed in the same colours, then the traditional ALP colours of yellow and black.

The fake ALP card used the words “Australian Labor Party” in bold print in the heading and it was clearly designed to mislead voters. It bore no mention of the fact that it had been produced by the Liberal Party. In fact, Mr McInnes has admitted since that he picked up the cards from the printer.

The result of the election was that Mr McInnes received an unusually high proportion of Labor Party preferences, although the present National Party member, the honourable member for Gippsland South, Mr Tom Wallace, won easily.

By way of comparison, in the two other States where Labor preferences were distributed, the Liberals won 8 per cent and 15 per cent of Labor preferences, whereas in Gippsland South, 24 per cent of Labor Party preferences went to the Liberal Party candidate. Those two examples are typical of shady practices that have been going on in relation to how-to-vote cards since they were first introduced. That is the context in which the Nunawading incident should be seen.

What took place in relation to the anti-nuclear card was stupid and unjustifiable, and I do not intend to defend it. However, in reality, the card did not reverse the intent of the Nuclear Disarmament Party. It could be argued to have, in some sense, reinforced it, unlike the case I just mentioned where the intention was entirely reversed. The card used in the Nunawading Province re-election may have been silly, but it was not damaging in the sense that the other two examples I mentioned were.

The point is that there have been many “Nunawadings” in our electoral history; everybody in this House knows and would recognise that. If a Select Committee is to examine those issues, it should examine all such cases. It is sheer hypocrisy to single out the Nunawading case for attention, and yet that is what the terms of reference do.

Our second major ground for opposition to the Select Committee examining the Nunawading incident is that it has been examined totally and thoroughly by all appropriate and proper authorities. In relation to the aftermath of the Nunawading incident itself, the
responsibility of the government was clear. Once a complaint had been made to the Chief Electoral Officer, the process of investigation had to take its course. The role of government was to ensure that the inquiry by the Chief Electoral Officer was completely independent and free from interference and, despite what Mr Storey says, that was done.

Mr Storey, in his innuendo or suggestive comments, makes it sound as though the inquiry was in some way improper. It sounds as though the result was forced upon the Chief Electoral Officer and as though he somehow only did the bidding of the present government. That is an outrageous suggestion. Mr Storey did not say so in as many words, but the implication was there.

On 20 August 1985 the State Electoral Officer, Mr Eric Richardson, referred the complaints to the police for investigation. In October he sought advice from the Crown Solicitor which was followed by Peter Batchelor's admission that he was involved. Also in that month, Cabinet approved the legislation that is now before the House to ensure that no political party can abuse the how-to-vote card system.

I should like to say that if anyone can read that in any way other than as a genuine response to what is seen to be a problem that has existed for some years, I would like to know about it.

The reality is that the government took action. No previous Cabinet has addressed the issue in the same manner. Some credit should be offered for the fact that that work was done and the Bill is on the Notice Paper ready to be taken into account.

In February 1987 the police report went to the Director of Public Prosecutions, Mr John Coldrey, QC; in March, both the police report and the report of the Director of Public Prosecutions were delivered to Mr Richardson, and on 8 May last year Mr Richardson announced that there would be no prosecutions arising from the matter.

In August, as Mr Storey says, the Administrative Appeals Tribunal heard the appeal against the decision not to grant journalist Paul Chadwick freedom of information access to the opinions given to Mr Richardson in arriving at his decision not to lay charges; and when Judge Rowlands saw fit to grant the Herald newspaper access to the document in May last year, the government again, contrary to the suggestion of Mr Storey, accepted that ruling with some good grace.

It did not take the kind of attitude and opinion that Mr Storey suggests. In all of this process the government has been open and clear; it has had nothing to hide and has hidden nothing. The reality is that the suggestion in the comments of Mr Storey, and to some degree in those of Mr Baxter, is that the government has consistently endeavoured to do other than that, and I reject that notion. The fact is that that is not the case. Indeed, the government's full and proper pursuit of the matter is unique.

It is the only time an incident such as this has been fully investigated and it would be the case least in need of further investigation. No other case has been subjected to anything like that sort of investigation, and yet here we are looking at a proposition for a special committee to investigate the case that is least in need of investigation, since it has had more investigation than any other similar case. No more work is needed at all!

More than that, the case has been investigated to the extent that legislative reforms have been proposed to ensure that such a thing does not happen again. In other words, not only has the investigation occurred, but also a follow-up has occurred in the legislative sense, that is, in the form of the Bill I mentioned. All it needs is for Opposition members to stop playing their petty little games with politics and turn their attention to the substance of the issue, and the way to do it is the way I suggest.

I turn now to the third major ground for opposition to the proposed terms of reference. The House must not go down the path of reviewing the work of statutory offices such as the Chief Electoral Office. The function of Parliament is deliberately kept separate from
the application of the law. I have no doubt that Mr Storey would, at least as a general proposition, agree with that and so would Mr Hunt.

The function of Parliament is deliberately kept separate from the application of the law. We frame laws, and the police, the courts and, in this case, the Chief Electoral Officer are all legitimate law enforcement agencies that have been involved. In other words, the normal sequence of application of the law has been followed by each of those agencies.

Sometimes we frame inadequate laws or laws that are open to interpretations other than that which was initially intended. It is then our responsibility to legislate for change. Again, that is the purpose of The Constitution Act Amendment (Electoral Reform) Bill.

The committee system, if used for proper purposes—and it can be—can enhance the Parliamentary process and improve the political process. It can benefit communities and I am suggesting that we use it that way. It is proper for Parliament to examine the validity and appropriateness of the current Act and the proposed amendments.

Select Committees should not be used to review the work of law enforcement officers or other authorities. To do so would set a new low standard for the conduct of this House in the exercise of privileged political powers.

Any committee constituted for such a purpose cannot be anything other than a political stunt. That is what it is. It could never be viewed as independent, objective, fair or even reasonable, whatever the outcome and whomever participates; it can only be seen as political in intent and political in proceedings. I would have to say it is a partisan witch-hunt—speaking of "hunts", sadly, a witch-hunt lead by one of the finest supporters of this House.

The powers under the Standing Orders of this House are virtually unlimited and carry a responsibility on all of us to ensure that they are never abused. In this case, there is no justification. The issue is dealt with in the Bill and the specific case has been well and truly examined by the proper authorities and has been determined.

I turn to the fourth major ground for opposition to the committee's proposed terms of reference. There is considerable doubt about the law that applies in this case. It is important that the House understands the potential misuse and exploitation of the specific Act. I mentioned the article by Claude Forell.

The relevant provisions in the Commonwealth Electoral Act and The Constitution Act Amendment Act of Victoria are identical in their purpose. Section 2678 (1) of The Constitution Act Amendment Act and section 161 (E) of the Commonwealth Electoral Act, now section 329 (1), read:

A person shall not, during the relevant period in relation to an election under this Act, print, publish or distribute, or cause, permit or authorise to be printed, published or distributed, any matter or thing that is likely to mislead or deceive an elector in relation to the casting of the vote of the elector.

Following the 1980 Federal election, complaints were raised about the effect of misleading Federal Liberal advertising which, it was argued, cost the Australian Labor Party Federal government, a cost far greater than Nunawading could ever have been.

The misleading and deceptive Liberal advertising was challenged under the only section of the Act available, that is, that section which applied to the Nunawading investigation. I shall not canvass the issue of that case here as it would take too long. Honourable members who wish to read that case and contemplate the decision reached by the High Court and its reasons can do so by reading Evans v. Crichton-Browne, 1980.

The Hon. Haddon Storey—Did not the allegations that were made prove to be true under the Hawke government?

The Hon. E. H. WALKER—I think Mr Storey is referring to a policy issue where those bogus advertisements suggested there would be a capital gains tax on private houses.
The Hon. Haddon Storey—That is right.

The Hon. E. H. WALKER—It was certainly not true about that election, but it was considered to have had a dramatic effect on the end result. It is that to which I am referring. There is no need to debate the matter. Anyhow, that High Court decision is available. It is sufficient in summary to note that the High Court unanimously agreed that section 161 (E) meant misleading or deceptive activity which affected the physical casting of the vote.

This is a sophisticated point. It did not mean the process, deceptive or otherwise, which led to the forming of the opinion of how the ballot paper would be marked. It is worth noting that that was precisely the argument put by the Liberal Party in defending its position on that occasion. Now, as a matter of convenience, the Opposition argues the opposite. It is nothing if not flexible.

Despite the significance of the case and the belief of the Labor Party that the advertising used was clearly deceptive and cost the Federal government, we as usual accepted the result—we copped it!

Subsequent to that decision, a joint Federal Parliamentary committee moved and succeeded in having the Act amended. The following was inserted:

A person shall not, during the relevant period in relation to an election under this Act, print, publish or distribute, or cause, permit or authorise to be printed, published or distributed, any electoral advertisement containing a statement—

(a) that is untrue; and

(b) that is, or is likely to be, misleading or deceptive.

It also succeeded in having the Senate how-to-vote cards subjected to registration as well as requiring the registration of political parties. That occurred in 1984.

However, the complexities of dealing with the question of misleading and deceptive material is such that just prior to the Federal double dissolution in 1984—by unanimous agreement of all parties and both Houses—the amendment was withdrawn. It was considered by all to be impractical and impossible to put into effect.

I raise this to point out two things, firstly, the electoral process and the rights to express views are complex and difficult matters to codify and, secondly, we are proposing in the Bill to adopt the successful Federal initiative which applies to the Senate how-to-vote cards, that is, the registration of such cards prior to the election.

I hope honourable members are aware of all that Bill entails. It is a simple Bill but the notion of how-to-vote cards has been seen to be successful in that Senate case. That is a practical solution and it has been proven to work.

Although not justifying the events of 17 August 1985, I am explaining briefly the background, the context and the reasoning for the legal advice given on the anti-nuclear card prior to its distribution. There was more than reasonable ground to believe that the card was within the meaning of the Act.

The unanimous High Court ruling in 1981 gave a very sound basis for that interpretation. Their Honours said:

The words used in the section are not apt to refer to the mental process of decision or choice which precedes the formal expression of that opinion or choice by the casting of a vote. To say 'I have cast my vote for X' does not mean the same as 'I have made up my mind to vote for X'. It is only to the act of formal expression that the words in question in section 161 (E) naturally refer... for example, a statement contained in a newspaper advertisement that a ballot-paper should be marked in a way that would not conform to the requirements of the Act and which would render the vote invalid might mislead or improperly interfere with an elector in the casting of this vote.

The same might be true of a statement that a person who wished to support a particular party should vote for a particular candidate, when that candidate in fact belonged to a rival party. An erroneous statement as to the hours or place or polling which had the result that an elector—perhaps in a remote country district—failed to get
to a polling booth in time to vote would have misled that elector in relation to the casting of his vote, although it would not have misled him in casting his vote, since in the case imagined no vote was cast.

I am sorry about the complexity of the case but it does indicate a clear-cut view that Their Honours expressed. Although other decisions have been taken in the Supreme Court, the High Court clearly supersedes. At best, the issue is at what point does an elector stop thinking and start acting.

That is what Their Honours were referring to: does an elector stop thinking and start acting at the point of casting the vote or when it is placed in the ballot-box or was it when the elector started out from home on polling day?

It is possible that the legal inquiries on this matter—which were pursued by the government—were not required under the law as it currently stands. There is a real possibility that had charges been laid and convictions sought, the High Court may well have ruled on the Nunawading card in a manner consistent with its ruling on deceptive Liberal Party advertising.

I also remind the House that a lot of police time and money was wasted in a recent case arising out of elections in the Oakleigh municipality—a municipality well known to honourable members—which led to charges and a conviction which were subsequently quashed because no law to cover such a case existed.

This House is well aware of the deficiencies of the current Act. The government has amendments in its Bill to at least overcome problems that could occur on future polling days. There is nothing complex, devious, misleading or deceptive about these proposed amendments and they should be dealt with.

I have now made clear the government’s major grounds of opposition to the terms of reference for the proposed Select Committee. The four major grounds are that the public interest would be better served if we debated the Bill before the House. Clearly, it is timely and proper to do so.

It would be naive of me to think that my arguments had swayed honourable members opposite. Clearly, the opposition parties are hell-bent on this blatant political stunt. I will therefore turn my attention to the inadequacies of the terms of reference proposed.

The powers proposed for the Select Committee are substantial. It is clearly proposed that any person who appears before it can be subjected to any question the members of the committee wish to put and that the proceedings can be published. That is a substantial power. If an individual chooses not to participate, he will be condemned as having something to hide. That is clearly the case. If people do participate they will be subjected to a level of politically motivated interrogation that is possible only under Parliamentary privilege. There is not much choice. If a person does not choose to attend he will be seen as having something to hide; and if he does attend he will be subjected to politically motivated interrogation.

The proposed terms of reference make no provision for the protection of witnesses. The blatant political motivation for the committee has influenced the normally careful Mr Storey, who has been swayed by political exigencies and needs of the time, with an election in approximately twelve months. Mr Storey has been chosen by the Opposition and his normal careful, fair self has been hidden under the need to get something moving.

The government, therefore, has felt obliged to frame certain questions which more sensitive drafting of the terms of reference should have answered, questions which the designers of any rational objective inquiry would have answered.

Mr Baxter referred to a letter that was distributed earlier this morning to the Leaders of the various parties. Ten questions were set out in that letter by the Premier. They need to be answered prior to the government considering whether it will participate in the inquiry. I make this point in response to Mr Storey’s inquiry as to whether the government will take part in the proposed committee.