The Governor

His Excellency Rear-Admiral Sir Brian Stewart Murray, KCMG, AO

The Lieutenant-Governor

The Honourable Sir John McIntosh Young, KCMG

The Ministry

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# Members of the Legislative Assembly

## FIFTIETH PARLIAMENT—FIRST SESSION

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**Speaker:** The Hon. C. T. Edmunds  
**Chairman of Committees:** Mr W. F. Fogarty  

Temporary Chairmen of Committees: Miss Callister, Mr Delzoppo, Mr Ernst, Mr B. J. Evans, Mr Harrowfield, Mr Hockley, Mr Jasper, Mr Kirkwood, Mr Plowman, Mrs Ray, Mr Remington, Mr Richardson, Ms Sibree, Mr Stirling, Dr Vaughan, and Mr Whiting.

**Leader of the Labor Party and Premier:** The Hon. John Cain  
**Deputy Leader of the Labor Party and Deputy Premier:** The Hon. R. C. Fordham  

**Leader of the Parliamentary Liberal Party and Leader of the Opposition:** The Hon. J. G. Kennett  
**Deputy Leader of the Parliamentary Liberal Party and Deputy Leader of the Opposition:** The Hon. T. L. Austin  

**Leader of the National Party:** Mr Peter Ross-Edwards  
**Deputy Leader of the National Party:** Mr E. J. Hann
Heads of Parliamentary Departments

Assembly—Clerk of the Parliaments and Clerk of the Legislative Assembly: Mr J. H. Campbell

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

Hansard—Chief Reporter: Mr L. C. Johns

Library—Librarian: Miss J. McGovern

House—Secretary: Mr R. M. Duguid
The question was raised in another place when the Bill was before it but the Minister for Conservation, Forests and Lands failed to respond. The Minister for Education has an obligation to do so. Obviously, with regard to major developments that are occurring this is of great importance to the council. My colleague in another place, the Honourable Reg Macey, put the question to the Minister in another place but unfortunately there was no response from her.

I ask that the Government take on board two significant matters with regard to the proposed legislation. Firstly, the question of traffic control and the effect of traffic on the areas of the development affected by the closure of the portion of Bright Street as proposed by the Bill. Secondly, the general matter with regard to the control of the south bank of the Yarra River.

Both matters are of considerable importance to the South Melbourne council, and I assume that matters that concern a city of the stature of the City of South Melbourne would be regarded with some weight and kindness by the Government.

I shall be heavily disappointed if that is not so, but no more so, I suggest, than the City of South Melbourne which has stuck to the letter of agreement so far as the proposed legislation and any other matters are concerned by getting on with the job and doing what is best for the city and the ratepayers generally in the southern parts of Melbourne. It has stuck to its job and is doing well and would have expected more from the Government. I am sure the residents and ratepayers of South Melbourne will expect so, too.

Mr WALLACE (Gippsland South)—The National Party supports the Bill in principle. Over the past few years a few debates have taken place about the tourist potential of Southgate. The Minister for Education showed, during those debates, that he had the interests of tourism at heart.

The National Party has two points for the Minister's consideration. The Lutheran Church has been in the area for 57 years. The church is happy that Jennings Industries Ltd is going to remove the church and build it on another site. However, the church is concerned that if, for some reason, the project does not go ahead, Bright Street might be closed. I ask the Minister to address himself to that problem. The church has held a number of meetings on the subject and is happy for the project to proceed. However, it has a nagging fear that if the project does not continue Bright Street will be closed.

The project will beautify the environs of the river and enable people to wander through the area at leisure and enjoy the scenery. The area is certainly open for improvement. Recently I spoke to Neil Marshall of the South Melbourne Council and, in general, the council is happy about the project. However, as the honourable member for Mornington pointed out, it has a few hiccups about the matter. I am sure the Minister will clarify the issue.

The rectors of the Lutheran Church have mentioned that car parking in the area is a problem. They have pointed out that if Bright Street is closed this could present a problem on Sunday mornings when churchgoers attend the church. The area also has potential for the hotel industry. There is potential for 400 hotel beds and car parking facilities for 1300 cars.

Car parking is an important issue now that the City of Melbourne is developing the way it is. With those few observations, the National Party supports the Bill.

Mr CATHIE (Minister for Education)—I thank the honourable members for Mornington and Gippsland South for their support of the Bill in principle, although the honourable member for Mornington, having said that he supported the Bill, spent most of his time knocking what is a most imaginative development. The Bill deals with a $200 million development of the Southgate site. The development will include the provision of a new church for the existing Lutheran Church; retail shops; a restaurant; residential town houses; office towers and an hotel.
It is an imaginative attempt not only to beautify, develop and make the Yarra River a central part of the City of Melbourne but also to provide a necessary extension of the city and its facilities on the south bank.

The honourable member for Mornington suggested that there are some reservations, especially within the City of South Melbourne, on issues such as traffic control. I have no doubt that further discussions will be held between the municipality and the Ministry for Planning and Environment on the finer details of the traffic control and what will be necessary for the further development of the area.

The interim development order will ensure that the Southbank area is attractively developed for use by the people of Melbourne. The fact that Jennings Industries Ltd is the successful tenderer in proposing a mixed development of the area should indicate that the Government has every confidence that the project will be successful.

The honourable member for Mornington referred to the interim development order and asked who will be the authority responsible for managing it. The majority of the Southbank land is currently subject to Government initiated planning control given to the Minister for Planning and Environment through the IDo. I expect that discussions will proceed through the City of South Melbourne and the Minister for Planning and Environment on the timing of the IDo and who will ultimately administer it.

The Government will remain in control of these developments and will ensure that they proceed in conformity with the plan that it has for the area. The honourable member for Mornington referred to the fact that in the explanatory second-reading speech I pointed out that the development fits in with the Government strategy for the entire redevelopment of the Southbank area.

The honourable member for Gippsland South referred to the Lutheran church, which is one of the existing landowners. Jennings Industries Ltd has agreed to build a new church and there is agreement between Jennings Industries Ltd and the congregation, which has voted to accept the proposal put forward by the company.

The Government has executed an agreement with Jennings Industries Ltd which will ensure that certain parts of the interim development order and the development will occur; this will include the Jennings company providing some of the landscaping in the area, especially in the river bank environs. Jennings Industries Ltd will also pay for some of the essential road works, which will need to be carried out as a result of the partial closure of Bright Street.

It is an issue where consultation has proceeded between the Government and the relevant bodies, and broad agreement has been reached. As the honourable member for Mornington indicated, there may be some dissatisfaction with some of the details but that does not exclude further consultation taking place. I am sure that if the Government has missed points that need to be addressed, there is a process by which that can take place. The motion was agreed to.

The Bill was read a second time, and passed through its remaining stages.

RACING (AMENDMENT) BILL

The debate (adjourned from May 2) on the motion of Mr Trezise (Minister for Sport and Recreation) for the second reading of this Bill was resumed.

Mr REYNOLDS (Gisborne)—In essence, the Bill contains five proposals. The second-reading speech divides the measure into four parts, but I have split one of those parts into two parts for ease of discussion. Firstly, it allows the Totalizator Agency Board to extend its operations to betting on other sporting events such as golf, including the United States Open, British Open and Australian open; cricket; the Stawell Gift, which is mentioned in the second-reading speech; and many other areas into which it may spread such as Wimbledon tennis and rugby. The Totalizator Agency Board could benefit from those
sports. The Bill is designed to extend the operations of the board to assist the Government in its financial problems. It is a taxing measure because for every solitary dollar that goes through the Totalizator Agency Board about 6.25 per cent goes into the Government's coffers.

Concern is already held within the racing industry that betting on these events may whittle away some of the money that is currently invested in racing. The racing industry should remember that for every dollar bet on the Totalizator Agency Board there is a guaranteed minimum allocation to the three codes of 3.525 per cent of a surplus or profit. No doubt, the hope of betting in other sports will increase turnover and the Government's take.

The Opposition would like some assurances from the Minister in this area. Why should not some of the surplus go to the promotional body or sport? For instance, why should not some of the profit made on the Stawell Gift go to the Stawell Athletic Club?

After all, the Stawell Athletic Club is a local organization which, through sponsorship and hard work by volunteers, provides the greatest sporting spectacle and one of the most famous sporting events in the world—and it is held here in Victoria every Easter.

Totalizator Agency Board agents are concerned about the conduct of extra sporting events. Will that mean extended hours? I have had long discussions with them on that subject. The Victorian Bookmakers' Association Ltd wants to know: If the board is to be allowed to bet on every sporting event at the Minister's sanction, why should not bookmakers operate as well? It would be discriminatory if bookmakers were not allowed to do so, and I can assure the House that they would like to participate in betting on other sporting events. In launching the Opposition's policy prior to the election, I suggested that that issue ought to be considered.

Why not allow bookmakers to bet on Victorian Football League matches provided that is acceptable to the league and there is some compromise? That may present a problem with players backing their own teams, but the possibility should be considered. I dare say that bookmakers who wish to bet illegally on football are able to do so now; so why should not football betting be made legal? It would provide some revenue for the board. Why cannot the on-course totalizator also operate? Why should only off-course totalizator betting be allowed?

Another concern is the fact that we are trying to stretch the gambling dollar too far. The Bill allows the board to offer a four placed card or a Triwin card at fixed odds, something that has so far been absolutely foreign to the board as it is currently constructed and allowed to operate. The board currently operates under the pari mutuel system whereby all bets are pooled, the event is run, and the number of winners is divided into the pool that remains after deductions. The new provision means that the Totalizator Agency Board will have to advertise a four placed card, which will be used by a punter to select one horse in each of four races, each to run a place. The odds on each horse will be advertised, and a winning punter's dividend will be calculated by adding together the volume of the odds on each horse.

The Bill allows the board to operate a system of fixed odds in advance and to lay off because, under this system, the board could well lose. It can ask for permission to lay off with an interstate totalizator any risk, coming to the fourth leg, on the four placed card or a Triwin card. That opens up a couple of questions which also need to be answered by the Minister.

Why not lay off with the bookmakers? Can the Minister give me one good reason why not? They are willing to wager on anything else in the racing field. Why not allow the board to lay off the risk with bookmakers?

Honourable members would be aware that the Government reaps some revenue from the board. In fact it collected $61,678,216 in 1984, plus fractions and unclaimed dividends, bringing the total to approximately $70 million. That is why the Bill has been introduced.
It allows the Government to reap more than $70 million from the punters to pay for its extravagant promises.

If this fixed-odds-in-advance system loses money, why not make it up from the fractions—from the $6 million that the Minister, before the election, promised he would eliminate? The Minister was going to abolish fractions. In 1981, before the 1982 election, he said he would pay Totalizator Agency Board dividends to the nearest 5 cents instead of the lowest 5 cents. Suddenly, after the election, he said that he would do it when it is financially possible. What about the $3.1 million of unclaimed dividends that goes from the TAB straight to the Government's coffers? Why not use that to prop up any risk of loss in this fixed-odds-in-advance system?

There is quite a deal of danger in this system. The TAB could run into problems if those who operate it are not fast on their feet, not wide awake and are not laying off correctly and as quickly as they should because, after all, in many cases they will have very little time—probably less than half an hour to do it.

The Minister ought to provide to Parliament a monthly account of the results of this type of betting for public scrutiny because the public needs to know whether it is successful. I am advised that it could show a greater profit than it does now in a normal pari mutuel system of betting, but it could also show a big loss because it is a huge risk, whereas the other pari mutuel system is foolproof.

All honourable members are aware of a recent incident. The Tasmanian TAB has this betting system in vogue already and when there is a risk it lays off with an interstate totalizator. I want to know if it lays off with the Victorian totalizator. Is the bet made in cash? Does someone fly over and laying the bet with cash? Does someone from the Tasmanian TAB fly over with an investment in cash? There is no credit betting in Victoria unless one has the cash out in advance. I want to know whether Tasmania bets on credit and whether Tasmania's credit is good enough.

The Bill amends sections 40 and 41 of the Lotteries Gaming and Betting Act which prohibits the TAB and bookmakers from advertising their odds in advance. The TAB will be allowed to do so, but bookmakers will not. This is a bit of a joke because one can advertise and broadcast odds on races so long as they are interstate odds.

Is the Minister going to tell me, or is anyone to believe, that the odds one reads in the Age and Sun morning newspapers on the fields for that day's races or the odds a bookmaker gives on radio station 30B on Saturday morning—and I know that the Minister listens to that program—are interstate odds, and that the bookmaker telephones Adelaide, Sydney or Brisbane to get the odds and goes on the radio program saying that these are the current odds in a particular race for that day? Of course not.

One should not be fooled about what really happens. These are local odds, although it is said that they are interstate odds. It is a bit of a joke. I know that it has gone on since time immemorial, and I do not blame any particular Government, but is it not time that the Government was fair dinkum about it, and altered the system so that it is fair, above board and honest?

I agree with giving the TAB the ability to advertise because to be successful, if this program is to be instituted—and I am not opposed to it, given the various points I have raised—advertising must be allowed. However, in the matter of profits there must be accountability by the Government.

The SPEAKER—Order! The time appointed by Sessional Orders for me to interrupt business has now arrived.

On the motion of Mr FORDHAM (Minister for Industry, Technology and Resources), the sitting was continued.

Mr REYNOLDS (Gisborne)—The Bill alters the deductions from the pool for football betting. I can understand the reasoning behind that change. No doubt exists that of the 20
per cent deducted from the pool, 3 per cent is allocated to the Racecourses Development Fund, a further 3 per cent is allocated to the Totalizator Agency Board Capital Development Fund and 2 per cent is allocated to cover the board's operational expenses. From all other bets on the Totalizator Agency Board, 8·25 per cent is deducted from the board's commission to run the operations of that organization, but only 2 per cent is deducted from football betting. A shortfall of 6·25 per cent exists, and I do not argue with that.

The racing industry is concerned that it will not receive the 3 per cent allocation from football betting for the Racecourses Development Fund. The racing industry probably loses sight of the fact that it is still guaranteed a minimum of 3·25 per cent of the turnover. Last year the turnover from football betting was $3·6 million and this year it will be only slightly more than that so we are not talking about a great deal of money.

If the Minister for Sport and Recreation is trying to increase the betting on football, I ask him why he does not adopt one of the policies put forward by the Opposition during the recent election campaign. Almost every office in Melbourne has a competition to “pick the card” and name the six winners of Victorian Football League matches every Saturday. The game provides odds of approximately 80 to 1 and it pays an extremely good dividend if someone is able to “pick the card”; in other words, pick the six winners. I put forward that suggestion to the Minister.

The Bill allows the Totalizator Agency Board to issue vouchers to clients. I want to know what the board has been doing for the past two or three years with vouchers where someone can win up to $1 million worth of prizes, I am informed that there are “triple chance sweepstakes” vouchers or “scratch and match” vouchers and that their legality is doubtful. It is not the first time that the board has run this type of promotion and it should have picked up any illegality far sooner than it did. I ask the Minister whether he is at fault or whether the board has been lax. This type of promotional activity should be legalized, but any illegality should have been discovered before this time.

The Minister should give an undertaking that if cash vouchers can be purchased at the Totalizator Agency Board, they can be exchanged only for bets, material prices or goods; they should not be able to be exchanged for cash.

The Minister for Sport and Recreation should recognize the dangers inherent in the Bill if vouchers can be cashed, because they can take the place of money or can be used quite effectively to launder illegal funds. I am sure that honourable members do not want that to happen, so safeguards must be built into the issuing of vouchers by Totalizator Agency Board agents.

TAB agents are also concerned about this issue. Who will receive the commission? Will it be the agent who sells the voucher or the agent who cashes the voucher at the other end as a bet? The agents are jumping up and down because they are seeking an improvement in their agency commission. The current payments for board agents are not large and there is definitely a need to review their commission structure.

The last provision contained in the Bill is the most interesting. It will cause the most conjecture in this place and will create much discussion in the community. The measure proposes to remove from the Racing Act the fact that the only place TAB agencies cannot be established are in licensed premises. The Opposition strongly opposes this provision mainly because of lack of information, lack of detail, lack of safeguards and so on. The Minister stated that facilities needed to be established in areas that do not have a TAB agency. What is wrong with businesses such as service stations which open 24 hours a day, or at least most hours of the day, seven days a week? Although Opposition members oppose the Bill for many reasons—and our major opposition is to that provision—one must return to the basic facts when the board was introduced.

The Totalizator Agency Board commenced operation on 11 March 1961 after the legislation was passed in this place by one solitary vote. In order to obtain the passage of that legislation, concessions were given and stipulations were placed on the Bill. Many
controls placed upon the operation of the TAB appeased those who were opposed to it and it enabled the board to come into existence. Such issues as not being allowed to bet on greyhound racing were discontinued in 1966, five years after the advent of the TAB. The TAB was not allowed to pay out winning bets on the same day. However, same day pay-outs were introduced in 1971 and now after race pay-outs exist, so that two concessions have occurred on that issue.

A person was not allowed to bet beyond 15 minutes before race time, but that was also broken down and now a person can place a bet up to the jump. The TAB was not allowed to advertise the approximate dividends for the quadrella before the dividend for the final race was available. The non-displaying of riders or drivers of horses in agencies was discontinued in 1981. The TAB up until 1982 was unable to provide any information within its premises on race meetings. The introduction of additional services, permitted by an amendment to the Racing Act, included form guides, radio broadcasts, telecasts, approximate odds, race-by-race results and, horror of horrors, the provision of a seat to allow people to sit down.

Now one of the last conditions involved in establishing the TAB is to be broken down by this proposal which will enable agencies to be established on licensed premises. In 1961 agencies were not allowed to be within so many yards of churches, schools and hotels. If two hotels were in an area, the agency had to be in the middle—equidistant from the hotels—so that neither was favoured.

Now people want to open betting shops in hotels. That raises the question: If betting shops are to be introduced into hotels and if there are two hotels in the town, which will be chosen to house the agency? When a hotel keeper's licence is sold one wonders what will happen if the proprietor does not want the agency. That will create problems.

The Opposition opposes the measure for several reasons. One major reason is the threat that will be created for the 425 agents currently holding licences. Those agents believe the measure is the thin end of the wedge, because hotels will offer free rent and a giddy atmosphere of beer and betting. Will the existing TAB agency in a town close to allow another to move into the hotel rent free?

Many country agents are threatened because the costs that they must bear are mainly rental, so that those sub-agencies are not particularly viable. Will the cost be lower if betting shops are established in hotels? Honourable members were not enlightened after reading the Bill or after listening to the second-reading speech by the Minister. Will the small TAB agencies be phased out? I have spoken with many country agencies that have suggested that establishing agencies in hotels is no different from establishing agencies in general stores. They could be established in milk bars service stations or wherever.

The Minister argued that a separate entrance will be used by hotel betting shops, but why not have a separate entrance in a milk bar or wherever? Those problems can be overcome. I have received correspondence from country racing clubs that are concerned about whether protection will be provided for existing agencies. There has been widespread reaction from concerned families who are dubious and worried about the implications of the measure. The Victorian Bookmakers Association Ltd, with which I had contact last week, believes the measure flouts the original concept and character of the Totalizator Agency Board. The implementation of this measure may mean an extension of the board into areas other than those at present envisaged by members of Parliament or anyone else.

One major area of concern of all three codes in the racing industry is the drop in attendance on course. Every time the TAB provides a better service off course, the attendance drops. If betting on the Stawell Gift is provided through the board, will the attendance at that race drop? The same could be asked in respect of other sporting events. The Minister for Sport and Recreation interjects that attendances have not dropped at major racing carnivals. He is right, but he should question the authorities in the racing industry as to whether attendances at racecourses are holding their own or increasing. Let us not worry about the Inter-Dominion, which is sometimes run at Moonee Valley.
Racecourse and which is a racing success, or the Melbourne Cup that is run at Flemington Racecourse, we should worry more about the attendance at the Grand National Steeplechase meeting.

Every time a change occurs within the Totalizator Agency Board that offers a better service, oncourse attendance drops. The improved service encourages people to stay away from the course.

The Totalizator Agency Board is one of the causes for the drop in attendances. I do not say it is the whole cause but it is another small pinprick that causes the oncourse attendances to drop. The whole racing industry relies on people being involved. Their involvement is needed in the owning of horses, the training of horses and the betting on horses. The best encouragement to have people in the industry is to have them participating in the sport. Many other people share my view on the matter.

The Minister should examine the low attendance problem. One suggestion that might arrest the problem is to pay oncourse dividends to the upper 5 cents rather than the lower 5 cents.

A concern to the community about licensed premises harbouring Totalizator Agency Board agencies is that alcohol and betting are a volatile mix. I was quoted in this morning's press as saying it is "a disastrous quinella". If the only access to the Totalizator Agency Board is through the bar, as it is in some hotels, many people will not place bets because they do not want to walk through the bar of an hotel. Another problem is that people would be consuming alcohol at the Totalizator Agency Board if it were on licensed premises, and that is not a desirable situation.

The Minister stated that the setting up of these Totalizator Agency Board agencies in licensed premises would make inroads into starting-price bookmaking. It could well do that but I believe its impact would be slight. It would not have much effect on the money collected by SP bookmakers. The Minister has been interstate and met with Ministers from other States and he has discussed the problem and made press statements about how he "intends to get tough with SP bookmaking". We have not seen much action in that regard yet but, considering it has taken three years to enact a boxing Bill, we should not expect anything too quickly.

I was interested in the fact that outlet Totalizator Agency Board agencies have been established in hotels in New South Wales. They were instituted on 1 July 1983 and in the first full year of operation, the turnover was $29 million from 171 outlets. That represents $169 500 from each outlet each year—a miserable $3261 a week. If that is the situation the Minister wishes to adopt in Victoria by this measure, I wonder what he is on about. The New South Wales figures show the situation. It is not much of an increase in turnover. The Totalizator Agency Board in Victoria will turn over in excess of $1000 million this year. Last year the turnover was $980.1 million.

My attention has been drawn to an article on the front page of today's Herald where it is signified that the Liberal Party in opposition would be opposing clause 19. Mr Trezise claimed that the Liberal and National parties' move would "only continue to encourage SP bookmaking in country hotels". No doubt some SP bookmakers operate in country hotels but I ask the Minister to provide proof of towns where SP bookmaking has dropped because of Totalizator Agency Board agencies being established in licensed premises.

The article which appears in The Herald this evening states:

The Government had hoped pub betting services would be operating in Victoria by August in towns where it was uneconomic for the TAB to set up an agency.

What is economic and what is uneconomic to set up an agency? If it is economic to set up an agency in an hotel, surely it is just as economic to set up an agency in a self-service grocery store, a 24-hour self-service petrol station or even in a milk bar if they want an agency. We do not know whether hotels will want TAB agencies but the Government is going to give them the opportunity of setting up agencies. Which hotels should be selected
and why are newsagents, service stations and so on uneconomic? I refer to a couple of interesting quotes from *The Herald* article which states, *inter alia*:

Mr Trezise said when the legislation was blocked it would be allowed to lapse,

"It’s not going to worry the Government one iota," he said.

"There’s no financial bonanza in it at all."

"It was just a service requested by country people."

I represent a country electorate and I have not received one request for a TAB agency to be set up. I have never seen such a spoilt performance in my life. The Minister spat out his dummy, stamped his foot and said, “You can’t have it”.

Several members on this side of the House support me in this matter. I will be interested to hear the comments of the honourable member for Dandenong who is the most puritanical member of this place. I will be even more interested to see how he votes.

I thank the Minister for Sport and Recreation for allowing me and the members of my committee to be briefed by senior officers of his department. I refer to Mr Phil Power and Mr Ron Spendlove. I thank the racing clubs for their assistance and particularly the TAB agents who have had a tremendous input to my views on this measure. I thank Mrs Pat Broadfoot, the chairperson of the TAB Agents Association and the local agents whose opinions I value. They have provided me with tremendous assistance.

I hope the Minister will take note of the points I have raised and will give the assurances required on the first four points. I hope he will understand the logic of not establishing TAB agencies on licensed premises because that proposal is fraught with tremendous danger.

Mr W. D. McGrath (Lowan)—The Racing (Amendment) Bill appears to be a most controversial piece of proposed legislation. In my time as a member of this House, any Bill relating to racing has had some degree of controversy attached to it. This measure is no exception to the rule.

I wish to begin by examining the history of the Totalizator Agency Board. It was interesting to listen to Jack Elliot on the *World of Sport* program three or four weeks ago when the proposed legislation was first brought to the attention of the public.

Jack Elliott made a relevant point when he said that Sir Chester Manifold, a respected Victorian and well-known racing identity, who was the first Chairman of the Totalizator Agency Board between 1961 and 1968, commented that he hoped the TAB would never be allowed to establish agencies on licensed premises. Clause 19 of the Bill will allow that to happen.

The Bill to establish the Totalizator Agency Board was introduced into the Victorian Parliament in 1959 by the then Premier and Treasurer, Sir Henry Bolte. The Leader of the Labor Party Opposition at that time, Mr Stoneham, stated in the House that TAB facilities should cater for all sections of the community and the National Party agreed with that. Mr Stoneham went on to say that agencies should be established in a manner which will not create inducement to non-bettors, and especially to young people, to bet. He warned against conducting activities in a manner “conducive to the encouragement of gambling in the community generally, and especially among young people.” The Bill will encourage people to gamble when otherwise they would not gamble.

The Minister in his second-reading speech said that the Bill would enable the TAB to provide betting facilities on golf or cricket competitions, or an event such as the famous Stawell Gift, if the public required it and the TAB can handle that type of operator. This provision is contrary to Labor Party philosophy of that time.

The honourable member for Gippsland East interjects that it is a different Labor Party now. It is more an academic type of Labor Party. Recently, bookmakers were allowed to
establish pre-post betting on the Friday night before the heats of the Stawell Gift commenced. The Government is encouraging more and more betting on various sporting events. The Government is using this as a taxing measure to provide more finance to stimulate the economy.

Mr Trezise—They have always bet on the Stawell Gift the day before the heats, but it has now been made legal.

Mr W. D. McGrath—About two years ago, some bookmakers were charged for illegal betting because the Minister did not have that Bill proclaimed in time.

The National Party does not oppose the successful Triwin competition that exists in Tasmania, the TAB being allowed to bet on other sporting events. However, the National Party has serious reservations about the establishment of TAB facilities at either an hotel or licensed premises.

There are a number of reasons for that situation. The most important part of any sporting occasion is the number of people who attend. What makes the Melbourne Cup great? It is the 90 000 people who go out to Flemington Racecourse on Cup Day and add to the carnival atmosphere that makes it great; that captures the public’s imagination.

What makes the football grand final great? It is the 100 000 people who attend that game on the last Saturday in September. What makes the Davis Cup final great? It is because of the crowd. If it were not for crowd participation, those would not be great events. The public who attend create the atmosphere and give the event magic.

If further facilities are provided for off-course betting, there will be a further decline in attendances at race meetings, which concerns me. The National Party has reservations about allowing these facilities on licensed premises, such as hotels. Legislation has been passed relating to those who have five beers and have a blood alcohol content of -05, which states that people who have this alcohol level are not able to drive their motor vehicles and the same could be said that someone who goes into a hotel, has five or ten beers and is over -05, is not responsible enough to handle money. This parallel situation should be taken into consideration.

Further, with regard to the township of Sea Lake in the electorate that the honourable member for Swan Hill represents, some time ago it had a Totalizator Agency Board sub-agency. It was not profitable; the board in its wisdom decided not to continue to support it financially and it lapsed. The board has not been able to encourage anybody to take on the sub-agency. Sea Lake has two hotels. If a TAB facility were set up in one hotel, for financial reasons the other hotel would quickly go down the gurgler. It would be unable to compete as the people would go to the hotel in which they could gamble and drink.

Rupanyup has one hotel and the closest agency is eleven miles away at Murtoa. The other side of the argument is that there is the possibility of giving service to the people in a small country township by providing a TAB facility in the hotel.

About three or four weeks ago, I asked the Minister a question in relation to an agency at Edenhope that had some problems in its operation. Again, I ask the Minister, bearing in mind what he said in the second-reading speech, whether these facilities will be set up only in consultation with the Liquor Control Commission where a need is shown. I ask the Minister to qualify to the House that pressure will not be brought to bear on the class 3 agencies that have problems in justifying their existence on economic grounds and that they will not be put out of operation so that a TAB facility can be established in a licensed premises, whether it be a golf club or hotel.

These matters are of considerable concern to me. The National Party has strong reservations about other aspects of the Bill. Are we allowing too much gambling in our society? An editorial in the Australian of 4 May takes up this aspect and states:

Australians have the opportunity of wagering money at the races, the dogs or the trots; at various legal and illegal casinos; on lotteries and games like the Pools, Lotto or Tattslotto or even by pulling the arm of poker machine. It is a remarkably wide choice for even the most hard bitten gambler.
This week, however, the Victorian Minister for Sport and Recreation, Mr Trezise, introduced legislation into the Victorian Parliament that will enable Victorian punters to extend their scope to such events as the Stawell Gift, VFL football matches, the Australian Tennis Open and even the Sydney–Hobart yacht race. His goal is obviously increased government revenue—but surely the time has come to say enough is enough!

It seems that the Victorian Government is facing condemnation by editorials in daily newspapers. I question the need for so much gambling. I have spoken with friends in the Victorian Country Racing Council and others involved in harness and greyhound racing and, although they do not have any intense opposition to the proposed legislation, they, like me, question the need for increased gambling facilities.

People involved in thoroughbred, harness and greyhound racing want people to attend the race meetings. They depend heavily on the Totalizator Agency Board surpluses to provide funds for ground improvements and adequate stake money to keep people interested in the industry. Above all, they want to see people attending the dog tracks and racecourses and participating in the sport at the venue where it is being conducted. They do not want people to participate in the sport from a hotel bar, a betting shop on licensed premises, or from a betting shop, wherever it may be.

The National Party has grave and serious reservations about the establishment of the Totalizator Agency Board on licensed premises. Clause 19, which deals with the power to establish Totalizator Agency Board offices or agencies in licensed premises, is far too wide in its definition and needs considerable narrowing before the National Party will agree to the passage of the Bill. I ask the Minister to amend clause 19 so that the National Party can further consider it.

Mr JOHN (Bendigo East)—I oppose a number of clauses of the Bill, which proposes to amend the Racing Act and enlarge the powers of the Totalizator Agency Board. Many of the amendments are important; some are minor, some are of enormous significance, some are worthy of merit and some not at all. As previous speakers have indicated, the Totalizator Agency Board was established and commenced operations on 11 March 1961.

My research of Hansard indicates that some important members of Parliament spoke during the long debate on the initial legislation. At the time Parliament ensured that severe constraints were placed on the powers of the TAB. During the debate many honourable members maintained that: They did not want to see “unsavoury” betting shops; some respectability should be maintained; there should be no betting on greyhound racing; there should be no facilities to encourage betting and gambling in the State; TAB agencies should be conducted on separate premises; there should be no waiting rooms to facilitate the spread of gambling and there should be no chairs and toilet facilities at TAB agencies.

Victoria has come a long way since those days, as noted by some Government members who have now woken up following my words of elucidation. When the original legislation was debated honourable members stipulated that there should be no radio or television coverage to encourage the “evils of gambling”; there should be no display of betting odds at the TAB agencies; and that pay-outs should be made later. That is, there should be no pay-outs immediately after a race.

Honourable members who have done their research, as Opposition members have, will appreciate the reasons for the fairly stringent constraints that were placed on the TAB in 1961. At the time significant starting-price bookmaking operations were conducted in hotels and other places in Victoria. The result was that the money expended on that betting activity was not flowing back into the Government coffers through taxation and to the racing industry in the form of better facilities and more stake money. Generally, the situation was found to be entirely unsatisfactory.

At the time—and the truth is the same today—it was found that the TAB was intrinsically linked to the racing industry. The aim in 1961 was firstly, to provide an efficient off-course betting service; secondly, to provide a service that would not encourage the spread of gambling in Victoria as at the time it was thought there were sufficient avenues for gambling; thirdly, that the agencies should not become “unsavoury” in character; and,
fourthly, that there should be no inducement for the public to loiter at TAB agencies or near them.

There have been many changes since 1961. For example, on 3 March 1966 greyhound racing commenced. On 2 August 1971 same day pay-outs were introduced. On 2 October 1972 betting was permitted up to 15 minutes before the commencement of a race. On 14 September 1978 betting was permitted up to 5 minutes before a race for doubles and quadrellas. On 7 May 1977 the Tabella football betting commenced. On 14 September 1981 riders and drivers were displayed in agencies for Victorian racing and harness racing meetings, and on 6 March 1982 additional services permitted by amendments to the Racing Act, included form guides; broadcasting and telecasting of approximate odds; race by race results and the provision of seating at TAB outlets.

In the first year of the TAB's operations, the turnover was $3 million. Today that figure is $1000 million with a distribution of $100 million, which includes $40 million a year to the racing industry. The racing industry employs 30,000 people and 11 per cent of the Government's revenue comes from racing, including trots, greyhounds and gambling in general so there is every reason to nurture the racing industry and for the Government to pay more attention than it has to the industry.

The Government has failed as there are falling attendances at race meetings. It is now too expensive to race a horse. The prize money is so low that it is becoming uneconomic to race a horse. At a country meeting such as the Elmore Cup meeting, the first prize for an ordinary race on the program is $1400. One must compare that figure with the costs of feed, wages, training fees and other costs of racing horses. The Government in this State takes too much from racing. It will ultimately destroy the pyramid of racing.

The changes proposed by the Bill will not benefit the racing industry. Four main changes are proposed in the Bill. The first is to allow the Totalizator Agency Board to establish agencies in hotels. The second is to establish a system of fixed odds betting and predetermined odds or, in other words, competition with bookmakers. The third is to establish a voucher system and the fourth, which I believe gives too much power to the Minister, however competent he may be in the field of sport, relates to betting competitions on races and other sporting contingencies. The first matter of hotels and licensed premises being able to have agencies is, I believe, a threat to existing agencies. In the town of Heathcote in the Bendigo East electorate the Totalizator Agency Board agency is doing well. There are two local hotels in the town. Will the Government give one of the hotels an agency and not the other? Will it give both hotels the agency and ruin the business of the independent operator?

I ask what consultation has been conducted with church leaders about the spread of gambling through establishing agencies in hotels. I have not heard one word from the Government during the debate on what church leaders say about establishing Totalizator Agency Board agencies in licensed premises. I have not heard one word from the Government on what the housewives think about their husbands betting while drinking in the hotel. I am concerned, as many other responsible citizens must be, about the spread of gambling. This State has a large number of gambling facilities and to encourage the spread of gambling by the establishment of Totalizator Agency Board agencies in hotels and licensed premises will strike the person at the weakest moment, with a glass in hand. This State has plenty of scope for gambling. There is no need to extend the establishment of the Totalizator Agency Board into licensed premises.

After all, there are service stations, chemists and milk bars in those areas which are not serviced by TAB agencies on a full-time basis, and yet the Government has not seen fit to grant approval for the establishment of TAB sub-agencies in those places.

Fixed odds betting is a radical departure from the board's charter. In the past it has operated under the pari mutuel betting system. For those who do not understand the system, it means that all bets are pooled, the deductions are made and the pool is divided.
by the number of winners. The dividends are calculated in that fashion so that the board and the Government cannot lose money.

The Bill proposes that the board will compete with bookmakers. It will have the power to preset the odds, like a bookmaker, and the power to lay off bets interstate. If the measure is passed, there will be a potential for gigantic financial losses to be incurred at the State Insurance Office.

The voucher system is suspect; it is a method by which unscrupulous people can easily launder money. In fact, the voucher system could be a second method of providing legal tender. The tax evaders and people involved in criminal activity will welcome this proposal because it will present an easy method by which they can cover up their unscrupulous activities.

The Bill gives the Minister powers that are too wide. It proposes to increase the number of sports to which the TAB betting can be extended; it proposes to extend the number of competitions, and it proposes to give much wider powers regarding the establishment of agencies and sub-agencies.

I mention the Stawell Gift because I have been to the Stawell Gift meeting on many occasions and have won at that meeting. In answer to the honourable member for Whittlesea, who interjects, the odds were very good. Even with regard to the Stawell Gift, the Bill is deficient, because there is no provision requiring the money earned on the Stawell Gift to be paid back to the Stawell Athletic Club.

The Bill is a further extension of the State monopoly in gambling and a further extension of the move towards the nationalization of the betting industry—the ultimate socialist dream. The Government ought to consider other methods of improving the TAB and the racing industry.

I remind the House once again that the Bendigo racecourse operates without the Tote-all system, so it cannot compete with the betting shops. That scandal has continued for at least twelve months. Some 30-odd racecourses in this State are still without that system, and Bendigo is competing with places such as Cranbourne and the city tracks that have the system. I suggest that the Government should consider carefully the breeders' premium scheme of the Blood Horse Breeders Association as a means of encouraging investment in this State. I also ask: What is the Government doing about tax incentive for blood horse breeders and people in the industry to encourage others to invest in racing in this State instead of bleeding them dry, as the Government has been doing?

Mr J. F. McGrath (Warrnambool)—While the National Party agrees in principle to the Bill, it has severe reservations about the proposal to establish Totalizator Agency Board agencies on licensed premises. I have reservations also about other aspects. I refer to the ability being given to the TAB for betting on sports such as athletics, golf, tennis and so on. I wonder whether the proposed new commission structure to be applied to those sports will be appropriate and whether it should be undertaken.

I am concerned also about the provision enabling the TAB to issue vouchers and the way in which they might be used. Perhaps this is related to a person's ability to handle money and to the power of gambling. Vouchers could take the place of traditional presents and gifts for occasions such as birthdays, Christmas and so on.

Mr Maclellan—Mother's Day.

Mr J. F. McGrath—As the honourable member for Berwick interjects, even for Mother's Day. I commend the Minister for Sport and Recreation for considering country people and the betting services that they will need. The National Party is encouraged by those actions. I question whether it is appropriate to locate TAB agencies on licensed premises. Locations such as newsagencies and general stores would be preferable.
It has been asked whether TAB agencies in licensed premises will affect starting-price bookmakers. I wonder how many starting-price bookmakers exist today and how much effect they have on gambling in Victoria.

As someone who has been involved with racehorses for some time I appreciate the point made by the Minister for Public Works, who spoke about the public. It is important to ensure that the public goes to race meetings. The honourable member for Lowan said that the crowd actually makes the function. That is the case with racing. If one takes the crowd out of racing, one loses a large part of the atmosphere that goes with a day at the races. I am interested in ensuring that crowds are continually attracted to racecourses.

I urge the Minister for Sport and Recreation to consider alternative locations of TAB agencies to licensed premises, such as newsagencies or general stores. I do not know how the Minister intends making a decision in country areas, where there are perhaps two or three hotels, on which hotel will receive the TAB agency. His decision will have an effect on the other hotels and problems will be created, especially in small country areas, because the hotel that has acquired the agency will be given a competitive advantage.

I have severe reservations about that provision, but the rest of the Bill addresses some of the problems of racing.

In his second-reading speech, the Minister for Sport and Recreation provided a detailed breakdown of the level of commission. When the Minister addresses this matter at a later stage I ask him to explain whether the breakdown of the 20 per cent component into a 12 per cent allocation for the Government and a 8 per cent allocation for the board's operational expenses is applicable only to the section of the Bill which deals with events outside racing that will be covered by the board.

The establishment of Totalizator Agency Board agencies on licensed premises needs to be carefully considered because there are satisfactory alternatives that would be just as serviceable.

On the motion of Mr FORDHAM (Minister for Industry, Technology and Resources), the debate was adjourned.

It was ordered that the debate be adjourned until next day.

ADJOURNMENT

Fire at Lake Condah Mission—Fire at Upwey High School—Peninsula Vehicle Sales—State Insurance Office overcharge—Bendigo Chinese dragon museum—Ambulance services—Road Construction Authority—Springvale railway crossing

Mr FORDHAM (Minister for Industry, Technology and Resources)—I move:

That the House do now adjourn.

Mr CROZIER (Portland)—I direct a matter to the attention of the Minister for Police and Emergency Services. I remind the honourable gentleman that on the night of Saturday 13 April the house then occupied by the caretaker of the Lake Condah Aboriginal tourist project was burnt down. Subsequently, accusations were made that arson was the cause of the fire, as an article in the Warrnambool Standard indicates. I quote from a section of that article where Ms Sandra Onus, the co-ordinator of the Lake Condah tourist park project, stated that in her view the fire was an act of terrorism by "some racist idiot".

I ask the Minister whether the police have concluded their investigations of this episode and, if so, whether the accusations made by Ms Onus have been substantiated; in other words, whether the cause of the fire has been established as arson or some other cause.

Mr POPE (Monbulk)—I direct to the attention of the Minister for Public Works the fire that occurred last night at the Upwey High School, which was referred to during question time today. I raise the issue with the Minister because I am aware of his interest
in the damage caused by the fire and I wish to find out what has occurred today and what are the plans for the immediate future.

During the course of the past 15 or 16 hours, I have spoken to a number of authorities about the fire. For the information of the House, I indicate that the fire damaged two classroom blocks incorporating some fifteen class-rooms. The assembly hall, which is well known in the Shire of Sherbrooke because it has the largest capacity of any hall in the shire and is used by the community, was also damaged. The school canteen was also destroyed.

I place on record the tremendous job that was performed by various units of the Country Fire Authority last night and in the early hours of this morning in combating that fire. The fire was well under way by the time the various Country Fire Authority units arrived, and the extremely high winds made it difficult to fight the fire.

Upwey High School caters for 900 or more students, but is a school that was not meant for that number of students. It also has the Upwey Primary School next door.

The firemen had only a limited area in which to combat the fire. Sixteen units attended from Boronia, Upper Ferntree Gully, Doveton, Ferntree Gully, Belgrave, Dandenong and also the local Upwey Country Fire Authority unit. Captain Peter Marke of the local unit told me about the injuries caused to some of the fire fighters. One fireman from Belgrave was knocked unconscious and other fire fighters received some eye damage, but apparently they are in good health now. I place on record the enormous work that was done by the Upwey Country Fire Authority and the other units that assisted in containing that area.

Mr Norris—And the Dandenong CFA unit!

Mr POPE—Yes, including the Dandenong unit. The fire was contained to two blocks of class-rooms because the core brick building was unaffected. Officers of the Public Works Department were extremely quick in visiting the school—

Mr Williams—What do you want the Minister to do?

Mr POPE—This is a matter that should be of concern to honourable members from both sides, but obviously the honourable member for Doncaster does not seem to care.

The SPEAKER—Order! The honourable member will ignore interjections.

Mr POPE—Officers of the Public Works Department were on the scene early this morning and officers from Nauru House and the Maroondah regional office of the Education Department also attended. Progress has already occurred because of the action taken by officers of the Public Works Department, but I want to know what the department has in mind for the future programing of work to be done at Upwey High School by students who have been affected by that fire.

Mr BROWN (Gippsland West)—I raise a matter for the attention of the Minister for Consumer Affairs and I refer him to Australia’s most publicized racing scandal that occurred not at Flemington or Royal Randwick but at Casterton before a small Western District crowd. The event was the Muntham Handicap, first prize a paltry $325 and the date was 12 May 1972.

Subsequent events have shown that Royal School, which had bad bush form, was really Regal Vista, which had excellent city form and what the Casterton crowd witnessed was a classic ring-in. The racehorse owner who switched horses was Rick Renzella and he won $33 000 by linking Royal School in doubles with every horse in the Casterton Cup. Rick Renzella went to gaol for two years.

In the latter part of 1982 a constituent of mine purchased a 1979 Toyota Land Cruiser from Peninsula Vehicle Sales, which is presently operating from 205 Nepean Highway, Mentone.
Mr BROWN—No, Mr Speaker; it is one matter that concerns the activities of one gentleman by the name of Richard Renzella. One of my constituents purchased a 1979 Toyota Land Cruiser from Peninsula Vehicle Sales, which I subsequently found was owned by Richard Renzella, the same gentleman. At present, Peninsula Vehicle Sales operates from 205 Nepean Highway, Mentone. Honourable members should bear in mind that the vehicle was only four years old when my constituent purchased it. He was flabbergasted when, within two weeks of purchase, rust bubbles appeared in a large number of places on the bodywork of the vehicle. A subsequent inspection showed the vehicle was rusting extensively, including the engine compartment and the engine block.

Undoubtedly the vehicle purchased by my constituent had been stranded in salt water for a long period and was good only for the wreckers. Obviously the vehicle had been "dollied up" for the sole purpose of sale to an unsuspecting customer at an inflated price. I made inquiries into the ownership of Peninsula Vehicle Sales and was somewhat surprised to find that the owner was and still is Richard Renzella who had been licensed by the Motor Car Traders Committee. Mr Renzella had obtained that licence some months prior to selling that vehicle to my constituent.

Last week a report was released which accused used car dealers of "abusing consumers, breaking the law and selling 'lemons' without effective discipline from the State Government". At this point I would state that the vast majority of motor traders are undoubtedly honest, hard-working, reputable people; 99 per cent of motor car traders would be in that category. The Chairman of the Motor Car Traders Committee defended the role of the committee and even stated that there had been "some real crooks" in the industry. He said:

They soon got the message. We told them they'd better move up north to Brisbane or Surfers Paradise.

The reality is that three years ago the committee licensed Mr Renzella as a motor car trader.

I say without reservation that that committee should have been more attentive in its inquiries before it appointed Mr Renzella as a licensed motor car trader. His activities were well known to the Ministry of Consumer Affairs; I personally informed the Minister about his activities.

The activities of Mr Renzella are known personally to the Minister because I raised the matter with him. I made representations to the committee when Peninsula Vehicle Sales' licence came up for renewal; it should never have been renewed. One of the primary functions of the Motor Car Traders Committee is to protect the public from unscrupulous motor car traders. The relicensing of Peninsula Vehicle Sales was not an oversight on behalf of the committee but a serious action, because it allowed this gentleman to continue to trade when issues such as that which I have just outlined had been brought to its attention.

Mr W. D. McGrath (Lowan)—I raise a matter for the attention of the Treasurer who is not in the Chamber tonight but I ask one of the Ministers to bring it to his attention. I have received a letter from an account executive with an insurance broker at Horsham relating to a -05 offence which resulted in the suspension of a driver's licence. The letter states:

A 60 year old client of mine was recently convicted on such a charge with a blood-alcohol reading of .112. The penalties handed down were 12 months loss of licence and a $250 fine.

Although the client owns two motor cars on which he has earned a maximum "no claims bonus", and had no previous convictions prior to this event, the State Insurance Office has advised that both vehicles are to be renewed for insurance on a Rating four (4) although no damage claims were made upon his policies.
As an added penalty the client must pay an additional excess of $500 if a claim is made in the ensuing 12 months.

Provided no claims are made on his car policies prior to June 1988, his “penalty” insurance rates to that time will cost him an additional $431.60—making his conviction fine of $250 quite insignificant.

As the State Insurance Office does not pay for damage to insured vehicles being driven by a 0.05 offender, could you enlighten me as to why these insurance penalties are so severe.

I contacted another insurance company and it explained what would happen in a similar circumstance:

For your information each individual case would be treated on its merit, however the client’s no claim bonus entitlement would not be penalized. Our motor vehicle policy covers fire, theft, accidental damage and third party property damage and only a claim under one of these perils would result in a client’s no claim bonus entitlement being penalized.

The State Insurance Office is overreacting to this situation. This man has had a no-claim situation on two motor vehicles. Because he has been convicted of a 0.05 offence, although he paid the penalty of loss of his licence for twelve months and a $250 fine, an additional penalty has been imposed upon him by an insurance company.

I ask the Deputy Premier or one of the Ministers to take up this matter with the Treasurer and respond at an appropriate time.

Mr KENNEDY (Bendigo West)—I direct my comments to the Minister for Public Works and ask what progress has been made to the proposed Bendigo Chinese dragon museum. I raised this matter in the House last year during debate on a motion for the adjournment of the sitting and I pointed out the significance of the development of the Government’s new tourism strategy for the Bendigo region because it highlighted two aspects of tourism potential in that region: Themes of gold and historic Chinese associations.

Chinese people have played an important part in Bendigo’s history and their contribution to the tourism aspect of the Bendigo region is extremely significant. The proposal for a Chinese museum at Bendigo is a significant development indeed. Bendigo has unique attractions with its three magnificent dragons, the most recent one, Sun Loong, being built in Hong Kong in the early 1970s. Sun Loong is the longest dragon in the world—more than 100 metres in length. It plays an extremely important role in the Bendigo Easter Fair by giving that fair a character which distinguishes the event from activities of a similar kind throughout Australia.

It would be impossible to conceive of the Bendigo Easter Fair without its Chinese associations, its dragons and its unique Chinese collection. Other aspects of the Chinese heritage of Bendigo include lions, costumes, regalia, banners, silk, brocades, drums and gongs. The most important need for this heritage is an appropriate area within which to house and display these items.

A significant development during the last election was the commitment of the Cain Government to develop in partnership with the Bendigo City Council and the Chinese associations a Chinese dragon museum at Bendigo. That commitment was warmly welcomed in Bendigo because it is widely recognized by the Bendigo community that the unique character of the Chinese heritage is of enormous significance for the development of tourism.

Another aspect that was highlighted during the election campaign was the important role that the Government has taken in developing the Tourist Information Centre. The State and Commonwealth Governments have combined to improve roadworks for the famous Bendigo vintage trams and to provide a new storage barn for those trams.

An important commitment was also made by the Victorian Government for the development of an underground tourist mine at the Central Deborah.
The new tourism policy outlined by the Government during the election campaign highlighted the important Dai Gum San historic village complex and the restoration and redevelopment of the historic Capitol Theatre.

I wish to emphasize the Chinese dragon museum which has a high priority. I welcome the support given by the Government to this project and I am sure the Minister will indicate that high priority will continue to be given to that project by the Government and that progress has been made.

Mr MACLELLAN (Berwick)—I raise a matter for the attention of the Minister for Transport representing the Minister for Health. This matter, which deserves urgent attention, relates to ambulance services in the Berwick area and, as a consequence of traffic accidents, the tow-truck services which are necessary to enable ambulance services to follow up the work.

On Monday, 6 May a councillor took ill at the Pakenham council offices. He was taken to Dr Bruce Cox in Pakenham and then to the Pakenham Bush Nursing Hospital. As the councillor lived in Bunyip he desired to be taken to the Warragul hospital because that was the area in which the doctor's private practice operated.

The Pakenham Ambulance Service was not permitted to take the patient to Warragul as the ambulance was required to be held in reserve. The Warragul hospital was contacted and the ambulance service at Morwell refused to come across the border. Dr Cox then contacted the Frankston Ambulance Service and was told to contact another ambulance service, which refused to attend but suggested he might contact the Dandenong Ambulance Service.

The Dandenong Ambulance Service attended and transported the patient, who was in great pain, to the Warragul hospital. The whole procedure involved a 2-hour delay for a patient suffering from a heart incident. Dr Cox was extremely concerned about the health and safety of his patient. It is obviously a border problem, one of co-ordination between ambulance services. I am sure that the Minister for Transport is aware of the significance of the problem.

On that same day, Monday, 6 May, a fatal accident occurred on Wellington Road, Clematis. Again, because of the fatal accident, ambulance services were required. The towing allocation service was contacted but it advised that the police and those attending the accident should obtain the services of the local towing service in Emerald. However, the local service at Emerald was not zoned to attend that area, although it was 5 minutes away. The operator of that local service was forced to refuse because he had been threatened with prosecution if he took work from that area.

The Belgrave towing service was contacted. In the interim, three more vehicles crashed into the crashed vehicle which then contained a fatally injured person who had not been removed from the road. The accident happened at 4.40 p.m. and the tow truck from Belgrave arrived at 6.10 p.m. Ambulance services were unable to deal with the fatally injured body until after the tow truck operator had removed it from the road.

On that one day ambulance services to the area I represent were in chaos and a heart patient waited for 2 hours while the ambulance service argued about which ambulance might be allowed to take the patient to the Warragul hospital. The nearest ambulance which was in the Pakenham area—2 minutes away from the Pakenham Bush Nursing Hospital—was the first to be refused permission to take the patient to the hospital where he sought to get the expert attention he obviously required.

In the meantime, just a few miles up the road a similar situation occurred, and a tow truck took 2 hours to attend the scene of an accident, which meant that the ambulance service was not able to remove the deceased occupant of a car in the Clematis area. I ask the Minister to take urgent action on those matters.
Mr J. F. McGrath (Warrnambool)—The matter I raise with the Minister for Transport relates to the procedure adopted by the Road Construction Authority when it acquires land for road widening purposes.

A couple in the Warrnambool electorate bought a property during the last three years and, prior to the purchase, made the relevant inquiries as to whether any easements or covenants were associated with the property. The couple were advised that the title was clear. They bought the property as a small hobby farm and planted 100 trees along the roadside. The shire has now notified them that five years ago the Country Roads Board, now the Road Construction Authority, has earmarked the property for future development. The fact was not evident when they made their research prior to buying the property. The two neighbours on either side of the property have not as yet had any approaches from the authority.

Can the Minister tell me what the normal procedure of the authority is in that situation? Is it normally left to local municipalities to make the initial approach to property owners? The property owners are not arguing about the compensation aspect, as they understand that they will be adequately compensated. They are more concerned about the inconveniences they had in buying and establishing the property only to find that much of the work and planting will be wasted.

Mr Micallef (Springvale)—The matter I raise with the Minister for Transport concerns Springvale Road, one of the busiest roads in Melbourne and probably one of the busiest in Australia. In a 12-hour period, 25 000 vehicles use the Springvale Road railway crossing. The delays caused by trains travelling through the crossing during that period are enormous with 120 trains using the crossing during the 12-hour period; 110 boom gate closings occur during a 12-hour period and the total time of boom gate closings over the 12-hour period is 3·1 hours, or 26·1 per cent of the time.

Each boom gate closing causes an enormous build-up of traffic. Last year a child aged twelve years coming from the Springvale High School died in an accident when she attempted to cross the crossing; one train had passed and the child ran across without realizing that another train was coming the other way. The parents of that child are concerned that other children may suffer the same tragic fate.

Springvale City Council built a subway some years ago but it goes only across Springvale Road and blocks off one of the traffic lanes, thus reducing Springvale Road to two lanes at that point. Several suggestions have been put for alleviating the problem, such as road separation and a rail overpass with the road passing under the rail line.

The matter that concerns me is the number of suggestions that have been put forward quickly without much thought. There is the need for a proper investigation of all the avenues available to the Government to reduce the delays caused to motorists.

One can imagine the amount of time wasted by commercial vehicles, by ordinary people in delays at the crossings and the petrol wastage, which is of enormous cost to the community.

I ask the Minister for Transport to seriously examine the situation. I know the problem has been created by 27 years of ad hoc corridor type development by the previous Liberal Government.

Mr Spyker (Minister for Consumer Affairs)—The honourable member for Lowan raised a matter for the attention of the Treasurer. I understand the problem he has in that area but I am not able to give him detailed information. However, I will ensure that the matter is passed on to the Treasurer tomorrow.

The honourable member for Gippsland West raised with me a serious matter with regard to a constituent who purchased a motor car from Richard Renzella, Peninsula Vehicle Sales of Nepean Highway, Mentone. That matter is of concern to me, but I advise the honourable member that the Motor Car Traders Committee is a statutory authority
which reports independently to Parliament. I have no jurisdiction over that committee, other than to appoint the independent chairman. The Royal Automobile Club of Victoria has one member, the Victorian Automobile Chamber of Commerce has two members and there is one member from the Victoria Police Force.

The chairman has given outstanding service to the committee since 1973, when it was established. He will be retiring in a few months' time when I intend to restructure the committee because of its limitations. It now has power only to remove a licence. It is not able to penalize a trader. I shall be considering a position in which the committee could temporarily suspend a licensee or fine the motor car dealer. As the honourable member for Gippsland West has outlined, it is a deplorable state of affairs that one of his constituents finds himself in.

The committee was set up in 1973 under the old Chief Secretary's Department before there was a Minister for Consumer Affairs. Now that a Minister is in place, I do not see any purpose in having a separate section to deal with one specific section of industry. I do not see why motor car dealers should be dealt with differently from dealers in other items such as furniture. I intend to remove the motor car complaint area from the committee to the Ministry.

When the recent credit legislation was proclaimed on 28 February last, it dealt with only the licensing aspect. I intend to move in that direction in the spring sessional period to ensure that the Motor Car Traders Committee deals only with the licensing aspect and that complaints will be dealt with by the Ministry. That will streamline the committee. So far as the matter raised by the honourable member for Gippsland West, I will consider what can be done in the Ministry. As the committee is an independent statutory authority, I am not in a position to interfere with its decision-making process.

Mr MATHEWS (Minister for Police and Emergency Services)—I am aware of the fire that was mentioned by the honourable member for Portland and also of the fact that police investigations have been carried out. I regret that I am unable to tell the honourable member whether that investigation has been finalized and, if so, the outcome. I shall make further inquiries and get back to him as soon as possible.

Mr WALSH (Minister for Public Works)—The honourable member for Monbulk mentioned the fire that occurred last night at the Upwey High School. I agree that the damage was extensive. I congratulate the honourable member on the work he has undertaken today to get things moving and ensure that things are happening at the high school.

I place on record my thanks to the Country Fire Authority and the brigade for the excellent work they performed in eventually controlling the fire. I understand a couple of the firemen were injured, and the honourable member for Monbulk has made inquiries all day about the welfare of those firemen in the hope that their injuries are minor.

Officers of the Public Works Department were on site early this morning. After consultations with the Education Department it was decided to bulldoze the damaged building and clear the site immediately. Demolition will be completed by Sunday, 2 June. Relocatable class-rooms will be on site by Monday and the new building will be in full operation by 10 June. Those arrangements will be effected in less than two weeks after the fire. I hope things will get moving so that conditions can be returned to a standard that students can enjoy. I also thank the honourable member for Monbulk for the work he has performed today in the interests of the students.

The honourable member for Bendigo raised a matter that has been mentioned twice since I have been a member of this place. I refer to the Chinese dragon museum in Bendigo. I congratulate the honourable member on his interest in the matter and I am well aware of the role the Chinese played in the history of Victoria, especially Bendigo. This Government made a commitment to examine the building of a Chinese dragon
Mr Kennett interjected.

Mr WALSH—The answer cannot be found in the comic books read by the Leader of the Opposition. Consultations have taken place with the Bendigo City Council and the Public Works Department. The council has asked the department to make submissions on the appointment of architects and officers of the Public Works Department for the construction of the museum. Officers of the department have been in continual contact with the council. A draft offer of service has already been provided to the council and we are awaiting finalization of the draft from the council.

I assure the House that the department is keen to see the project move ahead quickly. We look forward to reaching agreement with the council quickly and smartly. Already five working committees have been set up by the council with the assistance of the Public Works Department. The department has representatives on three of the working committees; officers will chair one of them and provide an observer on a further committee. The Victorian Tourism Commission is meeting with the Bendigo council tomorrow and the committees will begin meeting. Decisions will be made at tomorrow's meeting and I look forward to the project going ahead. I look forward to visiting Bendigo in the near future to see the historic Chinese collection in that city.

Mr ROPER (Minister for Transport)—The honourable member for Berwick referred to the ambulance and emergency services in the area he represents and the case of a councillor of the Pakenham Shire Council who had a heart attack and had to be transferred to the Pakenham Bush Nursing Hospital.

The situation that the honourable member referred to is of concern. Parliament has received a report from the Public Bodies Review Committee recommending that a number of ambulance service boundaries in country areas be removed, and as honourable members will be aware, that will automatically occur in the second half of this year unless Parliament takes specific legislative action to ensure that all of those ambulance services remain.

I was pleased to refer the ambulance services to the committee and equally pleased to receive its report. Part of the difficulty that is faced by the Shire of Pakenham is due to the boundaries but that is not the only reason for the problem. A number of ambulance officers should think very clearly about the arrangements between themselves on who does what. It appears to be ludicrous that a patient is simply taken by an ambulance to a hospital that can deal with a particular condition because no one can make up his mind on who will move the patient. I shall take up that matter with my colleague in another place, the Minister for Health, to obtain a formal answer to the matter raised by the honourable member for Berwick.

The honourable member also referred to tow trucks, which, although connected with a health issue, are the responsibility of the Ministry of Transport. I shall take up that matter with the committee that is responsible for that area because that also appears to suffer from the same kind of boundary problems that afflict ambulance services.

The honourable member for Warrnambool referred to the acquisition of properties by the Road Construction Authority. I should appreciate some additional information from the honourable member so that I know exactly how those properties were affected because it may well be that there was an intention but there has not been an actual amendment to the planning scheme. However, if the honourable member will provide that information, I shall have the matter followed up.

The honourable member for Springvale referred to the Springvale rail crossing, which is a major concern to both himself and the people he represents. I am pleased to say that next week I shall be meeting with the honourable member and a deputation from the area he represents to consider options to improve that rail crossing. Those options have to be...
financially realistic and we will be examining what is both financially realistic and ways and means of overcoming a traffic problem that has existed for a long time.

The Leader of the Opposition may not be interested in what occurs in Springvale but I am sure the candidate who stood for Burwood at the last State election would have been very interested in the matter. I look forward to working with the honourable member for Springvale in overcoming what has been a long-term problem.

The motion was agreed to.

*The House adjourned at 12.14 a.m. (Thursday).*
Thursday, 30 May 1985

The SPEAKER (the Hon. C. T. Edmunds) took the chair at 10.35 a.m. and read the prayer.

QUESTIONS WITHOUT NOTICE

WORKERS COMPENSATION

Mr STOCKDALE (Brighton)—Has the Minister for Employment and Industrial Affairs received a report calculating the reduction in costs to industry that would result from the means testing and assets testing of workers compensation benefits? If so, what has been the reaction of the Government to that report?

Mr CRABB (Minister for Employment and Industrial Affairs)—At times I am amazed by the flights of fancy which seem to occupy the minds of honourable members on the front bench of the Opposition side of the House. The question suggested that someone somewhere is contemplating the introduction of assets testing on workers compensation payments. To the best of my knowledge no such suggestion has ever been made anywhere by anyone. That ground has just been broken by the front bench of the Opposition, which I find remarkable.

There is no contemplation of this proposal, regardless of any policies the Liberal Party may be developing. There is no suggestion from the Government of means testing of any sort on workers compensation benefits.

LATROBE VALLEY ELECTRICITY WORKERS

Mr ROSS-EDWARDS (Leader of the National Party)—I direct a question to the Acting Premier relating to the State Electricity Commission. Will he give an undertaking that no employee of the State Electricity Commission in the Latrobe Valley will suffer either a loss of employment or loss of wages because of his or her refusal to pay a levy to assist the Electrical Trades Union strikers in Queensland?

Mr FORDHAM (Acting Premier)—I understand the interest that the Leader of the National Party has taken in this matter since it became a public controversy last week. The State Electricity Commission has moved to minimize the difficulties that arose within the Latrobe Valley.

The person concerned who became, and still is, the focus of this issue is a trades assistant and will remain in that classification. There is no suggestion of any loss of remuneration or loss of employment with the State Electricity Commission. The commission has my wholehearted support in this matter. I will keep in touch with the Leader of the National Party on any developments that occur.

LOCAL GOVERNMENT

Mr HARROWFIELD (Mitcham)—Will the Acting Premier inform the House of the Government’s plans for the future of local government and the respective roles of the State Government and local government in Victoria?

Mr FORDHAM (Acting Premier)—The Victorian Government values the close working relationship that has been developed with local government, firstly, under the leadership of the former Minister for Local Government, the Honourable Frank Wilkes, and now pursued by the current Minister for Local Government, the Honourable Jim Simmonds. This State has developed a tier of structures in government that work well. Local
government has a vital and continuing role to play, which will continue to flourish as it has in recent years.

It is of some concern to me that the Opposition has now taken a different view and is now calling for the abolition of either State or local government in Victoria.

Honourable members interjecting.

Mr FORDHAM—It must come as a major shock even to members on the back bench of the Opposition that that is now the policy of the Liberal Party, as stated by the Leader of the Opposition at a major address and reported by the Knox Standard yesterday.

I believe it is absurd for the Leader of any political party to seriously make such a statement. Local government has a vital role. The Labor Government in this State will continue to work with local government as it pursues that role.

The Leader of the Opposition has now said that, if local government is to stay, State Government must go altogether. The Leader of the Opposition now interjects "Hear, hear!". That is an interesting philosophy from the Leader of the supposed alternative Government. It is interesting that it will go out of existence.

The honourable member for Murray Valley interjects that the Opposition may need a new Leader.

Honourable members interjecting.

Mr FORDHAM—The Opposition may well need a new Leader because, as reported in the Knox Standard, the Leader of the Opposition has offered to stand down. He has agreed to vote himself out of political office if local government is to stay. The Knox Standard will be the most widely read local paper this week!

It is very important that there be sensible political debate in this country on the respective role of governments at local, State and national levels. The Labor Party has fostered that debate at the Constitutional Convention and in many other forums in this country, and it is a pity that that view is not expressed by Her Majesty's Opposition.

WORKERS COMPENSATION

Mr PESCOTT (Bennettswood)—Does the Minister for Local Government object to the removal of the right of common law claims for workers compensation in respect of municipal employees?

Honourable members interjecting.

The SPEAKER—Order! I ask the House to come to order. I allowed it to become unruly during the answering of the last question, but I shall ensure that that does not occur from here on.

Mr SIMMONDS (Minister for Local Government)—I am extremely concerned that municipal employees in Victoria should have full and proper workers compensation coverage; that has not always existed. I well remember the period between 1953 and 1966 when workers compensation benefits for municipal employees were pegged at the 1953 rate for some thirteen years, as a direct result of the inactivity of the Liberal Government.

The SPEAKER—Order! I advise the Minister for Local Government and the House that a notice of motion appears on the Notice Paper relating to a proposal regarding workers compensation. I do not intend to allow questions that will allow or invite debate on the subject prior to that notice of motion being dealt with in the correct manner.

Mr SIMMONDS—As I understand it, the question asked by the honourable member for Bennettswood related to the common law rights of local government employees in Victoria.
In prefacing my response to the question I indicated that common law rights are dependent on eligibility or access to those rights, not only for common law purposes but also for the payments applicable under the principal Act. I make the point that for thirteen years those payments were pegged, which meant that greater pressure was exerted for utilizing common law rights. An inquiry found that because of the practice of paying the table of maims and the weekly payments benefits based on the date of the initial injury, more workers were to use common law rights.

Recent amendments to the Workers Compensation Act have increased the amount of weekly payments and the table of maims. Recent amendments have also introduced the proposition that an injured worker be paid at the current rate so that the question of retrospectivity as well as indexation is dealt with and the rates are adjusted annually.

Several reforms to workers compensation practices have reduced the incidence of common law being utilized by a large number of workers in the municipal field, as well as everywhere else. Municipal employees will benefit greatly from any adjustment in workers compensation, and I commend the initiative of the present Government in taking steps to ensure that not only municipal employees but also all employees in Victoria have better access to workers compensation benefits than they had before.

EDUCATION FUNDING

Mr HANN (Rodney)—I ask the Minister for Education: Is it a fact that the Commonwealth Government has drastically reduced the funding for technical and further education and for the Participation and Equity Program in Victoria? If so, will the Minister advise what impact this will have on these programs in Victoria and what action the State Government intends to take to try to have the level of funding restored?

Mr CATHIE (Minister for Education)—As part of the restraint being necessarily exercised by the Commonwealth Government, cutbacks have been made in Commonwealth programs affecting education in the State. The Participation and Equity Program, a Commonwealth-funded program, has been effectively halved by extending what was previously a twelve month program over two years.

The more important effect that will particularly determine the Government's attitudes in the technical and further education sector has been the cutback in the capital works program in that sector. Of that $12 million cut by the Commonwealth Government in its capital works program, $4·5 million affects this State because Victoria has one of the major TAFE capital works projects in Australia.

That will slow down the State Government's current commitment to capital works extensions, particularly in areas such as Holmesglen and Broadmeadows, and it could even have the effect of deferring many of the plans that are on the drawing board at present.

Given the commitment the Government has to the Commonwealth Government's Kirby report and traineeships, its commitment to the Youth Guarantee Scheme and the implementation of the Blackburn report to achieve higher retention rates of young Australians in Year 12 of schooling, I am now submitting to the Government's budgetary processes a number of recommendations designed to overcome some of these problems.

Also, I have taken up these issues with my Commonwealth colleague, Senator Susan Ryan, and I have every confidence in the ability of the Government to ensure that its commitment to the Youth Guarantee Scheme will be implemented.

NATIONAL DRUG SUMMIT

Mrs SETCHES (Ringwood)—I ask the Minister for Transport, who is the representative of the Minister for Health in this place, to advise the House of improved services to drug and alcohol agencies in Victoria since the national drug summit.
Mr ROPER (Minister for Transport)—I am sure all honourable members are aware of the honourable member for Ringwood's interest in the development of alcohol and drug services. I am aware of her interest in the Maroondah Alcoholics Recovery Project—MARP—in the outer eastern suburbs.

Since the summit took place some weeks ago, much work has been done by officers of the Health Commission including holding discussions with other departments and voluntary agencies. I am pleased to inform the House that a 24-hour drug and alcohol counselling telephone service will now be available. Its purpose is to ensure that people seeking advice on alcohol and drug matters can receive such advice regardless of the day of the week or the time of day.

An increase in community funding for drug and alcohol services will occur and more community residential services for drug addicts will be established. For some years, those areas have been identified as needing a boost. With the additional assistance from the Commonwealth Government, the State Government will be able to move faster in this area than before.

Tonight, the Government is formally launching the Windana residential service, about which the honourable member for St Kilda, now the Minister for Water Resources, led a successful deputation to me prior to the State election. The thrust of the Government's policy is to develop community-based services to be as readily available as possible.

Methadone programs are currently being reviewed with the possibility of Methadone being dispensed on a regional basis rather than from the present restricted number of dispensing points. From time to time, people from country areas particularly have made representations about that matter.

New programs are being established for offenders within the judicial system because that is a major problem and one which both the Minister in charge of Corrections and the Minister for Health wish to ensure is overcome by examining a separate therapeutic residential treatment program for drug addicts within the system. In addition, drug and alcohol co-ordinators will be appointed to the eight regions of the Health Commission.

The aim of the Government is to ensure that services are accessible and community based. The Government wishes to back up the initiative of the Prime Minister in combating this appalling social problem.

**EARLY RELEASE SCHEME**

Mr JOHN (Bendigo East)—I ask the Minister for Police and Emergency Services whether the Police Force has expressed concern about the operation of the early release scheme and, in particular, the amazing proposal for the release of a person convicted only eighteen months ago for killing a former footballer, Fred Swift.

Mr MATHEWS (Minister for Police and Emergency Services)—The Attorney-General has announced a review of the scheme, and I anticipate that the honourable member will wish to make some comment in that context.

**ADVERTISING CAMPAIGN FOR “THE MET”**

Mr JASPER (Murray Valley)—Will the Minister for Transport indicate to the House the cost of the extensive advertising program for “The Met” and how he justifies that program? Will he also indicate whether trains have been running on time because of the program and whether there has been an increase in patronage?

Mr ROPER (Minister for Transport)—I am not certain as to which advertising campaign the honourable member for Murray Valley is referring. If he is referring to the recent program that has been operating on behalf of the Victorian Transport Borrowing Agency, I indicate that the campaign is not only about “The Met” but also about a whole range of
transport activities. Over the past two years the advertising program has resulted in a significant increase in the capacity of the transport system to borrow at attractive rates of interest, to re-equip itself and to provide new services which are very much overdue.

I am well aware of the interest of the honourable member for Murray Valley in rural train services and some services that have almost ceased to exist in the electorate he represents.

The performance of "The Met" in recent times, as I mentioned in answer to a question yesterday, has improved. In mid-1980 approximately 84 per cent of train services were running on time and that figure is now more than 90 per cent. The Government is not satisfied and wishes to see further improvements so that passengers in the metropolitan area travelling on "The Met" or in country areas on V/Line can be assured that services will run reliably and that they will get to their destinations on time.

VICTORIAN COMPUTER INDUSTRY

Mr HOCKLEY (Bentleigh)—I direct my question to the Minister for Industry, Technology and Resources. Following the announcement yesterday by the Minister for Education concerning school computers, can the Minister inform the House of the impact of that decision on Victorian industry?

Mr FORDHAM (Minister for Industry, Technology and Resources)—As would all honourable members, the Government welcomed the statement from the Minister for Education yesterday concerning further Government commitment to the development of computer education programs in Victorian schools. These developments will have a significant impact on the computer industry in Victoria. It is interesting to note how successful suppliers under the Government scheme of notification of available and appropriate equipment are complying with the purchasing policies of the Government.

Apple Computer Aust. Pty Ltd has entered into an offset arrangement with a Bayswater firm, Maclagan Wright and Associates Pty Ltd, which makes a networking device for the Apple computer superior to that currently supplied by the Apple company. It is intended that the device will be taken up by the Apple company and will then be distributed worldwide, which is a significant breakthrough for the Victorian computer industry. The Microbee systems are manufactured in Australia.

The Acorn and BBC systems are manufactured in England and distributed by Barson Computers Pty Ltd, a Victorian-based company. The Department of Industry, Technology and Resources is currently discussing a range of proposals with Barson Computers Pty Ltd to provide the necessary offsets. Among these proposals is the establishment of a research centre for the purposes of promoting high technology training, developing high technology projects which can be produced and sold in Victoria and sponsoring major educational projects in educational institutions in conjunction with the Minister for Education.

The honourable member for Murray Valley would be aware, as it is well known to all honourable members, that IBM Australia Ltd provides a substantial offset in Victoria by manufacturing its personal computer range at Wangaratta, which has also been done in conjunction with the Victorian Government.

The Pulsar systems are manufactured in Victoria by Pulsar Electronics Pty Ltd, and that company has received assistance from my department and from the Victorian Economic Development Corporation. It is pleasing to note that company's continuing success in providing computer equipment to Victorian schools.

In summary, the purchasing policies of the Government, particularly these offset policies, have been a successful innovation for the Government. A significant amount of success has been achieved already in the computer area where several recent offset arrangements include the opening of the Amdahl South-East Asian education centre based in Melbourne;
and the feasibility study into a joint venture with Sperry Ltd, a major international company, for the development of transportation software for worldwide distribution. These examples highlight the success of the policy of the Government and the developing technology base that is now emerging in Victoria.

**CAMPAIGN FUNDRAISING**

Mr LEIGH (Malvern)—I direct my question to the Minister for Police and Emergency Services and I refer to documentation containing allegations that prostitution has been used to raise campaign funds in the electorate of Oakleigh. Can the Minister indicate what action members of the Police Force have taken to investigate the matter and charge those concerned?

Mr MATHEWS (Minister for Police and Emergency Services)—I am unaware of any action taken by police to investigate the matters referred to by the honourable member. If the honourable member will inform me of when the complaint was lodged with the Police Force, I will follow up the matter and advise him.

**HUME FREeway**

Mr McDONALD (Whittlesea)—Can the Minister for Transport inform the House of the progress made towards the completion of the Hume Freeway to Wodonga?

Mr ROPER (Minister for Transport)—I thank the honourable member for the question; I am aware of his interest in this major road activity. With the recent announcement of funds from the Federal Government, it is likely that the date for the completion of the Hume Freeway will be 1992. That program involves a number of extremely large projects that will result in the road to the New South Wales border being one of the best roads in Australia.

Several major projects are currently under way: The Benalla bypass at a cost of $53 million; the Winton bypass at a cost of $18 million and the duplication of the carriageway from Barnawartha to Wodonga at a cost of $20 million. Those projects are expected to be completed by late next year. Several other major stages of the project are ready for tender or about to be submitted to tender.

The aim is that the project be completed as soon as possible, and the Government looks forward to working with the Federal Minister for Transport, the Honourable Peter Morris, to ensure that the Hume Freeway is completed as early as possible for the benefit of all Australian motorists, particularly those who depend on the road for their livelihood.

**ESSENTIAL SERVICES ACT**

Mr GUDE (Hawthorn)—Has the Minister for Employment and Industrial Affairs given any undertakings to union officials about the time frame in which the Government will honour its commitment in respect of the Essential Services Act?

Mr CRABB (Minister for Employment and Industrial Affairs)—I am not sure exactly what the question entails. It is probably out of order because it refers to the intention of the Government concerning specific legislation.

The SPEAKER—Order! The question is in order.

Mr CRABB—Is it, Mr Speaker! That is a shame. As the honourable member and all Victorians know, it is the policy of the Australian Labor Party to repeal repugnant Acts of Parliament. With regard to the time aspect, the Government will decide that matter in due course.
EMPLOYMENT BARRIERS

Dr COGHELL (Werribee)—Can the Minister for Employment and Industrial Affairs inform the House of any legislative or other barriers, such as award barriers, to the employment of young people? What further action does the Minister intend to take as a result of those barriers?

Mr CRABB (Minister for Employment and Industrial Affairs)—When addressing issues to achieve the implementation of the Youth Guarantee Scheme, the Government discovered a number of barriers to the employment of young persons—persons under the age of eighteen years and, in some cases persons under the age of 21 years. One of those barriers is that persons under the age of eighteen years are not allowed to drive fork-lift trucks. I recall that a constituent of the honourable member for Berwick was unable to secure a job operating a back-hoe because he was aged seventeen and the regulations required a back-hoe operator to be older than that.

Persons under the age of eighteen years are not allowed to take on a job which involves working with a belt or a pulley; under the regulations those persons are not permitted to lift any object weighing more than 12 kilograms. A series of awards contains constraints on people below certain ages being employed in certain occupations. In addition to those awards, a range of corporate policies in both the private and public sectors discriminates substantially against young people. The intake of school leavers into the Australian Public Service and the Victorian Public Service as well as into other instrumentalities has diminished markedly over the past ten to fifteen years. For example, the State Electricity Commission would at one stage have taken on several hundred school leavers each year, but now takes on only a handful.

Mr Williams—If the dividend tax is taken off, they might find jobs.

The SPEAKER—Order! Supplementary questions are out of order.

Mr CRABB—If the honourable member for Doncaster kept quiet, he might learn something. The Public Service is not taking on fewer people; it is taking on mature people rather than school leavers. The Public Service uses what it calls the merit principle. It takes what it sees as the best applicants for jobs, rather than giving preference to young people, so school leavers are missing out across the board.

Because of this, I have established a review committee to inquire into the extent of the barriers against youth employment, both by regulation, award and by practice. An advertising campaign has been commenced on three of Melbourne’s radio stations most listened to by the young people in the unemployed group to obtain information of experience they have had in being unable to gain employment merely because of their ages. Information from that campaign is beginning to flow in at the moment. However, if honourable members have had experience in the electorates they represent of young people who have found their age has been the sole barrier to employment, I would be grateful if those honourable members would inform me of the circumstances and the result of the inquiries.

PETITIONS

The Clerk—I have received the following petitions for presentation to Parliament:

Health Commission land development

Proposed Developments on vacant 2·5 ha of land 371–395 Manningham Road, Doncaster

To the Honourable the Speaker and Members of the Legislative Assembly in Parliament assembled:

We, the undersigned, wish to register our concern at reported plans for the development of the above-mentioned vacant land which is currently owned by the Health Commission. We are against any high density development in the Doncaster and Templestowe area and wish to advise the following:
1. Residents in the area should be consulted in the early stages on any plans for developments on the land.

2. Rezoning of the site from the current Dwelling Density 3 and maximum site coverage of 35 per cent as defined in the City of Doncaster and Templestowe Multi Unit Development Guide (July 1982) should not occur.

3. The Victorian Government’s policy of spot purchase housing is supported as the most equitable way of meeting public housing needs in the City of Doncaster and Templestowe.

4. Development of the above-mentioned site as aged accommodation complementary to and compatible with the Nursing Home and Day Care Centre is supported.

And your petitioners, as in duty bound, will ever pray.

By Mr Perrin (592 signatures)

\textbf{“R” and “X”-rated video cassettes}

TO THE HONOURABLE THE SPEAKER AND MEMBERS OF THE LEGISLATIVE ASSEMBLY IN \textbf{PARLIAMENT ASSEMBLED}:

The humble petition of the undersigned citizens of Australia, Victoria respectfully showeth that;

Whereas we appreciate the Government’s efforts to legislate for the control of video films in Victoria through the Films (Amendment) Act 1983, we are deeply concerned that the “R” and “X” classification is doing immeasurable harm to our children and teenagers in the home, contrary to the United Nations Declaration of the Rights of the Child which states;

The child shall enjoy special protection, and shall be given opportunities and facilities by law and other means, to enable him to develop physically, mentally, morally, spiritually and socially in a healthy and normal manner and in conditions of freedom and dignity. In the enactment of laws for this purpose the best interests of the child shall be the paramount consideration.

Your petitioners therefore humbly pray that the Parliament assembled will legislate to ban the sale or hire of “R” and “X”-rated videos to the general public.

Your petitioners, as in duty bound, will ever pray.

By Mrs Setches (116 signatures)

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

\textbf{PAPERS}

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:

- Public Service Act 1974—No. 171

\textbf{GRIEVANCES}

The \textbf{SPEAKER}—Order! The question is:

That grievances be noted.

Mr BROWN (Gippsland West)—I raise for the attention of the House and, therefore, the public, serious matters concerning the activities of a number of people. Firstly, I note the undertaking of the Attorney-General that the Victorian Government will establish a task force to investigate possible legislation to reduce the number of company insolvencies and to protect creditors from losing money.

The Attorney-General recently stated that 700 Victorian companies went into liquidation last year, with creditors losing more than $150 million. The task force to be established in the Corporate Affairs Commission would look at increasing responsibility of directors to their creditors. It is a criminal offence for companies to continue to trade when insolvent. Companies can become insolvent and their directors can truck down the road and start a new business with the unsecured creditors, but not the directors, losing their money.
A gentleman who has conducted business activities in Victoria for approximately fifteen years is one Noel James Scarff. He has been associated with a large number of failed companies since the early 1970s. He was declared a bankrupt on 7 June 1979, the bankruptcy order number being 465. The Official Receiver has never received a statement of affairs.

On 16 January 1981 the Official Receiver lodged an objection against Scarff's discharge from bankruptcy, and to this date he is still under discharge. Mr Scarff is currently under investigation by the Official Receiver and the Commissioner for Corporate Affairs. He has been in gaol in connection with various offences under the Bankruptcy Act and he appears to have no assets in his name.

Noel James Scarff has convictions under section 269 of the Bankruptcy Act, which covers persons who continue to trade and incur credit beyond a certain amount after being declared bankrupt. He was sentenced to one month's gaol and has since successfully appealed and had his sentence reduced to fourteen days.

The Attorney-General wrote to me on 28 March 85 in the following terms:

I am writing in response to your letters of 5 and 14 March 1985 addressed to myself and the Commissioner for Corporate Affairs concerning the activities of Mr Scarff.

I am now advised that matters to which you refer have been under investigation by the Corporate Affairs Office for some time, and arising out of the investigations undertaken so far, Mr Scarff was, on 19 March 1985, arrested on a charge of dishonestly obtaining property contrary to section 81 of the Crimes Act 1958.

Mr Scarff has been bailed to appear in the Melbourne Magistrate's Court on 12 August 1985 and one of the conditions of his bail is that he will not in any way take part directly or indirectly in the management of a corporation.

In the meantime further investigations are being undertaken into Mr Scarff's activities.

As that matter is now before the courts I am, understandably, constrained from taking any further action relative to the activities of Mr Scarff.

I now go on to the activities of his wife, Helen Mary Scarff. Her activities go back approximately fifteen years. I quote from the Official Receiver’s report No. 368, 1979, which notes that Helen Mary Scarff was a property developer either in her own right or as the beneficial owner of Normleigh Pty Ltd and that she is also the registered proprietor of the matrimonial home at unit 3, 17 Lithgow Avenue, Blackburn. On the death of his father, Scarff senior, in 1970, Noel James Scarff, the bankrupt whom I have mentioned, together with his wife, incorporated Sungrow Fruit Juice Company Pty Ltd. Financial difficulties soon beset the company and a receiver and a manager were appointed by the major creditor, Mildura Citrus Products Pty Ltd.

Other companies in which this lady and the bankrupt had an interest in earlier years were Garno Investments Pty Ltd and Scarff Bros Pty Ltd. Normleigh Pty Ltd is a company that was owned jointly by the bankrupt and Mrs Helen Mary Scarff. That company was incorporated on 24 November 1975 as Nordon Investments and Management Consultants Pty Ltd. The records show that it changed its name to Nordon Pty Ltd on 22 December 1975. The bankrupt and his wife held one share each. The company was wound up on 17 November 1978 on the petition of Louis Rotman and Associates, solicitors.

The next company to which I refer is United Commercial Estates Pty Ltd. I also mention MFC Caravans Pty Ltd, Westfield Timber Industries Pty Ltd and Coach Craft Caravans Pty Ltd. Mrs Helen Mary Scarff is associated with all of those companies, usually as a director and secretary. Indeed, over many years every company associated with these people has failed. One project the bankrupt entered into on behalf of his wife and himself was for the redevelopment of a property at 97 Wattle Valley Road, Camberwell, which was purchased by Mrs Scarff from Nordon Pty Ltd.

There followed a similar development at 6 Holyrood Street, Camberwell. The renovation of the property at 8 Gordon Crescent, Blackburn, was the bankrupt's fourth and last major
As I have indicated, Mrs Scarff has been involved in a large number of companies that have failed. She has been the director and secretary of not only those companies but also of a new batch of companies, which moved down into the Gippsland area some twelve to eighteen months ago to set up new ventures known as Superfarm Projects.

It was reported in the daily media on 29 March 1985 that a large number of companies had recently been placed in the hands of a provisional liquidator. These new companies are Tool Built Construction Pty Ltd; Freehold Rural Estates Pty Ltd; Freehold Village Estates Pty Ltd; Freehold Cottage Estates Pty Ltd; Freehold Heritage Estates Pty Ltd; Datambo Nominees Pty Ltd; Freehold Estates Pty Ltd; Molera Pty Ltd; 15th Enbarb Pty Ltd; Modder Pty Ltd and Country Estates Pty Ltd. These companies all have involvement with one Helen Mary Scarff and all have failed again.

During the Inverloch super farm development, persons other than Mrs Scarff became directors of the companies I have mentioned. To my absolute amazement—and I have no doubt to that of the Minister at the table today representing the Attorney-General—I was disturbed to find that just days prior to the collapse of the most recent group of companies, a new company was set up yet again, that company being Stephmat Pty Ltd and the viable assets that remained from those collapsed companies were transferred to the new company just prior to their collapse. Indeed, the directors of Stephmat Pty Ltd are the same directors as those of the failed companies.

It is amazing that an individual can continue in business over a period of fifteen years, having a known history of involvement in companies that collapse, and when the most recently set up group of companies are about to fall that individual can set up yet another company, transfer the assets so they are still secure for personal benefit. It is an absolute disgrace. I hope that the Government, with the full support of Parliament, will move on this matter forthwith.

I am staggered to hear in the last few days that the new company Stephmat Pty Ltd has successfully negotiated loan advances of $3-65 million.

Another matter with regard to this case is the long-term involvement of a Victorian legal firm in the matters of the Scarff family interests, and indeed, the failed Scarff companies. The legal firm is Oakley Thompson and Co. Indeed, one of the senior partners, Mr Peter Welch, is quoted in the media that was circulated in the Gippsland area just prior to the collapse as saying that he had confidence that there was still a hope that the companies could continue. He was optimistic that funding could be arranged. This comment was made prior to the collapse. He indicated that finance was under way and indeed the project would proceed.

Oakley Thompson and Co. issued a letter on 28 September 1984, when the companies were known locally to be on the verge of collapse.

The SPEAKER—Order! Can the honourable member advise the Chair whether the matter is the subject of a police inquiry or whether any charges have been laid and whether hearings have been listed?

Mr BROWN—Only in one case, Mr Speaker. I refer to the case of Noel James Scarff, and I have not referred to any activities of his, other than what is on the public record. The matters I bring to the attention of the House must be dealt with at an early date and require full and thorough investigation forthwith.

On 28 September 1984, when it was known that these companies were on the verge of collapse, Oakley Thompson and Co. issued a letter stating that finance to the extent of $5-5 million would be available through the firm. One could say that is not bad if the legal firm was not aware of the activities of Mrs Scarff, to whom I am referring. However,
Oakley Thompson and Co. has represented Mrs Scarff for many years and has advanced funds to companies that, as I have outlined, have collapsed.

On 4 June 1979, Oakley Thompson and Co. wrote to an individual in Melbourne stating:

We advise that we have been instructed on behalf of Mrs H. M. Scarff to write to you in relation to the following matters . . .

The letter went on to outline a number of issues. Therefore, the firm represented Mrs Scarff as far back as 4 June 1979.

With the 1979 petition for bankruptcy, a notice was circulated stating that a meeting of creditors would be held at the office of Oakley Thompson and Co., 205 King Street, Melbourne on 28 May 1979 at half-past two o’clock in the afternoon for the purposes of allowing certain proposals to be put to the creditors of Noel James Scarf[. This legal firm has advanced funds in a fraudulent manner. There is no doubt whatever of that fact.

Details of a weatherboard house at 10 Lithgow Avenue, Blackburn, valued at $36 000, were set out in the 1979 bankruptcy proceedings. There was a first mortgage of $28 000 to Client Investments, which is an investment company of Oakley Thompson and Co. A second mortgage for $8000 was with Lensworth Finance, and a third mortgage for $26 000 was to Client Investments. Oakley Thompson and Co. lent $54 000 on a property worth $36 000.

A vacant allotment at 68 Whitehorse Road, Blackburn, held by Normleigh Pty Ltd, and valued at $13 000 was subject to a mortgage of $26 000 to Client Investments. Units 6 and 6a, Holyrood Street, Camberwell, had mortgages of $118 000 to Client Investments as well as two other mortgages, although the property was worth only $100 000.

Undoubtedly the legal firm knew the full facts over a long period and continued, up to recent weeks, to be involved with Mrs Scarff. Helen Mary Scarff has continued her activities unabated. She acted illegally and did not care about the lives of people she destroyed because in some cases they lost their houses and businesses. I am aware of many people who were placed in that position. Many people have suffered ill health as a result of her activities and at least one death has been attributed to the pressure associated with the activities of this woman and of other persons.

In the 1979 collapse of the companies, a number of valuations were $234 000 and the borrowings, involving mainly solicitors, were $376 448. The Opposition therefore asks, firstly, for a full and open investigation of the activities of Helen Mary Scarff. Secondly, the Opposition asks that the Government move forthwith to ensure that the assets that have recently been transferred to Stephmat Pty Ltd, only days prior to the collapse of the most recent group of companies, be stopped. Obviously the reason for that is to protect creditors and other people. Thirdly, the Opposition asks that the Government forthwith investigate the involvement of Oakley Thompson and Co., which unquestionably has operated unethically, irresponsibly and illegally.

Fourthly, the Opposition asks that the law be changed as soon as possible, and to that end the Opposition pledges its total co-operation, so that undischarged bankrupts cannot act as agents, on behalf of companies or in any business capacity whatever. I was staggered to learn that undischarged bankrupts can act with impunity on behalf of companies. In that regard the law needs to be examined and changed.

Fifthly, the Opposition asks that the Government approach its Federal colleagues and request that section 269 of the Federal Bankruptcy Act 1966 be amended to include debts incurred by a bankrupt on behalf of a company.

The final matter I raise is the projects known as super farms; these farms have been established throughout the Gippsland area and have all collapsed. That collapse has occurred in the past eighteen months and involved millions of dollars being lost by
Gippsland residents and others. In some instances these farms were established without either planning approvals or permission of any kind.

In the Shire of Korumburra, which is part of the area I represent, a super farm was established on the Inverloch–Kongwak Road. Although the property is only 500 acres in size, the proposal is to establish a development to house 2300 cattle, but that proposal required no planning permission at any time from the municipality. That is an absolute disgrace!

Approximately two-thirds of municipalities in Victoria require permission to be sought when such a venture is established. I ask the Government to examine a situation where people can purchase a farm and, if the activity they wish to carry out is deemed to be animal husbandry, no permits are needed. In other words, one could buy a farm of 100 acres, construct a 20-storey building and put 10 000 cattle on it, yet in some municipalities one would not need approval. That situation is bad and needs to be changed.

The matters I have raised are unquestionably serious. I ask the Minister for Police and Emergency Services to give a response now on whether the Government will proceed forthwith to investigate the matters I have raised.

Mr JASPER (Murray Valley)—I bring to the attention of the House the concern of both myself as the member for Murray Valley, and the National Party, on the redirection in funding and Government services that is occurring in Victoria. The House should understand the attitude being displayed by the Government and its Federal colleagues so far as country people are concerned.

The Government is trying to bring everyone down to the lowest common denominator, or, omitting the word "lowest", the Government wishes to bring everyone down to one common denominator.

As a socialist Government, the Labor Party wants to distribute wealth rather than provide incentives for people to work.

The Government does not provide equivalent services across the State. Although the Government is operating under the guise of providing equal opportunities for all, it uses as its reason for the changes that are being made the argument that the majority of the population live in the metropolitan area.

The changes being made by the Government are aimed at redirecting funding to the metropolitan area, especially the areas that are held by Labor Party members of Parliament or the areas that the Government believes it should represent. The Government has little concern for areas located outside the metropolitan area, with the exception of certain provincial centres such as Geelong, Ballarat, Bendigo and the Latrobe Valley. However, the National Party would like to see a change in the attitude of the Government.

Recognition must be given to the special problems of people in country areas. The honourable member for Springvale, who is interjecting, would not understand those problems because his thoughts do not extend beyond the end of the tram tracks in Melbourne. He should visit the country and learn to appreciate the problems faced by people in country areas. Those areas are not serviced by trams, trains and buses as is the metropolitan area. Country people must use motor vehicles, which use fuel and cause consequent problems, which I shall mention in a few minutes. Country people are deprived in many areas. The traditional support services and finance provided to country people in the past have been changed. Funding has been redirected.

I shall analyse some of the areas in which support for country people has changed. I shall begin with housing as the Minister for Housing is at the table. The National Party considers the Minister for Housing as one of the most approachable Ministers in Parliament. National Party members are able to talk to him and gain consensus with him. He will probably listen to the views of the National Party on housing. I pay tribute to the Minister for Housing on his visit to Numurkah yesterday as the representative of the Government.
at the funeral of the Honourable George Moss, former Leader of the National Party. The Minister for Housing came to Parliament in 1957 and had a close association with that person.

The Ministry of Housing—then known as the Housing Commission—was set up by the Country Party Government in the 1940s for the purpose of providing housing in country areas. For many years, under conservative Governments, the Ministry provided additional housing in country areas most in need of housing. Over the years, two-thirds of total housing expenditure has been directed towards country areas. However, the Labor Government has a different attitude.

In the past twelve months, three-quarters of the total expenditure in housing has been in metropolitan Melbourne. The justification provided by the Government is that the majority of the Victorian population is in Melbourne. However, that is not where the majority of problems exist. More housing problems are found in country areas than in metropolitan areas. On numerous occasions in this House, I have highlighted the problems of finding housing for people in country areas, particularly in locations where industries are being set up.

The reduction in funding to co-operative housing societies in country areas and the problems being experienced by co-operative housing societies operating in smaller country centres, such as Yarrawonga, Cobram, Numurkah and Rutherglen, have resulted in a situation in which housing must be provided on an ongoing basis, not only by the Ministry of Housing in the way of rental accommodation, but also through co-operative housing societies, which have proved successful in the provision of housing in country areas.

People who have had their names on Ministry of Housing centralized waiting lists can move into whichever areas they choose. They may move from the metropolitan area to country areas. Unfortunately, in responding to this matter, the Minister has adopted the line of officers of the Ministry who have put forward the view that the policy will be retained. This is causing enormous problems in country areas. People are able to maintain their full waiting time and relocate into country areas. For instance, in the City of Wangaratta ten houses have been constructed under a recent housing program. Some of those houses have been occupied by people who had their names on the metropolitan Ministry of Housing waiting list. Those people are somewhat mobile, often unemployed and married with children. They are already becoming a burden on the welfare facilities of country areas.

Housing is only one of the problem areas. I now turn to what is happening in education as a result of the reduction in funding to country areas. The former Government set up a cooling program for schools in country areas, particularly those in the northern part of the State where higher temperatures are experienced in the summer. The Labor Government abolished the cooling program and said that each region would have to handle the program within its own funding. As a result, in the Benalla region which covers the north-eastern Goulburn Valley area of Victoria, the region is required to provide funds for the cooling program from its own capital works allocations.

Special consideration should be given to needs funding to take into account the fact that schools in the northern part of the State obviously have higher mean temperatures in the summer period. However, the Government does not wish to recognize that fact.

The Government has closed down student hostels in metropolitan Melbourne. Those hostels were used by country students wishing to undertake tertiary education. Again, the Government does not really understand the special problems of country students undertaking tertiary education who experience problems in obtaining accommodation in Melbourne. The Government has virtually said that they must find their own accommodation; the Government will not provide hostel accommodation for them.

Country areas are facing the possible closure of courts and a significant reduction in the associated services. Since the State has been inhabited, court services have always been
decentralized, but the Government will change that position and close many of the country courts, to the detriment of rural Victorians.

In the health area, many reports are being presented, but I suggest that those reports have been prepared to suit the Government. The threat now exists of hospitals being closed and changes being made in the provision of health services. I am trying to put forward some of the areas of difficulty that country Victorians are facing as a result of the changes in Government services.

Problems are also being experienced in the provision of water and sewerage services in the smaller country centres because of changes in funding. The Government wants to even up the cost of services and charges throughout the State. However, as a result of the reduction in the subsidy arrangements for the development of water and sewerage projects and the increase of the subsidized rate from 3 per cent to 8 per cent—and that will probably be increased—people in country centres will face much higher charges for those services.

In addition to a levelling out of the charges, higher charges will be imposed upon those living in country Victoria purely and simply because local councils have a smaller revenue base on which to work when considering the charges they must impose on ratepayers.

Another concern relates to rail freight and passenger service charges. The Government and V/Line have developed freight gates and centres. Goods are delivered to the freight gates at centres such as Wangaratta and Shepparton, but people in the outlying areas are required to pay an additional cost for the goods to be delivered to them. When the Government came to office, it changed the basis of delivery of goods throughout country Victoria and stated that there would be no increase in the freight charges. However, the services provided by V/Line have been curtailed and charges to country people have been increased.

The changes in funding for agriculture have resulted in a reduction of the number of people employed in the Department of Agriculture. It is suggested that in this twelve month period the department will have a reduction of 120 employees, which will threaten programs operating for the detection and reduction of diseases and will reduce field and extension services across Victoria.

Interference by the Government in grain handling has resulted in additional costs being placed on country people. The Grain Elevators Board will have to make a payment of $5 million as the public authority dividend tax for this twelve months, which is a terrible imposition on an authority that has been funded purely and simply by grain growers. The Government has not involved itself in funding the establishment of grain handling services throughout Victoria except to provide the facility for the development of the Grain Elevators Board. These services have been funded totally by grain growers.

The Government has failed to understand the problems of primary producers, and that lack of understanding has been carried across to industries connected with primary production. At present there are crises in the dairy, tobacco, hops, fruit, beef and lamb production industries, to name a few. These crises affect country towns because businesses are affected and spending is drying up.

Two other areas vitally affecting country people as a result of Government decisions are decentralization and fuel charges. For the Government, decentralization is a dead issue. The Government does not wish to know about it. Development of industry in country areas will no longer occur because special assistance needs to be provided continually to encourage industries to establish themselves in country areas.

I spoke about the need for assistance to country industries during debate on the Victorian Economic Development Corporation (Amendment) Bill and pointed out that in 1982 the Government had legislated to provide assistance to special areas, development regions, but it had not proclaimed those provisions in the Bill which allow the Minister discretion in providing funding and assistance for industry wherever he deems it should be provided. The amendments the National Party moved to the Victorian Economic Development
Corporation (Amendment) Bill will provide recognition of country industries, as they will be interpreted as such in the new Act when it is proclaimed.

The new Minister for Industry, Technology and Resources has some concept of the problems of country people and country industry because he has moved about country areas. He has an appreciation of the wine industry as a result of his visits to the electorate that I represent. I am confident the wine industry will receive the assistance that it justly requires for its continuing development. All the same, the Minister must understand there is still need for special assistance. Decentralization will be dead in Victoria unless the Government recognizes that special assistance is vital for industry to develop in country areas.

Of greatest concern to country people is the continuing escalation of fuel prices. I take the Federal Government to task for its recent reduction of subsidy arrangements for the transport of fuel. In 1978 when the previous Federal coalition Government introduced parity pricing for fuel, it may have had some justification but, certainly, there is no justification for it now because that policy has resulted in increased prices for fuel for all Australians. However, the Federal Government is altering the freight fuel subsidy system.

Following the introduction of the parity pricing policy, the coalition introduced a freight subsidy scheme so that freight on fuel was subsidized to a maximum freight differential of 0.44 cents a litre, which was later increased to 0.6 cents a litre. With the change of Government, the freight subsidy was increased to 1 cent a litre and then to 1.2 cents a litre. The ridiculous situation has now arisen where, through its mini-Budget, the Federal Government has increased the fuel freight subsidy level of 5.2 cents a litre.

Honourable members need to understand that the fuel freight subsidy does not come into operation until the freight costs exceed 5.2 cents a litre. Through that provision in the mini-Budget, the Federal Government will save $116 million, which will be a direct cost to country people. People in country areas will pay increased charges for fuel purely and simply because of the changes to the fuel subsidy arrangements.

Members of the Government speak about equal opportunity, but the honourable member for Springvale does not understand the problems affecting country people. He has a lack of understanding about anything regarding the operation of Parliament. I am interested to know how he justifies the increase in the freight subsidy arrangements.

Thank goodness for the National Party—a party that understands country people and which puts forward the strong views and special needs of those living in country areas.

Dr Coghill (Werribee)—I direct attention to the web of lies behind the latest campaign by the new "right" of the Liberal Party which marks an alarming trend in political debate in this country—a trend which threatens Australia's social and economic progress. The argument for privatization, such as the sale of public assets—for example, the State Bank—and wholesale deregulation, which the new "right" advocates, is based on absolute falsities about the effects and supposed disadvantages of public ownership and regulation.

Privatization is about converting the assets of the many to the profits of the few and turning public wealth and property into private wealth and property. By misrepresenting public ownership, regulation and privatization, the new "right" of the Liberal Party is debasing and diverting public political debate from rational consideration of this key issue.

It can be seen that this misrepresentation is part of an emerging pattern of attempts by newer Liberals to impose their extreme right wing ideologies through deceptive political propaganda.

By abandoning the traditional standards of decency, integrity and honesty in political debate, the new Liberals are undermining the quality of Australia's political decision-making processes, including the institution of Parliament. That, in turn, is threatening Australia's social and economic development.
In Victoria, the new “right” of the Liberal Party is headed by the Leader of the Opposition who has shown no limit in the wild allegations which he is prepared to make for a cheap headline, a quick bit of publicity and the chance of increased political support. He makes wild allegations in the hope that some of the mud may stick to people of decency and integrity, such as the Premier.

Almost every day, the Leader of the Opposition issues a statement which is nothing but a crude smear against the Premier or some other person of integrity or honesty.

The ACTING SPEAKER (Mr Kirkwood)—Order! The honourable member for Frankston South is interjecting out of his place.

Mr WEIDEMAN (Frankston South)—Mr Acting Speaker, I apologize for the interjection but I am not out of my place.

Dr COGHILL (Werribee)—The honourable member has been relegated to the back bench, which is a reflection of the standing in which he is held by his comrades. The most extreme allegation made by the Leader of the Opposition was that the Labor Party has contrived political offences against its leaders. His claims have been discredited, but this type of behaviour and political debate can lead only to loss of public confidence in democracy and in the standing of members of Parliament.

The tragedy is that new Liberal members of Parliament have repeated the rhetoric of the new “right” so often and so consistently that they are like peas in a pod—all products of a party machine that is now in the hands of the new “right” ideologues.

Mrs Toner—They all look the same, too.

Dr COGHILL—As the honourable member for Greensborough interjects, they all look the same: Like peas in a pod. All of the new Liberal members of Parliament are male, which in itself is a telling point.

Their use of false claims and analogies in Parliamentary debate abounds. One claim that seems to be fashionable is to equate democratic socialist parties and Governments, such as the Cain Labor Government, with communist single-party Governments, which is an absolutely false analogy.

The honourable member for Bennettswood referred to bureaucratic appointments by one-party Eastern European Governments and has suggested that this trend is occurring in Australia. However, he offers no proof of such allegations but seeks to make the erroneous analogy between Eastern European one-party communist Governments and some Australian Governments.

Similarly, the honourable member for Dromana equates the economic policies of the Victorian Government and other Labor Governments with the centrally controlled economies of Eastern Europe. This not only demonstrates faults of logic and disregard for the rules of debate, but also shows, at best, an utter ignorance of the political structure of Eastern Europe and Australia and, at worst, attempts to manipulate the public by these assertions.

Again, one finds examples of assertions being made with no empirical evidence or, where it is offered, false claims made to support the arguments that have been put forward. Another classic example is the allegation made by the honourable member for Hawthorn who claimed that free enterprise is under threat by the Cain Government. To support his allegation, he invited honourable members to study the bankruptcy situation. He claimed that Victoria is a leader in bankruptcy applications because of the number of companies going out backwards as a result of economic decisions made by the Government.

Mr B. J. EVANS (Gippsland East)—On a point of order, Mr Acting Speaker, as the honourable member for Werribee is obviously reading his speech, I ask him to adopt his usual practice of handing over his notes to honourable members after he has completed his speech. They appear in Hansard word for word.
The ACTING SPEAKER (Mr Kirkwood)—Order! I did not see the honourable member reading from a prepared speech, but I shall watch carefully from here on. I ask the honourable member for Werribee to continue his speech without written words.

Mr WEIDEMAN (Frankston South)—On a point of order, Mr Acting Speaker, I am often referred to as a recycled member of Parliament but, being a former member of the House, I thought it was standard procedure that when an honourable member was requested to table prepared notes or documents which he had in his possession, it was the duty of the Presiding Officer to ask the honourable member whether he was prepared to do so.

Mr WILKES (Minister for Housing)—On the point of order, Mr Acting Speaker, for the benefit of the honourable member for Frankston South who has been here long enough to know, it is the prerogative of the honourable member for Werribee to decide whether he will make his copious notes available. An honourable member can be requested to table documents, but the Chair is under no obligation to direct him to do so.

Mr McNAMARA (Benalla)—On the point of order, Mr Acting Speaker, first of all it should be decided whether the honourable member for Werribee is reading from copious notes or from a prepared text. It appears that the honourable member for Werribee is referring to a prepared text. The honourable member for Gippsland East found that “notes” for a speech on the Address-in-Reply debates by the honourable member for Werribee that were tabled in this House were identical to the speech made by the honourable member. I stress that it is not a matter of referring to a few notes; the honourable member for Werribee is obviously reading a prepared text. I ask the honourable member to table those notes.

The ACTING SPEAKER (Mr Kirkwood)—Order! I have heard more than enough speakers on the point of order. I have already ruled on the point of order so the points being raised now are not new. Earlier I ruled that, because the notes from which the honourable member was reading were not official documents but notes by his own hand, and because I had not seen the honourable member reading them, the honourable member should continue his speech.

Dr COGHILL (Werribee)—Thank you, Mr Acting Speaker, for your ruling. I shall not debate the points raised. The honourable member for Frankston South should have thought more about the words he used. I shall be more than happy to make available to honourable members the notes that I have prepared to assist me in the debate.

It is important that I accurately quote the remarks of the honourable member for Hawthorn. He said:

Victoria is a leader in the number of companies that are going out backwards as a result of economic decisions made by this Government.

The honourable member for Hawthorn invited honourable members to study that bankruptcy situation.

Mr WEIDEMAN (Frankston South)—On a point of order, Mr Acting Speaker, the honourable member for Werribee has now quoted from a page that he has presented to the House. I request you, Mr Acting Speaker, to ask the honourable member to table the document from which he has quoted.

The ACTING SPEAKER—Order! The honourable member for Werribee stated that he was prepared to table the documents at the end of his speech. I ask the honourable member for Werribee in what context he is referring to the statement by the honourable member for Hawthorn. Is the honourable member quoting a statement made by the honourable member for Hawthorn in a debate during the current sessional period?

Dr COGHILL (Werribee)—Mr Acting Speaker, the honourable member for Hawthorn made that statement on 17 April 1985 in this place.

The ACTING SPEAKER—According to Standing Order No. 93, if the statement being quoted was made during a debate in this House in the current sessional period, the
honourable member for Werribee is out of order. I ask the honourable member for Werribee to cease debating a matter that has been raised during this session.

Dr COGHILL—The honourable member for Hawthorn invited people to study the evidence that he put forward. In fact, in the twelve month period from 31 December 1983 to 31 December 1984 the number of bankrupts throughout Australia was reduced by 8.2 per cent whereas the total reduction in Victoria was 22 per cent. Therefore, the evidence is exactly contrary to the assertion made by the honourable member for Hawthorn.

The same type of example arises again and again in Liberal Party sources. The honourable member for Brighton stated that Victoria has not had the lowest rate of unemployment only during the period of the Labor Government but that Victoria has always had the lowest level of unemployment in Australia. Again, evidence does not support this assertion by this member of the Liberal new “right”.

Honourable members interjecting.

The ACTING SPEAKER (Mr Kirkwood)—Order! I am having difficulty hearing the honourable member because of the loud interjections. No doubt Hansard is having difficulty for the same reason.

Dr COGHILL—During the first 36 months of the Cain Government, Victoria had the lowest rate of unemployment on 30 monthly occasions. During the last 36 months of the Hamer and Thompson Liberal Governments, Victoria had the lowest level of unemployment on only eight occasions. That clearly gives the lie to the assertion by the honourable member for Brighton. It is one more example of the absolute lack of intellectual integrity, lack of honesty and lack of decency of these members of the Liberal new “right”.

The honourable member for Brighton has also asserted that it is Labor Party policy that there should not simply be quality of opportunity but also quality of outcome and that the policy of the Labor Party is to level individuals to a mould of perceived quality outcome. That is not true as a reference to Labor policy and Government documents would clearly confirm that.

The Liberal new “right” has a proposition that the whole of society gains when individuals have freedom to express their capacities. That is meaningless when constraints are placed on people because of exploitation by others. What is needed is the protection of the rights of individuals to express those capacities and values.

If the principles of the new “right” were to be pursued to their logical conclusion, all Government regulation would be evil. That is the logical conclusion to which one must come. In another world, that principle then becomes the law of the jungle, the survival of the fittest and never mind what happens to those who do not have the capacity, for whatever reason, to survive under those conditions.

We hear from the new “right”—and the honourable member for Mornington evidently wishes to associate himself with the new “right”—that private enterprise is the sole answer to economic growth and that Government has no role to play in the economy. That is the view being put forward by the new right which then goes on to say that Government activity is the sole cause of any economic malaise. Indeed, the honourable member for Portland is on record as saying that there is nothing wrong with free enterprise but there is everything wrong with Government activity. That claim is countered directly by the experience of many European countries. Honourable members should refer to the recent article by Tim Colebatch in the Age.

Similar assertions are being made again. The honourable member for Prahran would have honourable members believe efficient and effective services can be provided only by the private sector. The honourable member offers no evidence to support that statement. All the evidence is that services can be provided just as efficiently by well-trained public administrators. The point is the quality of administration, not whether the equity is owned by the State or private sources.
The difference is in whether the benefits flow equitably through society. Mr John Howard, the Deputy Leader of the Federal Opposition, spoke of the sale of British Telecom as a sale to the British people. In fact, the sale reduced the shareholding of the British taxpayer from 100 per cent to approximately 5 per cent—a fifteen to twentyfold concentration of wealth and economic power.

The Acting Speaker—Order! The honourable member for Mornington is interjecting frequently. As the Leader of the Opposition is present, I do not know why the honourable member is at the table. The honourable member should be in his place. I ask him to cease interjecting.

Dr Coghill—Privatization is really about converting the assets of the many into the profits of the few. That is what members of the new “right” are really on about. It is time they had the honesty to admit that and stopped creating a smokescreen by suggesting that benefits will result from selling off public properties.

The Liberal Opposition is being absolutely dishonest in its adoption of the new “right” policy. The Leader of the Opposition and his cohorts should return to decent standards of public debate. The policies of the new “right” are an insult to the intelligence of thinking voters. Those policies must and can be exposed and discarded so that we can all concentrate on building a better society. What Australia has to fear is not creeping hordes of socialists, but the hoarding creeps of the Liberal new “right”.

Mr Perrin (Bulleen)—I wish to raise the deplorable state of the roads in the eastern suburbs. In August 1984 the Metropolitan Arterial Road Access Study was issued for public comment; Issue Paper No. R4/1 was available to all honourable members. The study dealt with the eastern corridor and the Ringwood bypass. The recommendations from that study were due to be released in March this year, but the then Minister of Transport, Mr Crabb, said, as reported on 6 February in the Doncaster Mirror, that it would be available in three weeks’ time. The study was expected at the end of February or early in March, but it did not appear. At the time I referred to it as being a publicity stunt, and said that it was a process of hiding the problem of increasing traffic flow in the area. The then Minister of Transport and the shadow Minister made various promises at that time.

The METRAS paper is interesting because it releases a lot of important information. It highlights the traffic needs of the eastern suburbs, being the cities of Box Hill, Nunawading, Doncaster and Templestowe and Ringwood, which were later joined by the City of Camberwell, which also saw the need for an upgrading of roads in its area. These cities have formed a mayoral group from the five municipalities, which have a considerable interest in the problem.

The Eastern Freeway extends from Collingwood and ends at Doncaster Road. Of course, it was never intended that it should end at Doncaster Road. Since 1954 there has been a road reservation around the boundary of the City of Doncaster and Templestowe to take the freeway from that point through to Ringwood. That is a considerable time for a road reservation to be held. It is interesting to note that the matter is now being addressed.

I am concerned that the input and reports made to this study have not been released. The public had been asked to provide information and various bodies, including municipal bodies, had been requested for input for the study and yet, although it was promised that the report would be released prior to the election, that has not been done. That should be deplored.

The study and discussion paper that was released confirms a number of interesting facts. The most important fact is contained in Appendix 6, which shows that out of a ranking of 200 intersections the cities of Nunawading, Doncaster and Templestowe and Box Hill rank highly in the top 50. There are intersections in those suburbs that have high accident rates. The corner of Springvale Road and the Burwood Highway has the highest accident rate. The corner of the Maroondah Highway and Springvale Road has the eleventh highest accident rate. The intersection of Springvale Road and Canterbury Road has the eighteenth highest accident rate and so on. However, the recommendations made as a result of the study have not been released.
The situation is worsening by the month. At the end of the Eastern Freeway, 64,000 vehicles travel along Doncaster Road, east of Doncaster Shoppingtown, every day. That means that 4000 more vehicles pass that point than did six months ago. This is a continuing and worsening problem day by day. It may compound to the point where in the next six months that number will be increased by more than 4000 vehicles.

Most of the traffic is not from the City of Doncaster and Templestowe but traffic from the municipalities of Ringwood, Box Hill and Nunawading that travels through to other destinations. A number of studies made on the high density of articulated traffic, such as trucks, indicate that the residential streets in Doncaster and Templestowe are bearing the brunt of the traffic problems. High Street, Doncaster, is a residential street and is a feeder road onto the freeway. It carries enormous volumes of traffic. The street is clogging up morning and evening, and carrying not local traffic but traffic from outside the area using the freeway to travel to the city.

Tremendous community support exists in the cities of Box Hill, Nunawading, Doncaster and Templestowe and Ringwood for an extension of the Eastern Freeway. The support is not for an extension of a major arterial road, but for an extension of the freeway.

I say that because a report in the Herald of 18 September last year stated that a poll conducted in the area showed that 92 per cent—I am sure honourable members will agree that that is a high percentage—of those polled in each of the four eastern suburbs favoured a major road linking the Eastern Freeway and Ringwood. That would be a 14-kilometre link.

There are other reasons why the residents of those four eastern suburbs want a freeway, and I understand the councils made this clear to the former Minister of Transport. The reason is that freeways are far safer than major arterial roads. They do not have intersections, traffic lights and the consequent problems. If one examines Royal Auto of December 1984, one notes that the Royal Automobile Club of Victoria and the National Roads and Motorists' Association have concluded a study based on figures gathered from around the world. The figures state that, on average, 100 lives are saved for every 100 kilometres of freeway constructed. On the basis of those figures, freeways are much safer than major arterial roads. The people in the area have demanded a freeway. The poll showed that 92 per cent of residents were in favour of a freeway. They have seen the studies that state that freeways are more safe.

That is not the only evidence. On 30 April 1984 the honourable member for Doncaster presented to Parliament a petition signed by almost 3000 residents. The petition asked that the Eastern Freeway be extended to Ringwood and that there should be no toll on that extension. The petitioner did not support the extension of a freeway with a toll. The honourable member for Doncaster and I agree with the petitioners who believe that a toll should not be imposed. The evidence that I have produced today has made that clear.

Further evidence shows that residents of the eastern suburbs are predominantly motorists. In June 1981 a study showed that 64 per cent of residents in Doncaster and Templestowe, 47.9 per cent of residents in Nunawading and 41.5 per cent of residents in Ringwood have two or more cars. It is obvious that the motorists of the other municipalities wish to use the Eastern Freeway. To reach the Eastern Freeway, motorists from those suburbs have no alternative but to travel through Doncaster-Templestowe. The two exits at Thompsons Road and Doncaster Road are located in the City of Doncaster and Templestowe. I should also point out that the exits are in the electorate of Bulleen, so I have some interest in the matter. The freeway extension is the best, and should be the only, alternative.

The increase in the price of petrol will have a major impact on the operating costs of motorists in the area. The honourable member for Ringwood is interjecting but would she dispute the effect these increases will have on motorists?

The SPEAKER—Order! The honourable member for Ringwood is out of order. The honourable member for Bulleen should ignore interjections.

Mr PERRIN—Thank you, Mr Speaker, I shall ignore the honourable member for Ringwood. The horrific increase in the price of petrol will certainly hit the motorist.
Nunawading, Box Hill, Doncaster and Templestowe have a high proportion of residents who own motor cars. The rise in the price of petrol will hit them hard.

Unless immediate consideration is given to easing the traffic congestion on roads in the area, further costs will be imposed on the residents of Box Hill, Nunawading, Doncaster and Templestowe, who have clearly demonstrated the need for additional road works.

Some councillors in the City of Doncaster and Templestowe have suggested that traffic be allowed to flow through the city rather than be diverted around its fringes. It has been a policy of both the Liberal Party and the councils of those five municipalities that the freeway be extended. However, some councils are now suggesting that traffic should percolate through the residential streets of Doncaster and Templestowe. If that suggestion is taken up, it will eventually mean that traffic will start to clog up the residential streets of Box Hill as motorists try to reach places such as Doncaster Road. Bulleen Road, which could be described as nothing more than a country road, is one of the feeder roads for the freeway and, as such, carries an enormous amount of traffic, most of which comes from outside the area.

It is interesting to drive home along the freeway and follow honourable members from other electorates in the eastern suburbs. They drive along the freeway and enter the City of Doncaster and Templestowe using its residential streets as feeder roads to get to the outer suburbs. I refer to people such as the honourable member for Warrandyte, whom I have observed on a number of occasions using the feeder roads to get to the outer suburbs.

The Eastern Freeway at the western end of Collingwood has two exits to Alexandra Parade and Hoddle Street. During peak periods the western end of the freeway clogs up with traffic. However, there have been no petitions, surveys, or studies of the area and one does not have the support for action to be taken to ease the traffic congestion at this end of the freeway that one has to ease the traffic congestion at the other end of the freeway. During morning peak hour traffic both the Alexandra Parade and Hoddle Street exits are blocked for up to 2 kilometres, way past the Chandler Highway exit. This is a matter of serious concern. The problems of traffic congestion at this end of the freeway should be examined, whether it be by a transport study or some other study.

Accidents, traffic congestion and the increasing costs of petrol must be having an enormous effect on the quality of life of the residents of the area.

I shall point out what is being done in those areas.

The Collingwood City Council has recently banned parking around the Collingwood Football Ground, which is near the exit to the Eastern Freeway. This move has been taken in response to the problems of the area. The Fitzroy, Collingwood and Melbourne city councils will institute measures to protect their residents by restricting the amount of traffic in those areas. I do not believe those measures will necessarily improve the quality of life for those people. In my view, there is a strong need to widen Alexandra Parade. At least one additional lane is needed leading in and out of the freeway exit. The traffic is banking up at present so it is an urgent matter.

Particular emphasis must be placed on the traffic lights at Hoddle Street. It is paramount that priority be given to traffic coming off the freeway on to Hoddle Street. I request, firstly, that the METRAS study which was due to be released prior to the election be released forthwith so that people know exactly what is proposed by the Government in the areas in which they live. The METRAS study covers the areas of Box Hill, Nunawading, Doncaster, Templestowe and Ringwood. Secondly, the freeway must be extended to Ringwood from Doncaster Road along the road reservation that has been set aside since 1954.

If the Government cannot find funds it should approach the Federal Government. Perhaps it should initially extend the freeway to Wetherby Road or Springvale Road. The facts are, that is what the residents want. The other end of the freeway is just as bad.
A METRAS study must be undertaken aimed at relieving the traffic congestion at the other end. Alexandra Parade must be widened to relieve that congestion. That move would increase the quality of life for the residents of the area by moving the traffic more quickly and reducing costs incurred by motorists in the area. I thank the House for listening to me on matters of considerable importance to people in the eastern suburbs.

Mrs SETCHES (Ringwood)—I intend to speak about vandalism, but prior to doing so, I point out that in a long 20-minute speech the honourable member for Bulleen did not make one reference to the promise of the Government, prior to the election, that $30 million would be made available on the advice of the working party set up between the Road Construction Authority and local councils referred to to decide how that money would be spent.

The other point he overlooked is that most of the people suffering from the effects of that traffic congestion want a remedy now. They do not want to wait ten years for something to be done about the traffic problems. The Government has responded to the problem by offering $30 million. The working parties consist of mayoral committees and members of the Road Construction Authority. I am sure their recommendations will come forward shortly. Local councils are encouraged to work out their priorities on traffic.

The honourable member for Bulleen put forward a good argument for the use of public transport in the eastern corridor. I agree that the cost of extending the Eastern Freeway is rather high. The 14 kilometres stretch would cost approximately $200 million. Matters of equity also need to be considered in spending that money in the eastern suburbs. The honourable member for Bulleen has a real understanding of the problems involved in getting off the freeway. There is actually a 2 kilometre build-up of traffic. If the volume of traffic is increased on the freeway the build-up may extend for 3 or 4 kilometres.

Proper planning must surround the expenditure of the $30 million, on which the mayoral committees will advise the Government.

I add my comments to the comments of the honourable member for Gippsland West in regard to the Scarff group of companies. I congratulate the honourable member on his detailed analysis of the position. This is an extreme case of corporate vandalism and, as a result of the manner in which Mr Scarff has operated those companies, there is corporate mayhem.

I have a constituent who is the owner of a pumping and component manufacturing business which has operated for 23 years. He has owned the company for more than four years. At present, he is owed some $200,000 by four of Mr Scarff's companies for drilling and boring equipment that he provided for the factory farming of cows, which was referred to by the honourable member for Gippsland West. The constituent to whom I refer worked for Mr Scarff for six months. He carried out what he thought was adequate checking of Mr Scarff's financial situation before he agreed to undertake the work. He has since found that he was tricked in a couple of those inquiries, and is now in a desperate situation.

Apparently, Mr Scarff is an undischarged bankrupt and owes more than $5 million to date. I was advised that just one of the fifteen companies controlled by Mr Scarff has 110 creditors who are owed more than $700,000—and I understand that that company has a paid-up capital of $2. My constituent is also aware that the Bankruptcy Registrar has been prepared to discharge Mr Scarff since the early 1970s, and this matter has been continuing since about 1975. My constituent told me that Mr Scarff creates companies, syphons off the profits and sets up new companies. He has been able to exploit the legal system, and it is believed by my constituent's informal legal counsel that Mr Scarff may never be charged in respect of the degree of mishandling of funds in which he has engaged.

I join with the honourable member for Gippsland West in calling for a full inquiry into the corporate activities of the entire Scarff family, because they have resulted in untold suffering for families and businesses throughout Victoria. I congratulate the honourable
member for Gippsland West on bringing the matter to the attention of Parliament and the Attorney-General, and join in his request to the Attorney-General to do whatever needs to be done in this case. I understand that the Minister for Police and Emergency Services has advised the House that a full inquiry will be undertaken, and I am pleased that that will occur.

I also bring to the attention of the House a meeting which was called in Croydon last week by the Croydon Chamber of Commerce and Industry and which was reported in the press as being a "vandalism summit".

These days summits are popular. Attending this summit were the honourable member for Warrandyte, Inspector Barbara Oldfield of the Police Force Research and Development Unit, and Croydon Police Sergeant Trevor Livingston, and Mr Don Parker, who is the interim chairman of the Croydon Youth Development Project. I congratulate the Chamber of Commerce and Industry on drawing together these people, including me, to address the issue of vandalism in the Croydon district. Vandalism is endemic in society, and the cost to the State Government of repairing and replacing damaged schools, railway stations and other public buildings is incredible.

In 1983 a survey into vandalism in the western suburbs was conducted by 150 students of the primary and high schools in the area. I commend to honourable members the efforts of grade 4 students at St John's Primary School in West Footscray, Sacred Heart Primary School, Newport, Annunciation Primary School, Brooklyn and St Peter Chanel Primary School in Deer Park, who conducted their survey among fellow students on why vandalism occurs.

Vandalism is a community problem and a community responsibility. It is a symptom of community problems and their effect on youth. Students of two secondary schools, the Sunshine High School and the Broadmeadows High School, completed a survey and pointed to several factors behind vandalism, including the sense of uselessness experienced by many young people, which was often the cause of antisocial behaviour. They found that the more young people can become involved, participate, make and act on significant decisions in their lives, the less will be the drift towards violent or disruptive behaviour and a sense of uselessness. The students recommended that the Government should create more jobs to curb vandalism and suggested that youth involvement in community projects, more capital funds for youth centres, and constructive amusement projects for children and the unemployed could alleviate the problem.

A few years ago, following a State Government task force inquiry into vandalism, a local committee was set up by the cities of Knox and Ringwood. The committee members included Brother Michael from the Christ the Priest Seminary who had taken part in the local task force examining reasons for and remedies for vandalism. He wrote to the Minister for Police and Emergency Services and stated:

Vandalism and other related juvenile crime seems to be a symptom of a sickness in our society—a sickness that breeds selfishness of the individual. This selfishness is in turn aggravated by an insecurity, combined with a confusion of values. Although the conclusion that any approach on the matter of vandalism should be done through the school system is a practical one, the insecurity and boredom of young people can ultimately stem from the family situation.

It is generally thought that where the family situation is stable, the children will be happy. This is not a surface stability but a stability based on the availability of parents to their children, and on the part of the parents, a stability based on strong love and trust and a deep, often unspoken communication.

Sad to say, with the general unrest and unseirness of economic and social systems, the deep family stability is often missing. The number of broken homes is frighteningly high—and even where partners are still together, in many cases the relationship is greatly strained, and this causes much doubt and distrust in the child.

Brother Michael goes on to state:

My feeling in this matter is that the situation of vandalism and related problems will continue until the community can accept a firm set of true personal values.
Is it possible to find out where they are hurting, and put this misdirected energy to a better use? Is it also possible to educate them to civic pride?

I am interested in his definition of the word "hurting".

Inspector Barbara Oldfield, who was present at the vandalism summit held at Croydon, believes young people who undertake vandalism are usually the victims of some type of maltreatment and that it is a symptom of their feeling of powerlessness.

When I was researching a speech I presented at a meeting of the Croydon Chamber of Commerce and Industry, I found some information provided by the Ministry for Police and Emergency Services which was extremely helpful. It included a document on the reported crime and damage to property, which was extracted from statistical reviews of crime in Victoria. The incidence of crime has increased rather markedly.

In 1980, there were 2968 reported offences of criminal damage, including arson, to a value of more than $500. In the same year, there were 19 067 reported offences of wilful damage, which is damage below the value of $500. The aggregate for that year was 22 035 reported offences.

In 1984 there were 5519 reported offences of criminal damage and 24 028 reported offences of wilful damage, bringing the total number of offences in 1984 to 29 547. That is a remarkable increase.

A Croydon police sergeant, Trevor Livingston, told the vandalism summit that the problem will not be solved by policemen standing on every corner waiting for an offence to occur. He indicated that people must understand that vandalism is a community problem and should be approached in that way.

A number of people at the summit indicated that they had been the victims of vandalism, and when asked whether they had reported the offences to the police, they replied that they had not. Trevor Livingston then asked what the police can do if they are not informed of offences. People believe they are powerless to prevent vandalism while the police are all powerful, but that is not correct because it is a community problem.

As at 1 May 1985, the strength of the Police Force in the Maroondah district, where Croydon is situated, was 393, comprising uniformed members, the Crime Car Squad, the Community Policing Squad, and the Criminal Investigation Branch. There were 23 public servants and nine police reservists employed throughout the district. An over-all increase of more than 4 per cent has occurred in the district since 1982. In addition, there are 71 traffic operation members stationed at Nunawading together with support groups such as the Protective Security Group, the Dog Squad and the Air Wing.

It is interesting to note the way in which the Neighbourhood Watch scheme has grown in "Y" district, which is the Maroondah district. Currently, fourteen programs are operating in the district, which is the highest number in Victoria. There are 9120 residents involved overall with approximately 651 residents involved in each program.

Public meetings held in "Y" district were attended by 2721 people, with an average attendance of 194. Although there has been enormous community support for the Neighbourhood Watch scheme in this area, a large number of burglaries have occurred. In April 1985 there were 3648 burglaries. The percentage decrease from the same month in 1984 was 19-52 per cent. The number of burglaries in Victoria up to April 1985 was 14 711 and compared with the same period twelve months earlier, the percentage decrease was 16-44 per cent. These figures illustrate the co-operative approach adopted by Neighbourhood Watch. The police program is certainly of value in making people feel safer from burglary.

Another successful community program that shares the responsibility for protection of children throughout the community involves safety houses. There is no doubt that this approach of community involvement, participation and responsibility is working to
empower people to take action and make them feel that they are responsible for their safety and the areas in which they live.

I had intended to speak on a new program that has just been introduced called ‘protective behaviour’. This is a new, exciting approach which empowers children to become anti-victims. The program will train ordinary people to go out into the community and commence protective behaviour programs for Victorians. This new program is of extreme value and the Victoria Police Research and Development Unit should be praised for the way it has introduced it and for the way it is catching on. I will speak further on this exciting and innovative program on another occasion.

Mr Austin (Ripon)—I shall address my remarks to the problems of the farming community and rural people generally throughout Victoria. I criticize the Government for its failure to recognize certain problems involving the rural community and to act accordingly.

I refer specifically to the raw deal that many fire victims in the Maryborough-Avoca-Talbot-Clunes area received after the 14 January bush fires. The Ash Wednesday bush fires grabbed the imagination of Victorians because of the tremendous media coverage they received, the amount of Government activity that occurred and the fact the community became involved. People watched on television and read in the print medium what a terrible disaster the Ash Wednesday bush fires were and they reacted to that situation.

However, the disaster that affected the people of the Maryborough-Avoca-Talbot area was just as severe for those who were burnt out by that fire. The public appeal that resulted after the Ash Wednesday bush fires, was a successful one because of the tremendous publicity that was given and because of the strong support provided by the Government and the community.

Following the Ash Wednesday bush fires huge amounts of money were paid directly from that fund to the victims. Although it is not possible to obtain an accurate figure, I understand that each victim received between $6000 and $30 000 over and above the amount received through normal Government assistance schemes. I am told that one recipient received $60 000.

After the Maryborough-Talbot-Avoca-Clunes bush fires the public appeal received only $25 000 from the Government. As of yesterday I understand that the fund totalled $205 000, so that each fire victim will receive only $1000 from the fund. That figure is a far cry from the amounts received by victims of the Ash Wednesday bush fires. The committee that is responsible for the distribution of the funds to victims of the Maryborough fires recently visited Melbourne to talk to Mr Neil Smith. He will put to the Government a proposition supporting a request that the Government add to the $205 000 fund on a $2 or $1 basis. I hope the Minister for Police and Emergency Services and the Government will carefully consider that proposition.

Even if the Government agreed to that proposition, each victim of the Maryborough fires would receive only $3000. Where is the justice? It has been difficult to find out exactly what money is in the various funds and the name of each fund. From time to time the Government and the Minister for Police and Emergency Services have used various excuses not to provide that information. The hard cold fact is that, for whatever reason, the victims of the Ash Wednesday bush fires received a better deal than the victims of the Maryborough fires.

From information obtained from Mr Neil Smith, I understand that $400 000 compensation is yet to be received from the State Electricity Commission. It is interesting that that money is due in addition to the normal assistance that has already been provided to victims of the Ash Wednesday fires. Victims who were eligible for compensation were virtually paid twice. That is unreasonable and unfair, and in fact, a considerable amount of that money has been returned. All along I maintained that people who donated funds
to the Ash Wednesday appeal would have been only too happy to allow those moneys that were returned to be distributed to the victims of the Maryborough–Talbot–Avoca–Clunes bush fires.

Mr Mathews—that is not Neil Smith's view.

Mr AUSTIN—I maintain that it would be the view of those who donated the money.

Mr Mathews—that is not the view of the trustees.

Mr AUSTIN—I can understand that. I am aware that the Government would have to propose legislation in order to make a definite decision on the disbursement of the remaining funds.

Mr Mathews—that is against the advice of the trustees.

Mr AUSTIN—Perhaps the public ought to be given an opportunity of submitting views on the matter.

In the days following the Maryborough fires of 14 January, I joined with many leaders of communities in that area and I worked hard—as was our responsibility—to get a better deal for fire victims. I was accused of informing the community that certain funds were available and I did that in the interests of the people of the district. The problem arose that exact information was difficult to obtain about the nature of the fund or even the name of the fund, even to the extent that the shadow Treasurer, the honourable member for Balwyn, wrote to the Treasurer on 30 January in an attempt to ascertain that information. It is significant that the reply he received was dated 4 March, two days after the election. Although the letter stated that under the National Disaster Relief Act $4,331,842 was available, I do not want to mislead the House into believing that that fund was available for distribution amongst fire victims. That amount is part of the State and Federal arrangements and is not available. It would have been of great benefit to me and other people in the Maryborough area if the Treasurer had released that information at the earliest possible opportunity. It took him five weeks to provide a simple bit of information and I do not understand why it needed to be surrounded by a shroud of secrecy.

I have no doubt that the Minister for Police and Emergency Services made a genuine effort to assist the fire victims of the Maryborough area. He paid several visits to the district. However, some criticism could be levelled because he did not understand the specific problems of many of those fire victims who fell into varying categories. Those residing in small towns, those on big properties; others on hobby farms; those experimenting with alternative lifestyles; or those just trying to set themselves up and start afresh in a new environment. A whole range of anomalies existed.

My complaint has always been that the system is not flexible enough to allow those people to obtain a fair deal. I thank the Minister for investigating some specific cases because on a couple of occasions people have received assistance which originally was not available.

The administration of systems such as the fencing subsidies—incidentally, it was developed by me when I was Minister of Agriculture into a definite policy—has been extremely successful and farmers in the Maryborough area have been thankful for that policy. Policies relating to household effects, living allowances and fodder subsidies have all worked smoothly and been of special benefit to fire victims.

I pay tribute to the volunteer assistance that has been given by people throughout the whole of the State. That assistance has often been organized by the Victorian Farmers and Graziers Association and has included gifts of fodder and agistment which in themselves have been of particular benefit to fire victims.
There still remain, because of extenuating circumstances, some victims who are short of assistance. From time to time I have mentioned this to the Minister and he has assured me he will examine those cases. I trust that with the joint Commonwealth/State arrangements a way can be found, even at this late stage, to give those victims further help.

The sitting was suspended at 1 p.m. until 2.4 p.m.

Mr AUSTIN—Prior to the suspension of the sitting I was talking about the fire victims in the Maryborough area. Since the bush fire occurred, that area has been suffering severe drought conditions. Farmers are trying to rehabilitate their farms and have put up with extremely dusty conditions while erecting new fences and the like. The bush fire, followed by the drought, highlights the razor edge situation that exists in farming areas.

The dairy farming problems are among the first of the developing crises for the farming community. The Government needs to realize that its charges and imposts on the farming community are increasing operating costs for farmers. This important export earning, wealth producing sector is rapidly losing its competitive edge.

The farming sector has no way in which it can pass on costs. The rural industries are price takers rather than price fixers; they do not have an influence on the returns they receive for their hard-earned products.

One area in which the Government has failed miserably and let down the rural sector is that of meat inspection. To save a few dollars, the Government has abdicated its responsibility for meat inspection by handing that over to the Federal Department of Primary Industry. The Woodward report which followed the meat crisis of approximately three years ago found that the Department of Primary Industry inspection service was far less efficient and much more expensive than the Victorian meat inspection services. It is ridiculous that the Government has continued its policy of handing over the responsibility for meat inspection when it knows that the Federal Department of Primary Industries provides a less efficient service, which will ultimately mean more expensive meat for consumers of the State.

Another area about which the Government has been approached continually is the sale of red meat and the controls which still exist to prevent the sale of red meat during the extended trading hours. Many submissions have been made to the Government on the matter and the recently elected President of the pastoral division of the Farmers and Graziers Association, Mr Bill Bodman, on 24 May made another plea to the Government regarding the matter. He said that a far more aggressive policy will be adopted by the association if red meat is not given a fair go at retail levels. A letter was sent to the Deputy Premier about the matter.

It was pointed out that red meat cannot be sold after 5.30 p.m. on weekdays or after 12 noon on Saturdays and yet those selling poultry and fish are not restricted. That is a ridiculous and unfair situation. The detailed submission that was sent to the Government in September 1984 asked it to consider the matter and the Government responded by saying that it would review those trading hours immediately after the 1985 election. That guarantee was given to the Victorian Farmers and Graziers Association and has not been honoured.

Another matter that has been highlighted in rural papers of the past few days concerns the trespass laws. An article in the Weekly Times of 29 May headed, “Farmers on ‘barbs’ of dilemma” outlined that farmers might eventually have to remove the barbs from their barbed wire fences. This is because an advertisement placed by the Legal Aid Commission
of Victoria suggested that owners of properties could be responsible for any injury caused to anyone who was invited or uninvited on their properties. The article continued that it was quite possible that even a trespasser or a thief could successfully claim compensation. Mr Crowe, President of the Victorian Farmers and Graziers Association, has endeavoured to discuss these matters with the Attorney-General but so far all that the Minister has said is that farmers may need to reconsider their public liability insurance.

Another area in which the Government has failed rural Victoria and the farming community is the cutback of 120 personnel in the Department of Agriculture. The Opposition believes in Government restraint and the elimination of waste. Although the Opposition believes there should be a tightening up of the system, it abhors the fact that agriculture seems to have been singled out for cutbacks.

In other areas the number of public servants has been increased by 21,000, and yet in the agricultural extension services, research and pasture and animal health services have been seriously disadvantaged. This has been allowed to occur while other areas of Government responsibility have grown unchecked.

The Opposition recognizes that the Minister for Agriculture and Rural Affairs is trying to perform an effective job. However, the Opposition recognizes also that his workload makes it impossible for him to be as effective as he should be in this vital area. I do not believe the Minister is fully aware of the reasons for the militancy that has been shown by dairy farmers in recent times. Although the Opposition does not agree with the blockades, it has sympathy and understands that when the dairy farmers are desperate they adopt desperate measures. Their actions are the forerunner of what could occur in other agricultural areas.

Mrs TONER (Greensborough)—I consider that I have a real grievance in so far as it was my desire to obtain information on the number of women involved in local government and I was unable to do so. This is an important area despite the intimations of the Leader of the Opposition today that either honourable members opposite should go or our friends out in the municipalities should go. It is most significant that because local government is the form of government closest to the people, women should be included among its elected representatives.

I sought information—without success—on the number of women who occupy prominent positions in local government. I refer to such positions as town clerks, valuers, health inspectors and building inspectors. The number of women holding such positions could be counted on one hand. I understand Swan Hill has one such person; a town clerk, I assume. If that is so it is unique, and there is no information about it in the Parliamentary Library.

When examining the composition of our decision-making bodies, one should examine the types of changes that need to be made to ensure that women take their rightful place in the forums of government. Women have had a difficult road to electoral achievement, as honourable members on this side of the House are aware. However, it has been less difficult for women on this side of the House than on the other side. When I came to this place in 1977 from local government I met Jenny Patrick, the former member for Brighton, who had also come from local government. At that time we two were the only women members of Parliament. Since then our numbers have expanded enormously. At that time also only 10 per cent of local councillors were women. That percentage has not increased in the intervening period. However, there has been a significant increase in the number of women entering Parliament—not just the Victorian Parliament, but right around Australia.

Vital changes in attitudes are needed to make it physically possible for women to take their places in Government and in the decision-making arenas. It must be understood that it is community perception which leads to women thinking of themselves as secretaries rather than bosses; nurses rather than doctors; town clerks' wives rather than town clerks...
and the wives of mayors rather than mayoresses. Even though women are entering local government, fewer of them are taking their places as shire presidents and mayoresses because various barriers have been placed in their way.

The Equal Opportunity Board undertook an investigation of this matter following the Helen Halliday case where discrimination was exercised against Ms Halliday in the municipality of St Kilda. Although a subtle form of discrimination can be exerted against women generally, in the Helen Halliday case there was recognition of a need for a review of the Equal Opportunity Act in so far as it affected people who did not receive any remuneration but who occupied public positions. The Act has since been amended to cover a wider number of areas to ensure that the type of discrimination that existed in that case was eliminated.

Local government has expanded its role in the delivery of human services to such an extent that the State and Federal Governments have had to change their expectations of local government which now provides much more than roads, drains and bridges.

A real attempt should be made to involve women in local government. The Government has adopted an affirmative action program which recognizes the need for women to play an active role in local government. More than good intentions are needed; positive action is needed to train women to occupy areas of responsibility and authority in local government.

Newspaper advertisements indicate that local government is a growth area in terms of employment opportunities and an area in which women should be well represented. During its first term of office the Cain Government decided that an allowance should be paid to councillors. That allowance has alleviated the problem that many women councillors faced in trying to pay for their telephone calls, additional petrol and child care from their housekeeping budgets. The allowance was a major step forward to offset those costs faced by people involved in untiring voluntary work.

The allowance should be indexed so that it remains at an appropriate level in real terms to offset those expenses which local councillors, especially women with young families, find themselves faced with.

Mr McNamara—It was not your initiative.

Mrs TONER—It was indeed my Government’s initiative; it was not the initiative of any former Government. It was something about which the former Liberal Government talked for years but it did nothing because it held the view that local councillors should work on a completely voluntary basis and should be out of pocket for the important work undertaken. That may be all right for councillors who are real estate agents or property developers, but it does not attract ordinary people who cannot afford to reach into their pockets.

Reforms aimed at raising the status of women in local government benefit the community as a whole. I am speaking about an across the board involvement and the necessity to research local government. One should be able to visit any library in Melbourne and find evidence of work that has been undertaken to demonstrate the number of women who are actually employed in each municipality, and their level of employment. The records should indicate whether those women hold menial jobs, whether career opportunities are available and whether the skills of these women are being utilized in the best way so that appropriate services are provided to ratepayers. The full participation of women in all dimensions of community life is important in local government.

I shall proceed with another grievance relating to the small number of people who visit Parliament House. In the past few weeks a wonderful display has been held in Queen’s Hall. When I visited there on a number of occasions during the school holidays I noticed only about two or three people at a time viewing the exhibition in one of the most beautiful buildings in Australia.
One of the first places people visit in Canberra is Parliament House. Everyone is excited about that building, but I am willing to bet that some members of Parliament walked into this building for the first time after they were elected to Parliament. I have heard stories supporting that view and I am sure it would be true in many cases. It is a pity that such a beautiful building is not promoted in the community. The booklet provided by the Government to celebrate the 50th Parliament is a lovely booklet. I commend it to Opposition members who can read.

In the next couple of weeks, while the opportunity is still available to see the display, an attempt should be made to promote and advertise the excellent display in this beautiful building. Some advertising was done, but it was perhaps not sufficient. It may be an indictment on the press that the display was not promoted more than it was.

Parliament House should be of interest to all people in Victoria, especially school children and anyone interested in historic buildings. I hope the display will be promoted and advertised by the media as it is a significant event in Victoria—that this is our 50th Parliament. It should also be emphasized that there is no charge for admission.

It is important that public buildings be open during the school holidays. Parliament House will be open this week-end, and I suggest that all honourable members take the opportunity of telling their friends that this is a place they can visit with their families on Sunday and perhaps learn something about the place where freedom of speech, democracy, equality and liberty are promoted.

Mr J. F. McGrath (Warrnambool)—I raise for the attention of the House my concern about a water tank at the Panmure Primary School and the cyclic maintenance at that school. On a visit last week I was taken on a long tour of the school by the principal and members of the school council. The water tank to which I refer is the only source of drinking water for the students. The inside of the tank is very rusted and dirty. Although it has recently been cleaned out, it is obviously not adequate for the storage of drinking water, particularly in view of the high levels of hygiene that are required to be met in schools today.

The principal asked the Public Works Department to replace the tank and he received the reply that, should the tank have a hole in it, it would be replaced but that, because it was still holding water, the school would have to put up with it. That is not good enough in my view.

On my tour of the school I noticed a large window of the old wooden frame variety. The wood had rotted and could be considered a danger. It will not need to deteriorate much more before becoming insecure in its mounting and falling out. It was not keeping out the weather, as these types of windows are designed to do.

Alongside the window an external door had been sealed off with masonite, and the masonite was obviously not doing the job that it was intended to do because water was coming in onto the carpet. The room was musty and damp. This is of concern, especially when one considers that prep-school children are using that class-room. The situation is unsatisfactory for young children and for the teachers who have to endure the smell and the damp conditions.

While I was in the class-room, I also noticed scorch marks in the corners of the room where the gas heaters were installed, and the heat from the heaters had blistered the paint on the walls and left marks on the ceiling. One might well consider those heaters to be a fire risk and they are ineffective because they are set so high. They are now rarely used because they are ineffective and are considered dangerous.

The school is an old building with timber lining, and it would burn very rapidly. The area in which the Panmure Primary School is situated was ravaged in the Ash Wednesday bush fires, and has now been declared a community safety zone. Because of the memories of the bush fires, fire safety is—and I hope it will continue to be for ever—very much to the fore in the minds of people in the area and, indeed, throughout Victoria.
The problem is there is not adequate water to consistently retain satisfactory greenery to make the area a safe refuge for the community. A new bore should be put down. One gets back to whether cyclic maintenance should be carried out or a new bore provided, and again, funding is the problem.

A little over two years ago the State was devastated by bush fires in country areas as well as in areas surrounding the cities. I urge the responsible authorities or address these matters urgently before the next fire season, which is not far off. Action needs to be taken quickly.

The exterior paint work of the building needs attention. The community has been waiting for years for cyclic maintenance of these buildings. It is frustrating for the people to have to accept conditions that are not conducive to good standards of education.

I raise the issue of committees of management controlling various organizations throughout the State and the responsibility of educating people involved in those committees of management in their responsibilities, especially in sound financial management. I refer to the area of Altona, about which the honourable member for Glen Waverley spoke briefly. The issue is complex and serious.

A $300 000 capital investment was put into the hands of a locally appointed committee of management for the ongoing running and administration of the Crand hostel which until two weeks ago, housed ten physically handicapped people. It was staffed by one full-time and nine part-time workers who tried to improve the quality of life for handicapped persons who it is fair to say, are less fortunate in many ways than others.

I raise the question of whether Parliament has the responsibility of educating committees of management in financial matters. In this case the hostel committee of management suddenly and urgently decided that it was in financial difficulties, which was confirmed by the bank manager who said that the committee was losing $800 a day and that it would have to do something immediately. The committee of management took the bank manager at his word and, in my opinion, acted with gross negligence towards the welfare of physically handicapped people. The committee declared that the building would be closed within 2 hours. The statement was made at 4 p.m. and the hostel closed, vacated, at 6 p.m.

I am curious about why the people took so long to come to the realization that they were losing $800 a day and spending Federal Government money. The State Government should examine the guidance it provides for committees of management. The situation arose where the hostel was closed and ten people were thrown into absolute chaos. Some of those people were not only physically handicapped but were also extremely emotionally sensitive. I know of two people who suffered traumatically through the experience.

When someone defaults on a rental agreement and is issued an eviction notice or a notice to quit, it is my understanding that they are given 28 days to do so. However, in this situation, the people involved were living in an instrumentality funded by the Federal Government and were paying a portion of their pension benefits for their upkeep. They were given only 2 hours to move out. I am curious about why the normal 28-days' notice was not given in this case.

In this day and age, when the community is attempting to do a lot for disadvantaged groups, it is sad that this type of situation can occur. The matter should be pursued to the end to ensure that such a situation does not occur again.

I shall mention briefly a small town on the outskirts of the electorate I represent—Koroit. In 1977 a decision was made that the rail link between Warrnambool and Port Fairy via Koroit was no longer economically viable, so the service was terminated at Warrnambool. At that time a bus service was put into operation to service communities wishing to travel beyond Warrnambool. That service has been operating since 1977 and has been extremely successful.
On 9 May, the Chairman and Managing Director of V/Line, Mr Keith Fitzmaurice, made a statement in the Warrnambool press indicating that, at the end of June, serious consideration would be given to stopping the bus service. He was referring to the diversion to Koroit as the service to Port Fairy would continue. In other words, instead of travelling 4 kilometres in a diverged semi-circle to the town and back to the highway, the service would travel straight to Port Fairy.

Mr Fitzmaurice decided that the diversion to Koroit was not economical. That may well be true, however, if that is the justification for the action, I ask whether V/Line intends to apply that strategy to the uneconomical services operating in the metropolitan area.

The interesting aspect is that the cost of running the service is extremely low. The people of Koroit are upset about the matter and I intend to continue to make representation on their behalf. The people of Koroit are totally dependent on the rural community. There is a small dairy factory in the town and its survival is paramount to the people living there. Members of the farming community and dairy industry in Victoria are in enough trouble already without the Government further degrading services that they have come to accept as a way of life.

Yesterday, at the United Dairyfarmers of Victoria annual conference in Swan Hill a Western District person, Mr Jim Saunders, was elected as president. On behalf of the electorate that I represent and the National Party, I wish Jim Saunders the very best in the job that he has undertaken. Jim Saunders is a capable man and members of the National Party believe he can lead the United Dairyfarmers of Victoria back to a viable industry that is so important for the ongoing economic recovery of Victoria.

If one were to examine the facts surrounding the dairy industry, one would recognize that dairy income has reduced substantially in the past two years. However, when one speaks to factory wages inspectors and asks for a summary of farm-hand wages or agricultural assistants' wages, one is informed that a substantial increase has occurred each year.

The dairy farming community is in a difficult situation. I trust that Victorians will recognize that the dairy industry is facing troubled times and that all Victorians need to work towards the resolution of the problems faced by the dairy industry.

Honourable members should seriously consider the categories of farmers affected by recent hardships. Established farmers do not really have a severe problem today because of how their farms are setup. Young farmers—those people who have gone into farming in recent years—face substantial mortgages and investments while working very hard to one day become farmers in the full sense of the word. In other words, they want to relieve some of the pressures of bank managers breathing down their necks, chasing payments for mortgages.

Another member of the farming community who is not mentioned often, but who plays a significant part, is the share-farmer. This person wants to work on a farm but does not have capital assets to purchase stock or land. However, he has the opportunity of being responsible for the production of a herd of cows by milking “on the share”, as it is called in the dairy industry. The share percentage varies, but because the landlord has the investment in the land and sometimes in the land and stock, the share-farmer's percentage is lower than that of the landlord.

Honourable members should also remember that if the over-all dairy farm income is down, so too is the percentage, and this is particularly important in the case of a share-farmer. If the community is not able to service the share-farmer in a way which enables him and his family to live comfortably, further problems of unemployment are brought about and he will be another competitor for jobs that are already difficult to find.

Within the next few weeks, it is hoped the unity of the United Dairyfarmers of Victoria will be demonstrated. Since the annual general meeting, when new office bearers were elected, it is hoped dairy farmers will display some unity to Victorians so that they can
obtain a viable industry and can earn a living to the standard to which they are accustomed; which includes the pleasant, friendly life of a farmer breathing in that beautiful, fresh country air.

Mr G U D E (Hawthorn)—Unfortunately, my grievance is once again to draw to the attention of Parliament the way in which the Government is intruding on the private sector. The intrusion is regrettably by the Gas and Fuel Corporation, which, through its agencies markets insulation products in direct competition with the private sector. It purchases its products from four contractors, Bradford Insulation, ACI Australia Ltd, Boral Insulwool and Insulco Pty Ltd of Rooty Hill, New South Wales.

The Gas and Fuel Corporation has an advantage in marketing this product because the consumer can pay off the cost, as it were, on the never-never, on his or her Gas and Fuel Corporation account. That may not be so bad, but payment must be made by way of a deposit arrangement, and one becomes concerned when one compares that service to the like facility provided by the private sector.

The deposit payment arrangement works something like this. On a 10 per cent deposit, if the balance is repaid within three months no interest is charged; on a 50 per cent deposit, the balance can be repaid within six months, interest free; on a 10 per cent deposit with the balance paid within one year, 12·5 per cent interest is charged; on a 10 per cent deposit with the balance repayable over two or three years, interest is fixed at 10 per cent.

This service is in indirect competition with the private enterprise sector, which is not in the business of using community funds to subsidize interest repayment schemes. In contrast the price of the product through the Gas and Fuel Corporation is $32 a bag, whereas the cost for the same product through some private enterprise merchants is approximately $17·50—almost 50 per cent less than the Government is charging unsuspecting consumers.

The Opposition has difficulty in coming to terms with that. The consumer certainly does not benefit, because he or she is paying much more through the corporation. Further, consumers are being ripped off by the Government and sales are being lost to the private sector. The service provided through the corporation is a $1 million business, not a pittance show. The obvious consequence of sales being taken away from the private sector is that jobs are being lost to private operators. The Government should urgently review this situation.

This matter came to my attention in an interesting way. Increasingly, members of the Opposition are being approached by constituents of members of the Government. In this case, a constituent of the honourable member for Ringwood approached her in an attempt to have the matter taken up with the then Minister for Minerals and Energy, Mr White, in another place. After considerable pushing and cajoling, the Minister agreed to speak to the constituent in October last year. The constituent concerned left some six pages of information with the Minister but to date has received no response. Neither the then Minister nor the present Minister has commented on the problem.

Two weeks ago, out of absolute frustration, the constituent approached the honourable member for Mitcham, but to no avail. The honourable member was unable to address the problem faced by that constituent and unable to take the matter further.

That is a shameful situation and I ask the new Minister to address himself to the problem. It is of great concern to this individual as well as to the whole private sector and to the Opposition.

When the Liberal Party is elected to office at the next State election, it will move quickly to eliminate this unwanted Government activity. The Liberal Party gives a commitment to the home insulation industry that it will do so effectively and quickly and that government will no longer be allowed to take over and monopolize private sector activities.

I turn to another matter of private sector concern. I raised this matter in a grievance debate in this place a few weeks ago and I raise it again with some disappointment and
sadness because the matter was raised with the Minister for Industry, Technology and Resources, a person for whom I have the highest regard. However, he appears to have been too busy—maybe because of his dual role of Acting Premier—to have attended to the more mundane aspects of his Ministry.

The Minister will recall that on the last Grievance Day I raised with him the concern of gasfitters throughout the State who had been given to understand that the Government, through its agencies, would be moving to take over the role of gasfitters. There are approximately 270 gasfitters in Victoria, some sole proprietors and some employing only two or three people—one might regard them as the “little Aussie battlers”, the type of individuals that make up the fabric of our society. These people have had no response, either from correspondence with the Minister or as a consequence of my raising the matter in the grievance debate.

An organization that represents the gasfitters, the Master Plumbers and Mechanical Services Association of Victoria, wrote to the Premier, the Deputy Premier, the Minister for Employment and Industrial Affairs and the Minister for Public Works. I understand those letters were forwarded on approximately 12 April. To date, only one reply has been received and that has been from the Premier who indicated he would “get his mirror out and look into it” for them.

It is stated in the association’s Service Bulletin, of May 1985, Volume 36, No. 5 at page 3:

We are now told that the State Government after consultation with the Plumbers and Gasfitters Union is proposing to wipe out businesses in the gas appliance installation industry by taking over this work with Government employees.

Up to 230 contractors operate in this area. At a meeting of contractors held during April, an assessment of the effect of such a move by the Government showed:

- The livelihoods of two-thirds of the contractors attending the meeting would be totally wiped out.
- The contractors would have to sack employees.
- Apprenticeship training in the gas industry would be drastically affected.

A move of this nature agreed between the Union and the Government, is of the type which threatens Australia’s living standards and ability to create jobs.

That is the very point I have been making and I have made that point on a previous occasion. Another paragraph in the journal states:

Moves by the State Government to wipe out small business in the gas industry would be totally opposite to the public statements by the leaders of the State and Federal Governments calling on small businessmen to be catalysts of economic recovery. What a farce that would be in that circumstance.

As recently as today, I received a copy of the letter that the Master Plumbers and Mechanical Services Association of Victoria hand delivered to the Premier on 29 May. That letter states, inter alia:

It is of great concern to our association that the only information we are able to receive has arisen from conversations with members of the Plumbers’ and Gasfitters’ Employees’ Union.

We would be most grateful to receive a positive statement from you to clarify the Government’s position in this matter.

It is typical of the way in which Government is run in this State that employers will be contacted in the first instance by the trade union movement. Is it any wonder that the people of Victoria finally realize who is running the State? It is certainly not the Government; it is the trade union movement or the “George Crawfords” of this world.

I turn now to a matter that relates to the responsibilities of the Minister for Transport. The bassinet restraint proposal was put forward as an election gimmick prior to the recent State election. It was ill-conceived, was not thought through and is typical of the Government’s approach to cheap votes, approaches which eventually let people down.
The citizens of Victoria are being let down, and local government will also be let down if it is foolish enough to buy into the scheme.

The scheme was introduced some time after the election. I quote from a minute of the Camberwell City Council meeting of 20 May. The minute sets out clearly the concern of local government about the way in which both State and Commonwealth Governments are divesting themselves of a number of activities with the cost burden being carried by local government. The minute states:

The proposal has been investigated by staff and there are a number of issues which are of concern. These include:

The liability of Council should a damaged or infected unit be hired.

Clearly there would be an obligation on the council in the event of such a situation occurring. Will the Government underwrite the insurance costs associated with this scheme? How will it seek to recompense the loss of life in the event that that restraint does not work?

The next point made was:

The appropriate method of allocation of units should demand be higher than the 150 units allocated to Camberwell.

The council does not know how many units it will receive or where they can be stored. These things cannot be hidden away; they take up considerable space. The scheme will have to be administered by staff, and that will generate additional costs.

The third point made was:

The appropriate method of hiring the units and their geographic distribution through the municipality.

The scheme could be administered through the Council's Infant Welfare Service in conjunction with Community Services staff, although it must be recognized that the co-ordination of 150 units being hired twice per annum would be substantial.

It is estimated that the deficit incurred in operating the scheme would be in the vicinity of $1500 to $2000 a year, and that would have to be borne by the council, not by the Government. In addition, the administration costs would be substantial, and the total replacement cost would be $15 000 if all units were to be replaced at the one time.

The Government has made no commitment to replacement of the units. It does not say whether the scheme is a one-off activity or whether it will continue. For all those reasons there is good ground for the community to feel let down by this Government. It is the State Government that produced this "Mickey Mouse", ill-conceived scheme that will let the community down, and the blame should be sheeted home squarely to the responsible authority.

The final matter relates to the Camberwell police station, which I visited on 10 May. There have been few occasions, indeed, on which I have seen a building in worse condition than that of this police station. The police are over-worked and do a fine, indeed, an outstanding job. I have visited a number of facilities around the State over the past ten or fifteen years, but never have I sighted anything to compare with the state of the Camberwell police station. Apparently, the Government is considering the prospect of moving the criminal investigation branch out to Chatham and leaving the uniformed branch at the present headquarters.

The Camberwell building is split into three sections, with one part housing the uniformed branch and the other the criminal investigation group and the Camberwell court standing in between. The latter building shares in the disgrace. The police station is riddled with cracks, the paint is peeling and water is constantly leaking through into the senior sergeant's office. The locker room is crowded with lockers. It is difficult to imagine how one may obtain access to one's locker. These days there are both male and female police officers and they must share the one locker room—if they are lucky enough to have a locker in that room. It is not common to find lockers in the corridor in little rooms 6 feet by 8 feet
in which police officers are endeavouring to carry on activities that we as citizens expect on our behalf.

At the back of the court house is a rather antiquated shower facility, which I certainly would not use. Both sexes are required to use the single shower. It is a disgrace that officers of the Victoria Police Force, who should be held in the highest esteem, and are, by the citizens of the State, are allowed to be treated in such a way, by the Government.

I call on the Minister for Police and Emergency Services and the Minister for Public Works, who has a responsibility in these matters, to take a trip to the Camberwell police station and see with their own eyes the lack of services and facilities so that they may be upgraded promptly for the use of these dedicated public servants. They are deserving of far better treatment.

Mr Walsh—They suffered for 27 years.

Mr GUDGE—The Government has been in office for three years. The Minister has only recently taken up the Ministry. I invite him to look at the situation before he opens his mouth.

Mr Walsh interjected.

Mr GUDGE—The honourable gentleman is not even deserving of an apprentice's pay rate because, unlike the Minister, at least an apprentice is at a learning stage and he will eventually become a skilled tradesman and be able to carry out his job. I again invite the Minister for Public Works and the Minister for Police and Emergency Services to visit the station and to upgrade the facilities.

Mr SEITZ (Keilor)—I bring to the attention of the House a problem that concerns the people in the electorate I represent relating to the Brambles liquid waste dump at Tullamarine. When I was first elected, the problem was brought to my attention. I pursued with the Minister the matter that the company comply with its licence conditions for liquid waste disposal in the area.

This is a serious and emotional issue because it creates stresses and strains in the surrounding community, which is worried about the materials being dumped. The level of fumes has increased over the past two years and, instead of improving, conditions are becoming worse. Fires break out regularly and workers who operate the plant have made representations to me because they are worried about their health. Firemen who visit the area to put out fires also face health risks.

The company maintains that it is complying with the terms of its Environment Protection Authority licence. However, the company is exploiting the community, which does not have the funds to investigate its activities, which are having a detrimental effect on the surrounding area. The Shire of Bulla tried to stop the issuing of a licence to the company, but the manager of the company spoke to the media and said that once the council knew the legal implications, it would issue the licence. The company is too big for the municipality to take on.

The Ministry for Planning and Environment had successfully prosecuted the company for not complying with its licence. Since the matter has been settled, I do not know how the company can maintain that it is still complying with the terms of the licence. Many constituents have telephoned me to explain the difficulties asthmatics and people with breathing difficulties have on certain days, depending on atmospheric conditions.

Some constituents have said that their medical practitioners have linked the incidence of stillbirths to the levels of liquid wastes dumped in the area. When I ask the medical practitioners for proof they point out that they do not have the time or funds necessary to research the area to ascertain how the dumping of liquid waste is affecting the environment. The Broadmeadows council requested its chief health inspector to present a report on the effects of the dump on the surrounding areas. Gladstone Park, which is nearest to the dump, recorded thirteen babies with birth defects compared with a much lower rate in
areas further away from the liquid waste dump. I seek leave to have the report incorporated in Hansard.

Leave was granted, and the document was as follows:

SEPARATE REPORT TO COUNCIL

Infant Births in Broadmeadows

Council at its meeting on the 27 August, 1984, requested that the Town Clerk investigate the number of infants born in the last five years in Broadmeadows with congenital birth defects, in particular, spina bifida and Down's syndrome, and to indicate which infant welfare centres these infants attended.

Council at its meeting on the 17 December, 1984, further requested the Chief Health Surveyor to supply information of the instances of Down's syndrome within the municipality.

Comment

Replies have been received from ten (10) infant welfare centres. The instances of spina bifida and Down's syndrome occurring within the last five (5) years are tabulated below.

<table>
<thead>
<tr>
<th>Infant Welfare Centre</th>
<th>Spina Bifida</th>
<th>Down's Syndrome</th>
<th>Congenital Heart Defect</th>
<th>Other</th>
</tr>
</thead>
<tbody>
<tr>
<td>Westmeadows</td>
<td></td>
<td></td>
<td></td>
<td>2</td>
</tr>
<tr>
<td>Meadowfair North</td>
<td></td>
<td></td>
<td></td>
<td>4</td>
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<tr>
<td>Moomba Park</td>
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<td>1</td>
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<tr>
<td>Campbellsfield</td>
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<td>1</td>
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<tr>
<td>Pascoe Vale</td>
<td></td>
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<td>4</td>
<td>4</td>
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<tr>
<td>Fawkner</td>
<td></td>
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<td>1</td>
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<tr>
<td>Gladstone Park</td>
<td>2</td>
<td>2</td>
<td></td>
<td>9</td>
</tr>
<tr>
<td>Coolaroo</td>
<td></td>
<td>3</td>
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<td>5</td>
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<tr>
<td>Hadfield</td>
<td>2</td>
<td>2</td>
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<td>3</td>
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<tr>
<td>Glenroy</td>
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<td>1</td>
<td>6</td>
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<tr>
<td><strong>Total</strong></td>
<td><strong>4</strong></td>
<td><strong>7</strong></td>
<td><strong>6</strong></td>
<td><strong>36</strong></td>
</tr>
</tbody>
</table>

Recommendation

That the information be received.

Mr SEITZ—A similar situation applies on the other side of the liquid waste dump, which comprises the heavily populated Keilor area. Some honourable members may not think the matter is serious, but I have worked as a maintenance man in the chemical industry. I know that fumes from the liquid wastes stored in that large industrial area did not cause as many problems as the site to which I have just referred.

When I worked at the company it was discovered that it had not complied with all the necessary requirements for the safe storage of liquid wastes. In a similar manner, Brambles Liquid Waste Disposals has not complied with the requirements of the Environment Protection Authority.

A good analogy on the storage of liquid wastes is provided by the claims made by Vietnam veterans on the effects of Agent Orange and its link with birth deformities. When the claims against Agent Orange were first made, nobody believed the veterans. An enormous amount of research and funds were provided by the chemical companies to disprove the case put forward by the Vietnam veterans on the effects of Agent Orange.

Ten years from now those scientists who are monitoring the storage of liquid wastes will have enough proof on the harmful effects but it will be too late by then for those people who suffer from its effects. Such people cannot afford to undertake research projects on these matters.

I urge the Government to hold a full public inquiry on the matter and obtain statistics on the storage of liquid wastes and the effects on public health, including the number of still births, birth deformities and other illnesses.
I have been told that the Keilor Plains area is located on an old volcanic site and therefore has a high level of radioactivity, which affects people suffering from asthma and other chronic illnesses. Why have these illnesses been so accentuated in this area?

Brambles has admitted liability and accepted the fine for not storing hazardous wastes correctly. However, because the company did not defend the case, it prevented the Government from presenting evidence in court and the case received minimum publicity. A fine of $10,000 is a drop in the ocean to a company the size of Brambles. However, the company has continued to flaunt the environment regulations and torment the community. Each time someone raises the matter the company moves to ‘squash it’ by claiming that it is not a major concern to the company.

Although society requires the production of chemicals and various goods in the medical field, the wastes from those products should be disposed of safely. A different location for the storage of liquid wastes should be found in another area well away from any centres of population. The liquid waste dump at Keilor should be closed. Once that dump is filled to capacity who will maintain it? How many years will it remain there? Will underground seepage occur? Will there be seepage into the underground water streams, which will pollute the area? Will Brambles maintain the dump for ever to ensure that the entire area is not polluted?

In the early 1970s there was major publicity over mercury poisoning in Japan. It took the community there a long time to demonstrate the fact that the mercury poisoning was caused by industry and that birth deformities had been caused by the mercury poisoning. Similar examples have occurred in the United States of America. Sufficient scientific evidence and modern technology are available to enable industry to ensure the safe disposal of hazardous material that does not put the community at risk, especially workers in the chemical industry.

One should be mindful of the terrible accident that could occur with the transport of hazardous materials daily through Melbourne. If such an accident occurred, it could affect a wide area.

A road accident involving a loaded tanker of liquid waste could occur in the electorate of any honourable member at any time. I urge honourable members to consider the situation seriously because I am sure they would not like the people of their electorates to be exposed to that material. I congratulate the Minister for taking action on the transport of hazardous waste which is even more dangerous than goods that are properly packaged for the market. Everybody treats it as waste and, therefore, the cheapest method of getting rid of it is used.

Having stressed those points, I point out that it is imperative that action be taken on this issue of concern, particularly for the future of that area. The scientists who are responsible and who, every day, are developing new chemicals and processes that leave a residue of lethal waste, must consider the waste left behind and how it will be handled. Some scientists seem to think that it is only a matter of having a breakthrough and success will follow. Their findings are documented in scientific journals and presented in world forums. However, they must consider any harm it is causing the community, even in small areas. People in those areas are entitled to be protected and considered when new advancements are made. The location of that site should be of concern to honourable members. The Federal Government intends to increase tourism and build more runways on the Melbourne airport. I have previously mentioned the presence of the liquid waste dump at Tullamarine on the gateway of the Melbourne Airport.

The Federal Government should assist in removing that dump. It is not conducive to attracting tourism through the airport. As the local member for the area, I shall pursue this matter at every forum available to me to expose the activities of Brambles Liquid Waste Disposals, and I urge honourable members to support me to ensure that serious action is taken to have the dump removed and to have a study undertaken to determine
Mr RICHARDSON (Forest Hill)—I draw to the attention of the House a disgraceful incident that occurred on the evening of 10 May 1985 at the meeting of the Administrative Committee of the Victorian Branch of the Australian Labor Party, at which a resolution was carried, the essence of which was:

This administrative committee expresses concern at the extraordinary violence witnessed at recent functions arranged in various parts of Australia to commemorate the tenth anniversary of the Victory of the National Liberation Front of South Vietnam.

The resolution concludes with the following crucial words:

We believe that in principle, immigration of Vietnamese should be confined to the first category . . .

That is, orderly departure of migrants, by arrangement and consent between the Australian and Vietnamese Governments—

... until such time as categorical assurances are received from representatives of the refugee section of the Vietnamese community that they will desist from intimidating other Vietnamese, students, diplomatic representatives and the Australian community from the exercise of their political rights.

Not surprisingly, that incident blew up a storm and caused concern among many reasonable people within the community. It resulted in fear within the Vietnamese community, who thought that they had escaped from that sort of thing in coming to a free democratic Australia, only to find that the party that is in government nationally and in Victoria is fostering those sorts of racist sentiments and that the Administrative Committee of the governing socialist Labor Party in Victoria would carry a discriminatory and racist resolution of that kind.

It is informative to examine some of the comments that were made on this matter. For example, it was described as "repugnant"; it was repudiated by the Prime Minister, Mr Hawke, who said it was inconsistent with Government policy. The Minister for Immigration and Ethnic Affairs, the Honourable Chris Hurford, said that he rejected the resolution. The Minister for Industry, Technology and Commerce, Senator Button, said he totally repudiated the motion. The right wing numbers man, Senator Robert Ray, said it represented the worst form of racism. The leader of the left in the Federal Caucus, Gerry Hand, said he dissociated himself from the resolution. These comments were made by Labor members of the Federal Parliament.

We listened in vain, however, for comments on the matter from members of the Victorian Parliament. The only Victorian Minister who made a comment—and that was a belated comment—was the Minister for Ethnic Affairs, who simply said, some days after the storm broke, that he was shocked and disappointed. The first press reports of this disgraceful incident all carried the note that the Minister for Ethnic Affairs could not be contacted or that he was unavailable for comment. Ultimately, the Minister for Ethnic Affairs issued a statement on 16 May in which all he said was that he was shocked and disappointed, and he then ran for cover, because the reality is that the State Minister for Ethnic Affairs, the man who is meant to be looking after the interests of ethnic communities, is himself a prominent member of the socialist left faction; he was not going to say anything that would seem to be disloyal to members of his faction who were responsible for that resolution being passed by the Administrative Committee.

When one looks for another Government member who might have made a comment, one finds that the then Acting Premier made tut-tutting noises, but he was not game to come out and condemn the resolution. In fact, the only person who was prepared to attack the left wing of the Labor Party was the honourable member for Greensborough, Mrs Toner. She achieved headlines in which she launched a scathing attack upon Mr Crawford and the socialist left—but, of course, there were other reasons for her wishing to do that. The reason that honourable member was interested in doing that was that she is the centre unity faction's candidate in the forthcoming election for the position of State President of
the Labor Party. She was not the least bit interested in protecting the interests of ethnic communities in this State.

Concerned people in the community kept waiting for someone else in the Labor Party to say something. We waited in vain for prominent people in the Labor Party to speak out. A few names come to mind. We did not hear from Mr Andrianopoulos. We did not hear from Miss Callister, who is interested in the left-wing affairs of the Labor Party and who lives in Morwell. We did not hear from Mr Culpin, another prominent member of the Labor Party who lives in Broadmeadows.

The SPEAKER—Order! If the honourable member for Forest Hill intends to use the material of the House in his debate, he should address the House in the correct form and use the titles of the honourable members concerned.

Mr RICHARDSON—It just happens that the people to whom I referred are in fact members of Parliament.

The SPEAKER—Order! The honourable member for Forest Hill should refer to members of Parliament as the honourable member for St Albans, and so on.

Mr RICHARDSON—I shall do so. We did not hear from the honourable member for Bellarine, nor from the honourable member for Thomastown, nor the honourable member for Wantirna, who is a prominent member of this extreme left faction of the Labor Party.

We did not hear from the Minister for Public Works, who is also a most prominent member of the left wing of the Labor Party. We heard not a sound from the Minister for Water Resources, and the honourable member for Springvale was silent. He is a migrant. The honourable member for Keilor also is a migrant to this country; we did not hear from him, nor from other Parliamentary members of the Labor Party who are migrants or descendants of migrant families. We did not hear from any of these members of the Labor Party in Victoria either in defence of the community which had been maligned or in defence of the faction of which they are all members.

Therefore, one is forced to the conclusion that these honourable members agreed with the resolution that had been carried at the meeting of the Administrative Committee. If they did not agree with it, why did they not say so? If they agreed—and perhaps their silence means that they did—with the discriminatory and racist remarks made at that meeting, why do they not stand up and say that also?

Why did not the honourable member for Richmond, the Government Whip in this place, himself a migrant to this country, stand up and speak out for the ethnic communities? Why was he silent, a man to whom they look for guidance and leadership? Why did he not turn on his own faction and denounce its racist views? His silence in this issue can mean only that he shares the bigoted and racist views that were expressed at that meeting.

It is interesting to note that the State President of the Australian Labor Party describes accusations that he is a racist as absurd. Mr Crawford, the State President of the Australian Labor Party, rejected claims that the resolution was racist and said that it was ridiculous to call him a racist. He is quoted in the Herald of 17 May 1985 as saying, in an effort to prove that he was not a racist, that he was in Hanoi as part of the trade union delegation shortly before the Vietnam war ended.

At the time Australian servicemen were dying in the jungles of Vietnam, George Crawford was in Hanoi talking with the enemy. Mr Crawford claims that proves he is not a racist. It seems to me that proves Mr Crawford certainly is something, but I will allow honourable members to draw their own conclusions.

The Labor Party has emerged from this incident degraded and discredited. It has covered itself with shame because of this resolution, which the socialist left claimed was carried unanimously at the meeting. However, the independent delegate at the Administrative Committee meeting stated he voted against the resolution and that he was
the only one who did so, while centre unity delegates claimed that they were the only ones who voted against the resolution.

It is difficult to know who one is supposed to believe because each faction is telling a different story. However, regardless of which faction one believes, the Labor Party administrative committee carried the disgraceful resolution.

Once the resolution hit the fan, all hell broke loose. The Labor Party is in confusion. The socialist left is embarrassing everyone: The Minister responsible is too frightened to say anything more than that he is shocked and horrified; the Acting Premier cannot get off the scene quickly enough; and the Premier is making up his mind whether he will come home at all.

The Prime Minister and Federal Government members of the socialist left were heaping buckets on the Victorian socialist left, and it was then that the Victorian socialist left decided that it may have got itself into trouble and that it had better try to get out of it. It decided to hold a week-end meeting. Approximately 400 people turned up at the town hall and poor old George was in for the chop.

Comrade Hartley and comrade Crawford tried to explain the situation to all the other comrades. However, the other comrades were not going to have any of that. The comrades at that meeting of the socialist left decided that they had better try to smooth out the whole affair and get out of it with as little loss of face as possible.

The comrades at the meeting passed a resolution that, at the next meeting of the administrative committee, the delegates of the socialist left—comrade George and comrade Bill—would move another motion that would sanitize the original one. The original resolution would then be amended so it would seek to explain that the left wing of the Labor Party is committed to a non-racist, non-discriminatory immigration policy. It is difficult to make that sound convincing after what the socialist left has just done.

The socialist left was concerned that its motions were being used to portray sections of the Victorian Labor Party as racist. How terribly unfair—what an awful thing to do! The socialist left was concerned that it was seen to be in conflict with the Federal Government. How awful for the Federal Government to be upset about what is being done in Victoria! The socialist left has moved to sanitize the resolution and, presumably, that will be discussed at the meeting of the administrative committee. The books will then record the change in the resolution and the socialist left is hoping that will mean that all its problems will go away. However, that will not be the case.

The Labor Party has finally shown that it is the most racist organization in this country. The great tragedy is that the Labor Party is in government Federally and, therefore, controls immigration and it is in government in this State and, therefore, is responsible for the well-being and provision of services to ethnic communities.

The most threatened ethnic community in Australia at the moment is the Vietnamese community. These people experienced civil war and suffered the most dreadful privations before reaching Australia. However, when they reached Australia they found that all of the things from which they tried to flee had followed them to Victoria.

When statements of the kind that I have described are made by the President of the State Labor Party, the socialist party which governs Victoria and Australia, all immigrant communities in Victoria are threatened. They are all in danger and there is only one voice that is now being raised in support of ethnic communities in Victoria: Mine.

Those ethnic communities have been let down, neglected and abandoned by the Minister for Ethnic Affairs, whose behaviour is even more disgraceful than any president or member of the Labor Party. They have been abandoned by the Federal Minister for Immigration and Ethnic Affairs. They have been abandoned by the Victorian Government. I am the only one who will stand up and speak for ethnic communities.
I give a categorical assurance that my voice shall continue to be raised in the defence of ethnic communities in Victoria, and in the interests of their continued well-being.

Mr WILLIAMS (Doncaster)—My grievance relates to the disbanding of the police Delta task force which was established in October 1982 to crack down on some of the most serious crimes in society: The dreadful lust of paedophiles for young children, particularly boys. The task force investigated sex deviants and the people behind them, drug financiers and other organized crime bosses who manipulate and control teenagers and young children for financial greed. In many cases, according to documents and accompanying records that I have seen, this money is used to finance takeover bids on the stock exchange.

Honourable members may say, “There goes the honourable member for Doncaster, raving on again”, but I direct the attention of the House to a paper entitled, “Organized Crime” which was presented by Mr Douglas Meagher, counsel assisting the Costigan Royal Commission on the Federated Ship Painters and Dockers Union and now a chief counsel assisting the State Government. Mr Meagher has this to say on pornography and related prostitution and sexual deviant activities:

All the evidence points to a major criminal organization in Australia operating in this field and dominating it. It consists of the same people as those controlling prostitution. In this area it has sought to preserve anonymity by operating through many companies the officers and shareholders of which cannot readily be related back to the organization.

I have tried to carry out searches at the Corporate Affairs Office but I have been constantly frustrated by seeing companies that police and others informed me are involved in prostitution or the drug trade carrying out business activities with lawyers being the only directors and shareholders. It is obvious that they must be involved in these wicked and depraved activities. Mr Meagher continued:

Detailed examination of these companies, their financial and banking accounts, and close scrutiny of their history, leaves little doubt that they all form part of the one organization.

It is obvious that Mr Meagher and Mr Costigan have seen some of the documents of which I have seen only the tip of the iceberg. People can tip me off about certain activities, but Messrs Meagher and Costigan have obviously had access to bank accounts and other company documents. I know that is true because at one stage I appeared before the Stewart Royal Commission into Drug Trafficking.

When I started reminiscing with the commission or, rather, giving evidence in camera, a document was put in front of me. Quite obviously Mr Douglas Meagher knew about whom I was talking. I shall not name names today, but I hope Mr Meagher and others associated with the National Crime Authority, who have access to these documents, will bring those people before the courts. He stated:

It is a big business with an enormous cash flow, and very profitable.

The business certainly is very profitable and extremely influential. I am utterly disgusted that these vicious exploiters are allowed to continue on their merry way.

The Delta task force has been disbanded and ridiculed by academics and lawyers. It is an absolute scandal. In the Age of 2 July 1984 the headlines read “Child-Sex Task Force Snared in Legal Web”. The report stated:

Operation Rockspider is, to date, the Victoria Police’s biggest operation against criminal networks involved in the sexual exploitation of children.

At its completion in 1983, Rockspider appeared to be one of two impressive coups by the police last year in their campaign against child abuse. Instead, both operations have turned out to be legalistic bungles and a waste of police resources.

In a series of raids in May last year, Delta Task Force, the police special squad on child abuse, broke what was reported to the Victorian connection in an international child pornography ring.
The nine, allegedly members of an organization called the Australian Paedophile Support Group, were all charged with conspiring to corrupt public morals.

On 10 May this year, most of the police case against the nine members of the Australian Paedophile Support Group was tossed out of the court at the committal stage after the magistrate, Mr Graeme Wheelhouse, said there was no evidence to support a charge of criminal conspiracy.

Two weeks later, the conspiracy charges against the four men arrested the previous May were thrown out of court by the same magistrate. Once again, there was insufficient evidence. A senior barrister who represented defendants in both cases said later the evidence supporting the charges of conspiracy against the 13 men was very flimsy.

The Government has starved the Police Force of funds. With only twelve personnel the Delta task force made 200 arrests. As I detailed earlier the task force caught persons whom it believed to be the ringleaders in an international pornography and vice ring but, because of a lack of resources, it was not able to present evidence that would stand up in court.

I am dismayed that attacks were repeatedly made on the task force by so-called libertarians who should know better. I am reminded of a tutor at the La Trobe University where marijuana is sold openly on the campus and all sorts of way-out activities are given licence. The university tutor said that these paedophiles are relatively harmless people and should not be persecuted by the task force. No wonder the heart of the Chief Commissioner of Police was broken! He asked, in effect: If Victorians are not interested in giving the task force the money to enable it to crack down on these depraved individuals and if the police are to become the laughing stock of academics, libertarians and people closely associated with the Government, why should I worry? Consequently, he disbanded that wonderful Delta task force.

Only two weeks ago when a question was asked of the Minister for Police and Emergency Services by the Liberal Party spokesman on police and emergency services, the Minister appeared to wash his hands of the affair. He said that he would not interfere because it was a matter for the judgment of the Chief Commissioner of Police.

The Sun newspaper of 25 May carried a great headline, “Child-Sex Squad hit by cuts”. The article read:

Child abusers are back in business on Melbourne streets because the police squad set up to fight them had been hit by cutbacks.

The Minister for Industry, Technology and Resources interjects that it was not right. He is the one who told me to keep my speech short. If I could speak for the 20 minutes allotted to me, I could give the Minister some indications that senior police in this State were not properly informed.

I well recall a previous occasion when a senior policeman said that there were no legal casinos in Victoria. I asked the Police Minister, “What about Charlie Wooton’s casino in St Kilda?” The Minister had the audacity to say that the honourable member for Doncaster knew more about these matters of organized crime than he did.

It is a great tragedy that our children who are our precious heritage are so unprotected. I recently spent some time at police headquarters with a newly formed group known as the Crime Prevention Education Consultancy Group. This group has set up several workshops—and I now note that the Minister for Industry, Technology and Resources is in agreement with me—and the aim of the group is to prevent the occurrence of this awful crime, to teach young children in every possible way to speak up and not to allow their fathers or other people close to them to make them victims of their awful lust. It is an indictment on the Government that, apart from paying the salaries and administrative overheads of this group, the Government provides no other assistance and the group has to depend on private charity. The group was in fact financed to the tune of $20 000 by
Broken Hill Proprietary Co. Ltd and trustees of another private commercial charity and Continental Airlines who paid the fare of a top American woman, an expert in this field, to come to Australia. What an indictment on the Government!

The Government of New South Wales is cracking down on child exploitation. In its spring sessional period of Parliament, the Government is introducing a Bill which will make it mandatory for people such as doctors, teachers, psychiatrists, kindergarten teachers and anyone who has anything to do with children to report on child abuse. By the year 1990 it is anticipated that the New South Wales Government will be spending $12 million a year on combating child abuse. By comparison, the miserable Government in Victoria will not give the Police Department enough money to keep the Delta task force operating. It will not give the Crime Prevention Education Consultancy Group any assistance and that group must beg from private institutions and companies to be able to operate.

A book entitled “Incest, a Crime Against Children” was written by Ian W. Heath, L.L.B, Prosecutor for the Queen. It is published by the Director of Public Prosecutions in Victoria. I quote a poem from that book written by Mr Heath’s wife:

A daughter—six, twelve, fourteen,  
Dull, average, super-bright,  
It makes no difference  
I have no language for complaint.  
My mother is not my ally,  
She protects my attacker,  
I protect my sisters,  
Sometimes from my brothers too,  
Sometimes we all protect each other.  
I am punished, guilty and removed—  
So my father can come home.  
The Ranger is the Poacher in my ‘sanctuary’,  
He exposes me, before and beyond my years.  
I am buggered,  
My mouth molested,  
I am his daughter, not his wife!  
What has happened to my childhood?  
Be aware for me,  
Speak out for me,  
And release me.

C.H. 1984

I presume “C.H.” is Mr Heath’s wife, to whom he pays tribute.

What a scandal! These wonderful policewomen told me this week that they estimated that one child in three children in our community is sexually molested.

Mr Fordham—One in three!

Mr WILLIAMS—The Acting Premier should take that up with the Victoria Police Force. I refer to a wider definition of sexual abuse than that used by the Acting Premier, who has led a sheltered life, coming from a comfortable middle-class environment. Child sexual assault has been defined as the use of a child by an adult person as an object of gratification of that person’s sexual needs. American studies indicate that 30 per cent of females have been sexually assaulted by the time they reach the age of eighteen years. The police officers with whom I spoke have told me that the position in Australia is the same. I know that the Acting Premier is a saintly person who is active in the Anglican church, and I appeal to him to tell his Treasurer, “For God’s sake give the Police Force enough money to enable it to crack down on child abuse”. Child abuse is a dreadful crime against innocent children in our society.

The question was agreed to.
ACCIDENT COMPENSATION BILL

For Mr JOLLY (Treasurer), Mr Fordham (Acting Premier), moved for leave to bring in a Bill to establish the Accident Compensation Commission, to constitute an Accident Compensation Appeals Tribunal, to establish the Victorian Accident Rehabilitation Council, to provide for the payment of compensation, to impose a levy in respect of accident compensation, to provide for the assessment and collection of the levy, to amend the Workers Compensation Act 1958, and certain other Acts and for other purposes.

The motion was agreed to.

The Bill was brought in and read a first time.

WESTERNPORT (OIL REFINERY) (FURTHER AGREEMENT) BILL

Mr FORDHAM (Minister for Industry, Technology and Resources)—I move:

That this Bill be now read a second time.

The purpose of the Bill is to ratify an agreement between the Premier and BP Australia Ltd which makes changes to the Westernport agreement as a consequence of BP’s decision to close its refinery at Crib Point.

In 1963 the State and BP Australia Ltd entered into an agreement, ratified by the Westernport (Oil Refinery) Act 1963, which provided for the establishment of a refinery at Crib Point, the construction of certain pipelines and certain Government infrastructure.

The Crib Point refinery, which commenced operation in 1966, was expected at that time to provide the capacity to meet the growing gap between supply and demand in Victoria as other refineries reached their production capacity. However, unforeseen changes in the World oil scene—in particular, the massive rises in oil prices—ultimately destroyed the prospects for demand growth and resulted in a high level of refinery overcapacity in Australia and particularly in Victoria.

In February 1984, BP Australia Ltd advised the Victorian Government that it intended to close the refinery. The primary reason for the decision was that the refinery required a $100 million upgrading to make it competitive and such expenditure could not be justified when refinery capacity in Victoria exceeded demand by about 40 per cent. The uncompetitive position of the refinery was exacerbated by the loss of export markets in Indonesia and New Zealand, where new sophisticated refineries were coming on stream.

The closure of the refinery will decrease the level of surplus capacity and will allow other Victorian refineries to increase their level of utilization and therefore their efficiency. It will have no effect on the availability of petroleum products to Victorian consumers.

The Westernport agreement made in 1963 provides the State with the power to determine the agreement in certain circumstances, for example, if BP ceased to operate the refinery. However, there are aspects of the agreement which need to be retained, such as non-refinery activities associated with use of the jetties, and land and pipeline easements. This requires amendment to the agreement. Also the opportunity has been taken to amend the agreement to give BP increased rights to assign its interest under the agreement.

Accordingly, the Premier and BP have entered into an agreement which:

(a) Waives BP’s obligation under clause 3 (a) of the Westernport agreement which deals with refinery operations. This waiver recognizes the reality of the economic situation which led to the closure of the refinery.

(b) Waives BP’s obligation under the remainder of the Westernport agreement, which allows for non-refinery activities associated with use of the jetties, and land and pipeline easements, as from 31 December 1989, which is the earliest date the BP agreement with Esso–BHP regarding the use of the jetties and
pipelines easements could cease to have effect. This waiver again reflects the phasing out of the refinery while retaining the services provided by BP until 1989.

(c) Provides for assignment of rights by BP to other parties subject to the written consent of the State. This provision would ensure that sale of the site for more useful purposes associated with the deep-water port can proceed provided the State consents.

The Westernport (Oil Refinery) (Further Agreement) Bill ratifies this agreement. I commend the Bill to the House.

On the motion of Mr BROWN (Gippsland West), the debate was adjourned.

It was ordered that the debate be adjourned until Sunday, September 1.

DAIRY INDUSTRY (AMENDMENT) BILL

Mr CRABB (Minister for Employment and Industrial Affairs)—I move:

That this Bill be now read a second time.

It is a simple piece of proposed legislation, designed to give the Minister for Agriculture and Rural Affairs discretionary power over the issue of dairy licences.

This reflects an agreement reached between the Victorian Government and representatives of Victorian dairy farmers to restrict the issue of dairy farm licences. Those representatives had indicated to the Government in discussions in early May of this year their strongly held view that no new dairy farm licences should be issued. The Government indicated that there were cases where licences should properly be issued such as some transfers within families, cases of farm consolidation and so on.

In existing legislation, provided the necessary health and quality standards are complied with and the licence applicant is a suitable person according to criteria set down, then a dairy farm licence must be issued.

In order to restrict the issue of dairy licences, taking account of the needs of the industry and the general community, a discretionary power is needed. Consultations have indicated that there is widespread support for this move.

The Government has also agreed that in exercising of this discretionary power, the Minister for Agriculture and Rural Affairs would be guided by a number of factors including the recommendations of a dairy farm advisory group to be set up; the economic welfare of the dairy industry; the level of production in the dairy industry; the welfare of persons engaged in the dairy industry; regional considerations; and other needs in the industry. The dairy farm advisory group to be appointed by the Minister will consist of four persons selected from a panel of names nominated by the United Dairyfarmers of Victoria, plus an additional person nominated by the Minister who will be chairman.

The dairy farm advisory group will play an important role in ensuring that the issue of dairy farm licences is carried out in close consultation with the dairy farming community. I commend the Bill to the House.

On the motion of Mr AUSTIN (Ripon), the debate was adjourned.

It was ordered that the debate be adjourned until Sunday, September 1.

MOTOR CAR (PHOTOGRAPHIC DETECTION DEVICES) BILL

Mr ROPER (Minister for Transport)—I move:

That this Bill be now read a second time.

The purpose of this Bill is to provide legislative support for red light cameras. It will also provide for the future use of speed cameras which are currently on trial. The paramount
consideration behind the proposed legislation is road safety. The legislation provides for a significant change in current detection and enforcement procedures. It is therefore the Government's intention to assess the effectiveness of the proposed legislation after it has been in operation for twelve months.

As honourable members are aware, red light cameras are an important and significant road safety measure, and the Road Traffic Authority expects there to be continuing road safety benefits from the use of this equipment. Existing photographic detection devices have proved very successful in detecting red light offences and have usually resulted in a fall of 50 per cent to 90 per cent in the number of offenders detected at intersections where red light cameras have been installed.

The police, however, have encountered major problems with prosecuting red light camera offences. These problems stem primarily from inadequacies in legislative support for red light cameras. Where admissions cannot be obtained, which currently occurs in 20 per cent of detected cases and is expected to increase significantly, the necessary follow-up work by the police is regarded as a non-cost-effective use of police resources. For example, it is estimated by the police that the need to rely on admissions can require up to $1000 of police time to recover a $90 fine.

Looking to the future, the police propose to introduce the use of speed cameras. Although there are many reasons for road accidents, the most common causes are undoubtedly excessive speed and alcohol. The speed camera is the latest weapon in Victoria's fight to reduce road trauma. The focus will be on high accident sites. The camera lends itself to use in heavy traffic where radar cannot always be used and where it is sometimes unsafe to stop traffic. When a car crosses a sensor on the road its speed is calculated and, if it is too high, a photograph is automatically taken. Over the summer period, the speed camera has been successfully tested at known trouble spots where high numbers of speed-related accidents have occurred. In one case, the police recorded a car travelling at 124kph in a 60kph zone. It is this sort of dangerous speeding that the Government is determined to stamp out. The camera, which costs approximately $15 000, will enable the police to enforce speed limits on many roads without further stretching police resources.

Having regard to the problems currently associated with the use of red light cameras and the greatly increased potential detection capabilities of the speed cameras, it is imperative that the procedures involved in prosecuting offenders detected by photographic detection devices be simplified in order to maximize the efficient utilization of police resources.

In essence the proposed legislation amends the Motor Car Act 1958 to apply owner-onus to red light and certain speeding offences detected by a photographic detection device. This will make the owner of a vehicle \textit{prima facie} liable for such offences involving that vehicle. This removes the enforcement problems associated with currently having to locate and identify the driver of the vehicle and allows an infringement notice to be served directly on the owner. On occasions, police have made as many as ten visits to the home of the owner but still have been unable to determine who the driver was at the time of the offence.

Although the owner of the vehicle is \textit{prima facie} liable for offences detected by photographic detection devices, the legislation provides for the owner, as is the case where parking infringements are served, to avoid liability in the following circumstances:

First, by going to court and satisfying the court of one of three things—

1. That the vehicle was stolen or illegally taken or used;

2. That he—the owner—did not know and could not have ascertained who the driver was—

3. Simply that he—the owner—was not the driver.
Alternatively, the owner can avoid having to go to court where he provides the police informant with the name and address of the driver.

The legislation ensures notice is served for red light and certain speeding offences whether the offences are detected by photographic detection devices or by a police officer. This is achieved by limiting the penalty solely to a monetary fine, that is, by not allocating demerit points to offenders and in the case of probationary licences holders by removing these offences from the schedule of offences for which automatic licence cancellation follows conviction. This is necessary because of the concern that an owner may incur demerit points or suffer licence cancellation for an offence which the owner did not commit.

It should be noted that the legislation does not extend to a speeding offence detected by a speed camera where the vehicle is exceeding the speed limit by more than 30 kilometres per hour. In such a case, the current prosecution procedures apply, that is, an infringement notice is not served but the police, after identifying the driver, proceed to issue a summons which is heard in open court. Owner-onus should not apply in this situation because of potential difficulties associated with automatic licence suspension or, in the case of probationary licence holders, licence cancellation for such offences.

As at midnight on 26 May, 281 people had died on Victorian roads—fifteen more than for the same period last year. This increase in the number of road deaths is most alarming and the Government does not intend to relax in its fight to reduce it. By taking advantage of the latest advances in technology, this Bill brings detection and enforcement procedures in this State into the twentieth century.

As honourable members will appreciate, this is an important Bill aimed at greatly increasing road safety by focussing on the red light and speeding offender. The high likelihood of detection following the use of photographic detection devices will result in significant changes in driving habits with consequent benefits for road safety.

I offer the spokesmen for the Opposition and National parties an opportunity for a briefing not only with the officers of the Road Traffic Authority but also officers from the police traffic section, who have done a lot of work in this area. I commend the Bill to the House.

On the motion of Mr AUSTIN (Ripon), the debate was adjourned.

It was ordered that debate be adjourned until Sunday, September 1.

**LOCAL GOVERNMENT (RATING APPEALS) BILL**

Mr SIMMONDS (Minister for Local Government)—I move:

That this Bill be now read a second time.

Honourable members will be aware that the most important source of income for a municipal council is its rate revenue. It is essential, therefore, that councils can make and levy rates with certainty.

An aggrieved person may appeal to the County Court against any rate made under the Local Government Act 1958, or any matters included in or omitted from the rate. These appeal rights are set out in sections 304 to 308 of the Local Government Act. Additionally, appeals in respect of the assessment of the value of rateable property may be made to either the Supreme Court or the land valuation boards of review under the Valuation of Land Act 1960.

In 1969, a limited form of differential rating was introduced into the Local Government Act. The Valuation of Land Act was amended to provide for appeals in respect of these new matters. It would appear, however, that the appeal provisions in the Local Government Act were not consequentially amended and the effect has been an apparent unintended broadening of the scope of the appeal provisions.
This view is supported by the result of a recent appeal to the County Court where the urban farm rate, farm rate and minimum amount of the general rate for all properties in a particular municipality were quashed.

The decision of the court is significantly at variance with what the law was understood to be by the Local Government Department, the Municipal Association of Victoria, councils and practitioners. The decision, if followed, could result in the rates of other councils being struck down.

Although councils have power under the Local Government Act to make more than one rate in the one financial year, there is no power to remake a rate when the relevant financial year has ended. In the event that a rate is quashed subsequent to the end of the relevant year, a council has no scope to recover its losses and could conceivably lose its whole rate income. Councils, and ultimately ratepayers, should not be placed in such a precarious situation.

The position in relation to appeals also needs to be clarified for the ratepayer. Section 304 of the Act, as it is presently worded, is far from clear. The Bill is designed to eliminate the current uncertainty so far as possible, and does so by specifying the grounds on which an appeal against rates may be made to the County Court.

I shall now turn to the Bill itself.

The proposed legislation is to apply to and from the current rating year—that is from 1 October 1984.

Clause 4 sets out the grounds on which an appeal may be made to the County Court against any rates. These are:

(a) That the rate has been levied on land which was not rateable property within the meaning of the Act;

(b) there has been a failure of the council to comply with the procedural requirements of the Local Government Act;

(c) the rate assessment has been incorrectly calculated; and

(d) that the person upon whom the rate was levied was not liable to be rated.

Clause 5 amends section 306 of the Local Government Act so that the powers of the court to provide the appropriate remedy are clearly linked to the grounds on which the appeal has been made. The ability of the court to quash a rate is limited to the situation where the council fails to comply with the procedural requirements specified in the Act. Where the court quashes a rate and the relevant rating year has ended, the council is empowered to make and levy a new rate.

Clause 6 enables any proceedings instituted before the commencement of the proposed legislation to be continued. Where a council remakes a rate, as a result of the original rate being quashed, an aggrieved person may appeal against the remade rate on the grounds specified in proposed new section 304.

Councils need to be certain of their most basic income source and to be able to act with a high degree of security in the making and levying of rates. The Bill, however, is mindful also of the rights of ratepayers in relation to the levying of rates. The Bill gives effect to the original intentions of Parliament in relation to rating appeals.

I commend the Bill to the House.

On the motion of Mr AUSTIN (Ripon), the debate was adjourned.

It was ordered that the debate be adjourned until Sunday, September 1.
In this Bill the Government again addresses the question of video amusement machines which purport to be for amusement, but are being used for gambling purposes, and emphasizes that it is the intention of the Government that all such machines and devices are to be proscribed as contrivances for gaming.

Honourable members are no doubt aware that, by the Lotteries Gaming and Betting (Gaming Machines) Act 1984, the Government has endeavoured to proscribe machines, commonly known as draw poker and video poker machines, together with other electronic game machines which depict unlawful games as contrivances for gaming pursuant to section 68 (2) of the Lotteries Gaming and Betting Act. This section of the Act provides that it is an offence to possess such machines.

Following the passage of the Bill through Parliament, the Government, to protect the interest of small investors, agreed to a two-month moratorium in bringing the legislation into operation. The legislation was, therefore, brought into operation on 1 January, 1985. Regrettably, there are some members of the community who took advantage of this moratorium and used it as a period in which to develop new game formats which they believed were not caught by the scope of the legislation. It is a sad fact that when the Act was brought into operation, many of the games had been converted and accordingly this insidious menace continued to spread throughout the State.

Let me emphasize, in the clearest possible terms, that it is the intention of the Government that all such devices, although they purport to be no more than amusement machines, are to be proscribed as they are in fact no more than dressed up poker machines. It is not the intention of the Government to prohibit only video machines that are multiple coin or credit over the bar machines or have been altered to permit gaming, but rather it is the specific intention that absolutely all video poker machines and similar devices should be prohibited. Regrettably, the current legislation has not yet been tested in the courts due to unforeseen delays. There is no doubt however, that many unscrupulous people are using these delays together with suggestions to small operators that their machines are outside the scope of the Act to place such machines which, I am informed, are now in huge numbers right throughout the State.

It is the intention of the Government to rid the community of all such machines. To ensure that it achieves this aim this Bill provides that section 68 of the Lotteries Gaming and Betting Act should be further amended to enable new machines to be identified in regulations and when so identified that they would be deemed as contrivances for gaming. Honourable members would be aware that a similar procedure is used in respect of obscene publications.

The Bill also seeks to clarify the situation in respect of the power of seizure by the police and the forfeiture of contrivances for gaming. It is the intention of the Government that in regard to video poker machines, electronic gaming machines and similar devices, the whole of the machine is to be subject to seizure and forfeiture, and the Bill provides for section 68 (4) of the Lotteries Gaming and Betting Act to be amended to give effect to this intention.

I must emphasize that it is certainly not the intention that forfeiture should apply only to the microchip component of such devices, which would then be easily and cheaply replaced, since this would have little impact on the operator’s business.

No doubt, some honourable members have been subject to representations from operators that their machines are used merely for amusement and not for gaming. This is a completely fallacious argument. It is the clear intention of the Government that all such
machines, irrespective of whether they purport to be for amusement only, should be outlawed as contrivances for gaming.

Indeed, honourable members would also have received representations from concerned operators of legitimate amusement machines whose livelihoods are threatened by the proliferation of gambling-orientated machines and devices. These operators of legitimate machines have nothing to fear from the Bill and fully support its intent.

The Government has again acted quickly in response to the problem that has developed in this area and will continue to monitor the situation to ensure that the intention of the Bill is not thwarted. I commend the Bill to the House.

On the motion of Mr REYNOLDS (Gisborne), the debate was adjourned.

It was ordered that the debate be adjourned until Sunday, September 1.

RACING (FIXED PERCENTAGE DISTRIBUTION) BILL

Mr TREZISE (Minister for Sport and Recreation)—I move:

That this Bill be now read a second time.

As honourable members are aware, one of the most controversial areas in the racing industry over recent years has been the method of distribution to the three codes of the surplus from the Totalizator Agency Board. The primary purpose of the Bill is to resolve this problem in a just, equitable and rational manner by the establishment of a method of fixed percentage distribution.

The secondary, but related, purpose is that the Bill repeals section 16 of the Racing (Amendment) Act 1983, which imposes a sunset date of 1 April 1987 in respect of measures which are provided for in that Act, being:

- An additional twelve metropolitan mid-week thoroughbred race meetings;
- a revision of the basis of the allocation of race meetings among race meetings districts;
- the provision of grants from the Racecourses Development Fund for essential racecourse equipment;
- permission for patrons at horse race meetings to bet on greyhound races; and
- the method of distribution of the Totalizator Agency Board surplus.

The measures, other than the question of the method of distribution, are not contentious. Their retention is clearly of benefit to the racing industry and they are supported by the Victoria Racing Club and the Victorian Country Racing Council.

The key issue to be considered is the question of the method of distribution. The history of this matter is that, until 1983, the distribution had been in accordance with the percentage of TAB turnover generated by each code. This meant, for instance, that in 1982 the relevant percentage of turnover in respect of each of the codes was:

- Thoroughbred racing—70.78 per cent
- Harness racing—19.81 per cent
- Greyhound racing—9.41 per cent

This was the percentage of the distribution that each of the codes obtained.

In 1983 the Government reformed the method of distribution in the light of changes that had occurred within the industry and to ensure the continued development and viability of the industry as a whole, and particularly to address problems in harness racing and greyhound racing. A new formula was introduced whereby each code would receive in money terms the amount that was distributed to it in the previous year together with a percentage of the increase in profit available for distribution from the Totalizator Agency...
Board in accordance with the proportion of turnover for that code. The formula was adopted but the House will recall that the Government agreed that it should be subject to a sunset clause with a date of 1 April 1985.

In the spring sessional period last year the question of the distribution formula was again examined in some detail and as a result the sunset date was extended to 1 April 1987. During the debate it was indicated that if the industry could demonstrate a convincing case the method of distribution would be reviewed and it was noted that the Racing and Gaming Division of the Department of Sport and Recreation would be undertaking a detailed economic review of the costs associated with ownership in racing and the return on investment. It was clearly stated that if it could be demonstrated that the present formula was not equitable, the matter would be again brought to Parliament before the sunset date.

The economic analysis has now been completed by the division and has been circulated in the industry for some time. The report has been very favourably received by all sections of the industry and the division deserves to be particularly commended for the excellent work that its officers have done in this exercise. Advice has been received from all areas of the industry that the report is accepted and that the information and material used for the calculations has been endorsed.

The exercise revealed the following facts in respect of the racing year 1983-84. In thoroughbred racing total costs were $80.186 million with stake money return to owners of $16.874 million, giving an owners' return ratio of 21 per cent. For harness racing costs were $24.084 million with return of $6.893 million with an owners' return ratio of 28.6 per cent; and for greyhound racing there were costs of $9.152 million with stake money return to owners of $2.940 million and owners' return ratio of 32.1 per cent. It is interesting to note that on a total industry basis costs were $113.422 million with a return to owners of $26.707 million and an owners' return ratio of 23.5 per cent.

These figures lend considerable weight to the argument advanced by people in the thoroughbred industry that they have been disadvantaged by the change in the distribution formula and have been subsidizing harness and greyhound racing to an unreasonable extent. In accordance with the undertaking given to this House, therefore, the Racing and Gaming Division has critically analysed the current situation and held discussions with the industry to review the situation.

What emerged from this review was that there is general acceptance that it would be in the interests of the industry as a whole for a fixed percentage arrangement for distribution from the Totalizator Agency Board to be set down in the Racing Act, rather than for the figure to fluctuate from year to year.

By fixed percentage is meant a situation where a percentage distribution to each of the codes from the Board would be set down as a constant figure in the legislation. This should be seen as a significant step forward to bringing consensus to the industry and provides a sound basis on which the industry may plan for the future.

It also removes much of the former antagonism between codes and frees the Totalizator Agency Board from a situation where each code was seeking maximum coverage for its meetings to the point where the number of TAB meetings conducted has increased dramatically in recent years to a situation approaching saturation. This increase has resulted in some operational problems for the TAB and also in respect of the 3DB broadcasting contract. The situation is close to the point where there is simply not enough time for 3DB to broadcast each TAB meeting. Fixing percentages will allow this position to be rationalized.

The Bill proposes that a fixed percentage distribution should be established on the basis of:

| Thoroughbred Racing | 73.25 per cent |

906
The effect of such a fixed distribution for the 1984–85 season on the basis of an estimated total TAB surplus of $37 910 710 would be as follows:

- Thoroughbred Racing—$27 769 589 from an estimated percentage turnover of 78.77 per cent
- Harness Racing—$6 823 926 from an estimated percentage turnover of 14.2 per cent
- Greyhound Racing—$3 317 186 from an estimated percentage turnover of 7.03 per cent

For comparison purposes it is interesting to note that under the previous scheme the codes would have received the following:

- Thoroughbred Racing—$27 516 834 (72.6 per cent)
- Harness Racing—$7 046 683 (18.6 per cent)
- Greyhound Racing—$3 347 184 (8.8 per cent)

The Government believes the introduction of fixed percentage distribution is a significant step forward for the racing industry and will allow it to tackle problems in a more unified manner. The racing industry is to be congratulated for its responsible action in achieving consensus on this difficult matter.

The situation under the fixed percentage distribution and its effect on all the racing codes will continue to be carefully monitored and, as part of this continuing review the Racing and Gaming Division will undertake an economic analysis of the costs of ownership on an annual basis in order to provide objective data.

The proposal has the support of the three controlling bodies of the industry. I commend the Bill to the House.

On the motion of Mr REYNOLDS (Gisborne), the debate was adjourned.

Mr TREZISE (Minister for Sport and Recreation)—I move:

That the debate be adjourned until Sunday, September 1.

Due to previous consultations between the Opposition and the Government, I had hoped that the Bill would have been passed this week. I understand the Opposition is not ready for the matter to be debated and, therefore, I regret that it must be adjourned until 1 September.

Mr REYNOLDS (Gisborne)—I shall respond to the comments made by the Minister for Sport and Recreation regarding the belief he had that an agreement had been reached for the Bill to be passed this week.

Mr REYNOLDS—I did not give an undertaking that the Opposition would proceed with the debate, and that was never intended. I understand the House will sit for two weeks in July, and if the Government wants the Bill passed before the end of July, there is no reason why it cannot be debated at that time. Why does the debate have to be adjourned until 1 September?

Mr FORDHAM (Acting Premier)—I welcome the comments made on the Bill. The Government would have preferred the matter to have been debated immediately. However, that is impossible in the view of the opposition parties.
The Premier has indicated that the only matters to be dealt with in the special sitting during July will be workers compensation and the two associated Bills. However, if the opposition parties wish to consider this Bill in July, the Government will consult with them between now and July and, if necessary, reconsider the matter during the July sitting. At this stage, however, the debate should be adjourned until 1 September.

The motion was agreed to, and the debate was adjourned until Sunday, September 1.

**DANGEROUS GOODS BILL**

**Mr CRABB** (Minister for Employment and Industrial Affairs)—I move:

That this Bill be now read a second time.

The purpose of the Bill is to promote the safety of all Victorians as they are affected by the use of dangerous goods in Victorian industry and commerce.

Many chemicals have hazardous properties. An incident involving them can pose the threat of fire or explosion, or of poisoning by contact or inhalation. There is a further problem in that some chemicals will interact violently if they become mixed together. In an industrialized society, we depend upon chemicals and chemical products for many things. Some of the more obvious examples are plastics, synthetic fibres, paints, varnishes, fertilizers, pesticides, medicines, cosmetics, detergents and food additives, as well as liquid fuels and gases.

The proposed legislation covers operations which range in size from giant chemical plants, such as those operating in the Altona petro-chemical complex, holding thousands of tonnes of petro-chemicals; down to workplaces where small numbers of drums containing high risk chemicals are handled. The Bill will assist Victorian consumers by providing for better safety design in the packaging and labelling of the chemical products they use.

Under the international system of classification, dangerous goods are grouped in nine classes: Explosives; compressed and liquified gases; flammable liquids; combustible solids, spontaneously combustible substances and substances dangerous by contact with water; oxidizing agents; poisonous substances and infectious substances; radioactive substances; corrosive substances; and miscellaneous dangerous substances.

Two groups—radioactive substances and infectious substances—are excluded from the application of the Bill. These groups are adequately regulated by existing controls.

Accidents involving dangerous goods bring a special risk of injury or loss of life. As well, they may harm nearby property.

Emergency services personnel are at risk when they seek to control an emergency involving dangerous goods. Their task is made more difficult and more hazardous if the substances are not readily identifiable. Depending on the gravity of the incident, drastic disruption of traffic, workplaces, and temporary evacuation of people living or working nearby may result. Contamination of soil, water, or drainage systems, or pollution of the atmosphere, may be a further problem.

The Bill provides the necessary legal machinery to ensure that dangerous goods are appropriately identified and effectively controlled. The objects of the Bill are:

(a) To promote the safety of persons and property in relation to the manufacture, storage, transport, transfer, sale and use of dangerous goods including explosives produced in or imported into Victoria;

(b) to ensure that adequate precautions are taken against certain fires, explosions, leakages and spillages of dangerous goods and that when they occur they are reported to the emergency services and the inspectors without delay;

(c) to ensure that information relating to dangerous goods is provided by occupiers and owners to the relevant authorities;
(d) to allocate responsibilities to occupiers and owners to ensure that the health and safety of workers and the general public is protected;

(e) to provide for licensing of premises and vehicles associated with dangerous goods; and

(f) to implement the provisions of the transport code.

The Bill reflects the concern not only of the Government but also of employers and unions. The action being taken here has been widely canvassed. A public discussion paper on the “Management of Hazardous Chemicals and Other Dangerous Goods” was circulated in August 1983. This was followed by distribution of a set of “Proposals for a Dangerous Goods Bill”.

The present Bill has been developed from that set of proposals. Its provisions reflect the views put by unions, industry organizations and other interested parties during this consultation process.

The Bill is a comprehensive enactment. It streamlines legislation covering all dangerous goods. Three Acts, the Liquid Fuel Act 1941, the Liquified Petroleum Gas Act 1958 and the Dangerous Goods (Road Transport) Act will be repealed immediately. The Explosives Act 1960, Inflammable Liquids Act 1966 and Liquified Gases Act 1968 will be repealed when appropriate regulations are drawn up. I will discuss the process of making regulations in more detail in a moment.

This rationalization will greatly assist industry and will result in more efficient administration of controls over dangerous goods. Any person wanting to know their obligations has a single Act of Parliament to which to refer.

The Bill contains broad regulation-making powers which will enable the development of detailed subordinate legislation in response to identified areas of need. This ability to focus on and respond to areas in need of safety controls and expert advice is essential as changes in technology and applications of dangerous goods occur so rapidly. All regulations under the Bill will be made only after extensive consultation with employers, unions, persons with specialist expertise and other interested parties.

Although committed to consultation on these regulations, the Government is committed to having adequate controls in place at all times and will not countenance undue delay. Additional resources are being provided in the department to facilitate the writing of regulations and clear priorities will be set. In the first instance, these will be for regulations on the provision of information, segregation and transport of dangerous goods. This is in addition to regulations currently under the existing Acts I have already mentioned. The Government’s objective is to have all of these regulations prepared within twelve months of the passage of this Bill.

The objectives of the Government’s program for regulating dangerous goods are twofold—to minimize the probability of accidents and to mitigate their impact when they occur. Up-to-date controls are needed in order to minimize the risk to workers and the general public; to reduce hazards faced by fire fighters and other emergency service personnel; and to ensure that spills and escapes of dangerous goods can be dealt with promptly. To be effective, the regulations will need to be backed by adequate and expert inspection and enforcement.

The Bill provides appropriate powers to inspectors. By and large these powers are the same as those exercised under existing legislation regulating hazardous materials. Concerns raised by industry organizations have been met.

The need for such powers is obvious when the nature of the risks being addressed is realized. The Bill also provides for delegation of powers to appropriate authorities such as the fire services. This will promote a co-ordinated Government approach to reducing the risks associated with dangerous goods.
The risks being addressed in the Bill are only too well known. A number of incidents have occurred in Victoria in recent years involving dangerous goods, and they could have had catastrophic consequences. For instance, in February 1982 670 tonnes of highly flammable vinyl chloride gas escaped from a petro-chemical plant in Altona. A disastrous explosion or massive fire was only averted by the concerted efforts of large numbers of emergency personnel and company employees and favourable wind conditions.

In April 1985 a massive night-time fire destroyed a warehouse in Dynon Road, Footscray. This depot was stocked with hundreds of tonnes of chemicals stored in bags and drums. It appears that many of these chemicals were incompatible, but had been stacked together. A large explosion occurred, scattering metal and burning pallets over hundreds of metres. There were frequent fireballs in the course of the fire as drums of chemicals ruptured. Polluting smoke was generated. A difficult clean-up problem was created, with a risk of polluting the river and bay. Twenty-seven fire units were needed to fight the fire.

In April this year, a chemical leak occurred in a factory at Clayton. Three hundred workers were evacuated from this and an adjoining factory. Fire fighters were required to wear special protective clothing. These are examples of incidents involving the use of dangerous goods and give an indication of the disruption to the community and the dangers that they cause.

The Government believes the Bill will considerably enhance safety and welfare for employers, workers, the community and the people in the emergency services. It will benefit industry, in particular the chemical industry, which recognizes the need for practical precautions and good management in the manufacture, use and transport of dangerous goods.

I thank those who responded to the public invitations to make submissions on the topic. I acknowledge the willing support my Ministry has had from many quarters as the Bill was developed. I commend the Bill to the House.

On the motion of Mr RAMSAYY (Balwyn), the debate was adjourned.

It was ordered that the debate be adjourned until Tuesday, July 2.

OCCUPATIONAL HEALTH AND SAFETY BILL

Mr CRABB (Minister for Employment and Industrial Affairs)—I move:

That this Bill be now read a second time.

HISTORY

The policy on which this Bill is based was drawn up in 1981. Since that time there has been widespread debate in the community about its provisions.

Thousands of copies of a public discussion paper setting out the major proposals were circulated in March 1983. More than 200 submission papers were received by the Government which subsequently issued a written response to all submission writers.

The Victorian Employment Committee considered the proposals and reported to the Government on areas of agreement and disagreement. A draft Bill was circulated in October 1983 and meetings held with representatives of the major employer organizations and the Victorian Trades Hall Council.

The Occupational Health and Safety Bill introduced into Parliament in November 1983 contained a large number of modifications as a result of the consultation process I have described. However, in the Legislative Assembly a number of further amendments were made in response to employer concerns. These related primarily to the appointment and powers of health and safety representatives and the extent of the duties of employers and others.
The Bill was debated in the Legislative Assembly throughout March and April 1984. It was subsequently not proceeded with in the Legislative Council because of foreshadowed obstruction by the opposition parties.

COST

The interest generated by the consultation process and Parliamentary debate in an area of Government activity which has been badly neglected in the past is most welcome. Workplace health and safety affects us all—employers, workers, unions and the community. The cost of poor standards of health and safety in workplaces is enormous. The physical suffering of workers injured or made ill through their work cannot be costed in financial terms. Nor can the social dislocation suffered by their families.

The economic cost Australia-wide is estimated to be $6.5 billion. This figure is just the tip of the iceberg. It does not reflect the hidden cost of retraining injured workers, replacing equipment damaged in accidents, or reduced productivity caused by accidents.

Ultimately, of course, it is the community which bears the cost of poor work health and safety standards. The resources of our hospitals and medical centres are taken up in the treatment of injured workers. Communities lose the service of valued members.

It is clear that the need for this legislation is as great now as it was when first introduced into this House. There is approximately one death at work in the course of every working week here in Victoria. Although about 30,000 accidents are reported to the relevant authorities annually, it is estimated that some 100,000 accidents actually occur each year in Victorian workplaces. Clearly there is a need for strong Government action.

INCREASED ACTIVITY

Throughout the period of consultation and debate on this legislation the Government has not been idle. Discussion about the Government’s proposals has itself provided a catalyst for changed perceptions about work health and safety. There is a far greater acceptance today of the need for real improvement in standards of workplace health and safety than there was three years ago.

Only recently I launched an occupational health and safety manual which has been prepared by a major employer organization—the Chamber of Manufactures. The object of this publication is to assist managers, in particular managers of small businesses, to implement workplace health and safety procedures in line with those contained in this Bill. It has been prepared in response to the expressed needs of the members of the organization.

In a similar manner, unions are now expressing greater interest in health and safety. The Victorian Trades Hall Council is now running a major training program for health and safety representatives. More than 700 union members have been trained so far. In addition, many unions and employers are entering into health and safety agreements in respect to their particular workplace. These agreements set out in detail procedures in accordance with the provisions of this Bill for resolving health and safety issues at the shop floor level.

The Government itself has been affected by this increase in interest about health and safety. Officers within my department are kept busy addressing meetings concerned with work health and safety almost on a weekly basis. These meetings are being organized by employers, trade unions and health and safety professionals.

It is only by positive action that we shall make any headway in reducing workplace accidents and diseases. It is now time to put into place a framework for channelling this increased awareness into positive action. This Occupational Health and Safety Bill establishes such a framework for positive action by Government, employers and unions.
LEGISLATION
The Bill is a comprehensive, enabling piece of legislation. Over time, older more detailed Acts such as the boilers and pressure vessels, lifts and cranes and scaffolding Acts will be repealed and replaced by regulations under this single occupational health and safety enactment.

This is in line with modern developments in legislative process. It will assist employers and workers who will have to only refer to a single Act to find out their rights and obligations. Detailed regulations will be made under the Bill covering specific problems relating to specific industries such as standards for scaffolding and so forth, and covering problems experienced throughout the workforce as a whole, for example, repetition injury, industrial deafness and so on.

LEGAL FRAMEWORK
COMMISSION
The Bill establishes the Occupational Health and Safety Commission. This is a tripartite body with a chairperson, five employer, five union and three “expert” representatives. The commission will provide a strong independent source of advice to the Government on all aspects of occupational health and safety.

It will recommend regulations and codes of practice. It has power to form advisory committees to investigate hazards as they arise. It will commission research into particular health or safety problems.

The commission will operate through a relatively small secretariat. However, it will utilize all of the expertise there is in the community—in the universities, in industry and in unions. All such resources must be used if we are to discover solutions to the many health and safety issues confronting us.

DUTIES
The Bill sets out duties of employers and of self-employed persons; manufacturers and designers of equipment and so on. It also provides for duties of employees.

An employer must provide and maintain a working environment that is safe and without risk to health. This duty extends to all things under the employer’s control in the workplace. It applies to the selection and maintenance of plant and machinery; the environmental conditions in which work is carried out and the manner in which work is organized and performed.

This duty is limited by what is practicable, which means account must be taken of the seriousness of a hazard and the availability of methods for removing or minimizing it.

All employees are required to do everything they are capable of doing to protect the health and safety of themselves and other people. They are under a duty not to interfere with anything provided in the interests of health and safety, and must not wilfully place at risk the health and safety of other persons.

INSPECTORS
The Bill provides powers to inspectors to enable them to adequately enforce the measure. While the Government emphasizes the fact that there must be a co-operative and positive approach to improving workplace health and safety standards, it recognizes the need for effective enforcement of standards.

This is particularly the case when standards are arrived at through a tripartite approach, as embodied in the Occupational Health and Safety Commission. If employers and unions are given the opportunity to participate in setting standards, they must assist in having those standards enforced.
We would hope and expect that most employers would voluntarily adopt standards adopted in this way. However, inspectors must be able to insist on conformity to these standards by those employers who do not.

Inspectors will assist employers in achieving healthier and safer workplaces and will be encouraged to adopt a preventative approach through regular inspections and provision of advice.

Reforms currently under way in my department will ensure the existence of skilled inspectors who are able to respond promptly and expertly to industry's requests for advice.

The Government aims to put emphasis on the provision of advice and assistance before accidents occur rather than on prosecuting persons after workers have been injured.

ENFORCEMENT

However, in the event that prosecutions are necessary, the Bill provides realistic penalties which will have a deterrent effect. In an industrialized society, it is no longer appropriate that small fines be imposed for blatant disregard of health and safety legislation.

Minimum fines are set for four breaches of the Act which go to the heart of the Bill. These are: Assaulting or obstructing an inspector; failure to observe a prohibition notice issued by an inspector; victimization of employees for taking action under the Act and the wilful repetition of offences.

Responding to employer concerns about the imposition of these minimum fines, the Government has reduced the amount of the penalties. They have been reduced from $25,000 to $5,000 in the case of a company and from $5,000 to $1,000 in the case of an individual who is convicted of any one of these offences.

EMPLOYEE INVOLVEMENT

Overseas experience shows that, without employee involvement in them, initiatives aimed at improving work health and safety have only a limited chance of success. Throughout debate on the Bill there was widespread agreement on the need for such involvement.

This is primarily to be achieved by the selection by employees of health and safety representatives. These representatives will then represent employees in all matters relating to occupational health and safety which may arise in their particular workplaces.

Throughout the debate on the proposed legislation there has been considerable controversy over the method to be adopted for selecting these representatives. The Government's original proposals followed the example of the British Health and Safety at Work Act, in requiring representatives to be selected by unions in accordance with their rules and practices.

The major employer organizations argued that all employees should have a right to participate in the selection of representatives.

Following discussions with both employers and unions over recent weeks, I have incorporated in this Bill a mechanism to ensure that all employees have the capacity to be involved in selecting representatives.

This mechanism requires negotiations between unions and employers in workplaces where unions have members, and negotiations between occupational health and safety inspectors and employers in workplaces where there are no unions, to determine designated work groups. Once these groups are determined, the unions or inspectors, as the case may be, may conduct elections for representatives.

I believe these provisions represent a proper compromise between the irreconcilable concerns of unions and of employers in this matter. Once selected, representatives will have a most important role to play in assisting employers and employees to resolve health and safety issues.
Representatives will have the right to receive adequate training to inspect the workplace and receive relevant health and safety information. They will also have an important role to play in identifying and resolving issues which represent an immediate threat to the health or safety of any employee or other person in the workplace.

The Government's original proposals gave representatives the power to issue provisional prohibition notices. This was an extremely legalistic approach to what should in effect be a simple matter of common sense, able to be worked out between employers and representatives. Subsequently, in response to employer concerns, this provision was replaced in the original Bill by one providing all employees with a statutory right to refuse unsafe work.

In recent discussions with employers, a number of concerns were raised in relation to this provision. These related to payment of wages and redeployment of employees.

Having carefully considered the whole issue of what should be done on those rare occasions when an immediate threat to health or safety arises in a workplace situation, I have adopted what I consider is a workable compromise between the positions put to me by both employers and unions.

The Bill provides that wherever any health and safety issue arises in a workplace it shall be resolved by employers, health and safety representatives and employees acting through an agreed procedure or through a procedure set out in regulations approved by the commission.

However, it is the Government's firm belief that no employee should be expected to work in an obviously dangerous work situation. This is the position at common law and this principle should be reflected in the promised legislation. The Bill provides that should such a situation arise either the employer or a health and safety representative may direct that work giving rise to the threat cease.

Responding to employer concerns, I have specified in the Bill that employees directed to cease work may be redeployed in suitable alternative work. In addition, the circumstances in which employees are paid for any period during which work is not performed are specified. Essentially payment is dependent on an inspector agreeing that there was an immediate danger or a reasonable belief that such a danger existed.

Health and safety committees are also provided for in the Bill. They will have equal numbers of employee and employer representatives and will be charged with addressing the longer term policy issues on health and safety at the workplace.

REVIEW

Because the proposed legislation is so important to both unions and employers, I now give a commitment to conduct a review of all of the provisions it contains within twelve months of its passage through Parliament. All of the employer organizations involved in the discussions about the Bill and the Victorian Trades Hall Council will be involved in this review. The review will be in addition to the constant review of the Bill when enacted and its application throughout industry, which will be undertaken by the Occupational Health and Safety Commission.

CONCLUSION

In summing up let me say this: The Occupational Health and Safety Bill now before this House together with the Dangerous Goods Bill and workers compensation reforms announced by the Government, represent the most important, singular and sustained attack on the problem of workplace accidents and diseases ever undertaken by any Government in Victoria. I am proud to be associated with this Victorian Labor Government, which has undertaken such a task. I commend the Bill to the House.

On the motion of Mr RAMSAY (Balwyn), the debate was adjourned.

It was ordered that the debate be adjourned until Tuesday, July 2.
COAL MINES (PENSIONS INCREASE) BILL

The debate (adjourned from the previous day) on the motion of Mr Fordham (Minister for Industry, Technology and Resources) for the second reading of this Bill was resumed.

Mr BROWN (Gippsland West)—Honourable members know me well enough to know that I always give credit where credit is due, and that is the situation with this Bill.

Many years ago the coal miners in Wonthaggi had a special Act of Parliament implemented on the basis of retirement for many of them at an earlier age than was usual. The Bill was enacted to allow them to retire at 58 years of age and included in the measure was a section providing that a supplement could be paid to those who elected not to take a miner’s pension, but to take what most honourable members would call the old age pension—a Federal payment. For the past decade the miners in the Wonthaggi district and their families have received the benefit of a supplement of $8 a week in addition to the old age pension. It is iniquitous that this supplement has not increased in a decade, when everyone else who receives pensions or supplements had them indexed. No better example exists than that of members of Parliament.

Last year when I raised this matter in Parliament, I outlined that I had an interest in the Bill, and honourable members will be interested to know that my father is a former coal miner and turned 81 years of age yesterday. My father and the other families affected, many of whom are well known to me and number some 200 in total, will be affected by this measure. I wish to indicate to the House my pleasure and gratitude that the Government has seen fit to adopt the suggestion that an increase in line with inflation finally be enacted.

The measures go back well beyond a decade when the Act was introduced, and I have researched the debate of that time. It was foreshadowed by some speakers in the debate that Wonthaggi would be one day a ghost town as a result of the closure of the mines. That has not happened.

A former member of this House, the late Les Cochrane, who was the member for Gippsland West, along with some of his colleagues in that Parliament—a Mr Schintler and other speakers—all indicated that there was a possibility that through the proposed closure of the mines Wonthaggi may end up as a ghost town. That is far from being the situation today.

The town has prospered, and a common view held by many of the residents is that one of the reasons is because of the closure of the mines. It is quite a remarkable statement, but old coal mining towns have a history of not being the prettiest places to look at, and many facilities are not updated once the mines close. It was considered by many that the township would die, but a number of factors, one being the large agricultural district that encompasses the township and another being tourism, which has been a major growth industry since the closure of the mines, have contributed to the town becoming a major and dominant town in the economy of south Gippsland.

Wonthaggi, with a population of almost 6000—and indeed, it has grown by almost 1000 since the mines have closed—is by far the largest town in south Gippsland. It has a wonderful future, and will continue to prosper.

This measure concerns some form of recompense and acknowledgment to the old-timers like my father, who worked for 42 years underground under very trying conditions. It is a small recompense and acknowledgment by this Parliament that they made a sound contribution in times of both war and peace.

The output of the mines was prolific and the reason the mine was founded in 1910 was that, prior to this time, Victoria was reliant solely on the output of mines in New South Wales. Traumatic industrial turmoil at the turn of the century in New South Wales meant that Victoria had no regular source of supply.

The beneficiaries of today's measure—the old timers and the miners who are left, most of whom are over 80 years of age—will be appreciative of the measure. It is obvious that...
the Bill will not be a major drain on the State's coffers. Although it represents only $4 a week increase, it will be appreciated by the recipients and their families. I have much pleasure in telling the Government that its response is appreciated and worth while.

Mr B. J. EVANS (Gippsland East)—The honourable member for Gippsland West has said all that needs to be said. The National Party enthusiastically supports the proposed legislation.

The motion was agreed to.

The Bill was read a second time, and passed through its remaining stages.

STATE DISASTERS (AMENDMENT) BILL

The debate (adjourned from the previous day) on the motion of Mr Mathews (Minister for Police and Emergency Services) for the second reading of this Bill was resumed.

Mr CROZIER (Portland)—I express my appreciation of the action taken by the Acting Premier in acceding to my request to bring the proposed legislation forward for debate so that I can catch a plane to Hamilton this evening. That is another reason why I shall endeavour to confine my remarks.

Although the Bill is small, it relates to an important Act. Therefore, it would be inappropriate if the opportunity was missed to make some observations.

The purposes of the Bill are twofold: Firstly, and primarily, it extends the life of the State Disasters Act for a further twelve months, and, secondly, it amends section 8 of the Act by deleting the words, "notwithstanding anything to the contrary in any other Act or law".

As the Minister for Police and Emergency Services pointed out in the explanatory second-reading speech, the primary purpose of the latter part of the amending Bill is to ensure that the combating agencies are not inhibited in the performance of their duties. That is the principal reason why the opposition parties were keen to have those words I referred to deleted because the wide powers given to the Minister and the Government in both sections 8 and 5 of the Act do cause some concern as they suggest that in the light of present Government policy there is still some threat to the integrity of the Country Fire Authority.

Although the Minister has responded, on behalf of the Government, to various questions on this subject, Government policy on the integration of the fire services states:

A Labor Government will integrate the fire services under a single organization.

The wide powers in the Bill therefore contain some perceived threat to those who are interested in preserving the integrity and independence of the Country Fire Authority.

The Opposition is pleased that the Government has yielded to the argument to delete those words from section 8. There was no reason why the functions described in section 8 of the Act require the Minister to have the additional powers of disregarding "any other Act or law."

I am pleased that the Government and the Minister have agreed to the logic of this view. In the second-reading speech the Minister stated:

Fortunately, it has not been necessary to declare a state of disaster in the past two years.

That is the opinion of the Minister and the Government. It is a fact that a state of disaster has not been declared in the past two years, although I submit to the House that I am still perplexed, as is my party, as to why the Act was not invoked as a consequence of the fires that occurred on 14 January in Maryborough, Avoca, Majorca and Clunes. I shall recap the gruesome statistics of that disaster, although statistics tell only part of the story.

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The fires resulted in one death, 101 houses destroyed, 35,000 sheep lost, 250 cattle lost, 50 horses lost and approximately 60,000 hectares of land completely burnt out. The consequent damage bill was estimated at between $50 million and $60 million. Section 4 of the State Disasters Act, which prescribes the procedure for the declaration of a disaster, states:

Where in the opinion of the Premier of Victoria there exist circumstances whether in or outside Victoria which constitute or are likely to constitute a significant and widespread danger to life or property in Victoria the Premier may declare a state of disaster to exist in the whole or in any part or parts of Victoria and at any time may revoke or vary such declarations.

The Minister will no doubt put forward his reasons in response to what I am about to say when he replies, but nevertheless there was and still is confusion about the circumstances of those fires. The confusion was compounded by the remarks of the Minister himself. I shall quote a remark the Minister made when he visited the area to attend a public meeting at Majorca, which I understand took place on 12 February. He is quoted as saying:

In Victoria, we can describe something as a disaster, but the term disaster area simply has no legal standing.

Mr Mathews—That is correct.

Mr CROZIER—The Minister says it is correct, and he is technically right. He also said it is not legally possible for the State Government to declare as a disaster area the area devastated by the 14 January fires.

On a narrow and legalistic definition of section 4 of the Act, I agree the Minister is probably right. However, the wide powers that result as a consequence of the declaration by the Premier make it plain that power is available for the Premier to declare a State of disaster to exist for the whole or any part of the State. The Government could have declared those parts of the State to be in a state of disaster. The state of disaster existed. I point out to the Minister that section 7 of the Act states:

The Co-ordinator in Chief may take such steps as he thinks fit to co-ordinate the welfare relief measures during and after a state of disaster and in particular may convene and preside at conferences between bodies and persons providing welfare relief in Victoria.

That section does not come into effect unless and until a state of disaster is declared. However, the ongoing responsibilities described in section 8 do come into effect. The Minister has the ongoing responsibility under section 8 (b) of "the implementation and co-ordination of the preparations undertaken by all government agencies in respect of fire prevention and counter-disaster measures". Section 8 (c) refers to, "the formulation of policy in respect of the provision of welfare relief measures during and after a state of disaster".

There has been considerable disquiet about the fact that the Minister and the Government did not believe the considerable trauma that resulted from the widespread and devastating bush fires was sufficient reason to invoke the Act. This must again cast doubt on the effectiveness of the Act.

Honourable members are debating primarily the rationale for extending the sunset provision in the Act. A sunset provision must not only provide evaluation; basically, it must demand it. This evaluation, against the background, is appropriate. That is why, on behalf of the Opposition, I am compelled to remind the Minister and the House of what can be described only as a dismal record in terms of crossed wires and confusion.

I submit that the Minister's stated interpretation of the Act can be considered correct only on the narrowest and most semantically based grounds. The power was there if the Government had decided to use it, but it determined that the devastation of those fires was not sufficient to warrant throwing the switch and invoking the provisions of the Act—and, indeed, not just the provisions of sections 4 and 5, but also of section 7.

The confusion was compounded by another statement that the Minister made, not once, but twice, in regard to the question of an appeal. The Minister visited the area and
announced that the Red Cross was organizing an appeal. He repeated that statement at a subsequent meeting, and such was the confusion and concern that the Executive Director of the Red Cross was constrained to reply in the strongest terms. To quote a portion of his telex, he stated:

I have told Mr Buckle of your staff on two occasions that Red Cross did not repeat did not run an appeal following the January bushfires.

I mention this because it was another cause of real complaint and confusion stemming from the bush fires. That does not reflect much credit on the Minister's administration, nor does it reflect much support for continuing this legislation, which, as I said, has not been used, but which might have and should have been used to advantage.

Apart from the toing and froing, the confusion, the crossed wires and the misstatement concerning the appeal—an appeal that was, as I said, headlined by the Maryborough Advertiser as "the appeal that never was"—the Government was finally shocked or shamed into making a token gesture and contributing a sum of some $25 000. Of course, that parsimonious gesture, described aptly by the Deputy Leader of the Opposition as a "miserly contribution", does not sit very well with a seemingly lavish and generous Government that spent $550 000 on laying grass in Swanston Street and contributed $146 000 to the Friends of the Earth, $8000 to FILEF, an Italian communist organization, and $70 762 to the Gay Publication Collective. Therefore, there is no doubt about this Government's priorities.

Returning to the Bill and this example of disaster co-ordination or lack of co-ordination, another statement by the Minister that caused dismay and confusion was that some 75 per cent of the people affected by the January bush fires had already received substantial assistance. On the very night that he went to Majorca to tell the people about it, none of the fourteen families that had been completely burnt out had received any substantial assistance. It is a painful episode, and I can imagine that the Minister is not proud of it. I expect part of his explanation will be that the staff support of his Ministry was less than admirable.

Nevertheless, as honourable members are aware, under the Westminster system, the responsible Minister wears it. So there is a catalogue of misstatements and disasters which, again, does not inspire very much confidence in this measure.

However, the Opposition accepts the argument that it would be inappropriate not to continue the legislation until the fourth working party—the one concerned with the arrangements of disaster measures—has had the opportunity of reporting. According to the Minister's second-reading speech, it is constrained to do so by the end of August. The Government has an opportunity of responding to the report through further legislative measures.

In indicating that under these circumstances the Liberal Party will not oppose the measure, in the event of another Bill of this kind being introduced—and I agree that appears unlikely—I do not wish the support of the Liberal Party to be assumed. I request the Minister, when these reports are available, firstly, to make the report of the working party public and, secondly, to give Parliament and all interested parties, including the Victorian Rural Fire Brigades Association, ample opportunity of studying proposed legislation which results as a consequence.

My final request concerns organization of the present fire services. I refer to the zoned fire co-ordinators and specifically to a recent letter from Mr Clough, the General Secretary of the Country Fire Authority Officers' Association, in which he points out that the need for these zone fire co-ordinators is questionable.

He states that assistant chief officers of the Country Fire Authority perform as part of their normal duties the activities laid down some time ago by the Minister as being the duties of the zone fire co-ordinators, and expresses a view, with which I entirely agree, that the assistant chief officers are skilled people, that they are the people responsible in the
They should not be encumbered by what Mr Clough describes as an illogical and cumbersome position that could result in the breakdown of communication and possible loss of life. I hope the Minister's enthusiasm and demand for this appointment is reviewed before the onset of the coming fire season.

I repeat that the Opposition has some reservations about the Act, principally the very considerable powers that existed in two sections, section 8, to which I have referred, and section 5, which can be triggered off only by declaration.

While I do not wish to personalize legislation, one can be excused for using one's imagination. Parliament is placing considerable reliance on the opinion of the Premier of Victoria on the question of declaration. There is no definition of disaster in the Bill or in any such legislation. Perhaps there should be. There is an enabling clause, which is section 4 of the Act, which enables a declaration of disaster to be made simply on the opinion of the Premier.

Again, honourable members will have their own views as to the appropriateness of that particular mechanism, given the background of their appreciation of the particular incumbent's capacity for making rational decisions in the heat of the moment.

Honourable members must consider the capacity of the incumbent Minister when a declaration is made. The past history is not a happy one. I submit that a declaration of disaster should have been made regarding the fires that occurred this year on 14 January. No declaration was made, to the undoubted disadvantage of the victims of the fires. Clearly, a need exists for changes to the legislation.

Members of the Opposition look forward to the results of the working party and the Government's response, and will be examining this matter positively and critically. I repeat my request that honourable members are given time to do so.

Mr McNAMARA (Benalla)—The Bill removes the words "Notwithstanding anything to the contrary in any other Act or law" from section 8 of the principal Act. That was an extremely wide-ranging provision and one that caused widespread concern among fire-fighting groups, especially the Country Fire Authority.

I mention a former member for North Eastern Province, the Honourable Ivan Swinburne, a Minister of an earlier Government and a member of the Legislative Council for approximately 30 years who expressed extreme concern about this section of the Act. The Act provides the Minister for Police and Emergency Services with wide-ranging powers as it allows the Minister to overrule any other legislation in existence. Members of the National Party doubt whether that was ever necessary. I often wonder whether it is at all necessary to contemplate invoking a declaration of disaster during times of bush fires.

I disagree slightly with the honourable member for Portland who referred to fires that occurred on 14 January last and indicated that a declaration of disaster should have been invoked. Rather than co-ordinating and assisting fire-fighting operations, such a declaration could tend to create disunity and uncertainty among those fighting bush fires. The National Party urges the Minister to use the utmost caution when using such powers.

Even with the relevant words being removed from section 8 of the principal Act, it still provides the Minister with massive powers. It empowers the Minister to be the Coordinator in Chief and grants him wide-ranging controls during a disaster period.

The National Party is also concerned about section 5 (5) of the Act which vests similar powers in the Minister. The Bill contains a sunset clause which limits the life of the provision to 1986. As the Minister stated in the second-reading speech, I hope the various committees investigating this issue will make a number of recommendations that will reflect the importance of the essential changes and the concerns of many thousands of volunteer fire fighters.
The Bill has already been debated in another place, and I direct attention to the comments made by the Honourable Bill Baxter who, with members of the Liberal Party, was influential in drawing up the amendments that the Minister is now prepared to accept.

If all parties co-operate, and the proposed amendments are made to the Act, the legislation should operate more efficiently. However, I hope there will be no need to invoke it. The National Party supports the Bill because it wants the various emergency services to operate effectively.

Mr A. T. EVANS (Ballarat North)—I express my appreciation to the National Party because when the Bill was introduced into the House in 1983 it saw the dangers, which still exist, inherent in the proposed legislation. The House is debating the Bill today because of the foresight of the National Party in introducing a sunset clause.

The State Disasters Act is the most draconian piece of legislation passed by Parliament in peace time. It was drawn up in 1983 in the emotional atmosphere of the aftermath of the Ash Wednesday bush fires. In other circumstances, the House would not have accepted this measure, and I do not believe the Government would have introduced the proposed legislation if it were not for that situation.

However, honourable members should not miss the opportunity of speaking on the debate because sunset clauses are inserted in legislation for that purpose. It is most appropriate that the House should discuss the legislation when considering the amendment. In 1983, the House put a necessary brake on the Government, which at that time was running strong and believed the whole world was there for its taking. The brake, inserted in the form of a sunset clause, has acted effectively. The Government has not invoked the legislation at any stage and I am glad it has not done so because it should not be invoked in its present form. However, after the recent Maryborough district fires it was reported in the Maryborough Advertiser of 20 February 1985 that the Minister for Police and Emergency Services stated:

That comment was reported to have been made by the Minister at Majorca the previous week. The Minister is also reported as having stated:

In Victoria, we can describe something as a disaster, but the term disaster area simply has no legal standing. There has never been an Act of Parliament passed to define a so-called disaster area.

If the Minister examines section 4 of the Act, he will find that the Premier can declare part of the State—

Mr Mathews—A State of disaster.

Mr A. T. EVANS—The House can hear from the Minister at a later stage. Although the amendment to section 8 of the principal Act will certainly delete the most dangerous part of the legislation, I believe the whole Act should be replaced.

The Government has had eighteen months to act since the measure was rushed through Parliament and the Minister has now stated that a committee is reviewing counter-disaster measures. That action should have been finalized and the House should now be considering entirely new legislation because of the dangers that must be overcome.

I deplore the lack of concern of the Government because it has many experienced Ministers who should know that the proposed legislation is undemocratic and that it gives the Minister for Police and Emergency Services absolute powers over lives and properties, which I do not believe any individual should have in this democratic country.

The amendment should limit the Bill to six months not twelve months and new legislation should be introduced in the spring sessional period. A committee is examining the various proposals. It is unwarranted legislation and it should be withdrawn and replaced as soon as possible. The Minister, in his role as Co-ordinator in Chief, firstly, has
too many far-reaching powers. Secondly, there is no clear definition of what a disaster is or what other States have defined a disaster to be so that honourable members know what can be left out.

I draw to the attention of the House legislation which has been enacted in other States. In Tasmania there is no “one-man band” operating State disaster legislation as there is in Victoria. Tasmania has ten people on its State Disaster Committee. I shall not mention them personally, but I have a copy of the Act which I shall make available to the Minister for Police and Emergency Services or to his committee during the review. The Tasmanian legislation includes definitions of both “disaster” and “emergency”.

The South Australian legislation dealing with State disasters also contains a definition of “disaster”, and that State has a State Disaster Committee which is the controlling body. Queensland’s State Counter Disaster Organization consists of six people. The Queensland legislation also defines “disaster” and imposes certain limitations. The Queensland Act does not authorize the taking of measures amounting to or the making of preparations for:

(a) Actual combat against an enemy;
(b) the putting down of a riot or civil disturbance;
(c) the bringing to an end of a strike or lockout.

Some may say that that is what one would expect in Queensland, but I believe that legislation follows in the footsteps of that enacted in New South Wales, which also imposes the same limitations. New South Wales has appointed a director who is responsible to the Minister. That is the closest that legislation comes to the proposed legislation for Victoria. The Northern Territory also has a director who is responsible for emergency services, but even he does not have over-all powers, as does the Minister in Victoria.

Some criticism has been levelled at the Minister for Police and Emergency Services concerning his behaviour as Co-ordinator in Chief during the fires that occurred in northwestern Victoria. I have written to the Minister about this, and I tried to contact him when volunteers from all over the State came to help. When I tried to contact him his officers told me that the Minister was in Sydney. That points to a weakness in the system. If the co-ordinator is interstate on business or is ill, someone should be able to take over. Therefore, the Government should not keep the proposed legislation in force any longer than is necessary. The inclusion of a sunset clause to limit the application of the measure to six months would be more acceptable.

Mr TANNER (Caulfield)—I sympathize with the sentiments expressed by the honourable member for Ballarat North on the Bill and the State Disasters Act. It must be impressed upon the Minister the seriousness with which the Opposition views the present State Disasters Act. The inherent possibility exists that the Act may be used for anti-democratic purposes in Victoria.

The Government introduced the measure with the good intention of meeting any disaster that may occur in Victoria. Nevertheless, the powers contained in the Act could be used undemocratically at some stage. I appeal to members of the Government who are not fully aware of the ramifications of the Act to acquaint themselves with it and to ask themselves if they would be pleased with this measure if they lived in Queensland and it was introduced by that State’s Premier. Of course, they would not, yet they are prepared to implement these powers in Victoria. Principally the State Disasters Act is divided into two parts.

The first part relates to the powers given to the Co-ordinator in Chief in a state of disaster and the second to powers given to him in times outside a state of disaster. For the benefit of honourable members who are unaware of this, the definition of the Co-ordinator in Chief is: The Minister for the time being responsible for the administration of the Act. That is the Minister for Police and Emergency Services.

The Bill is an improvement on the Act as it presently exists because, as has been pointed out by previous speakers, the Government proposes, by clause 4, to remove the words in
section 8 of the principal Act, “notwithstanding anything to the contrary in any other Act or law”. That relates to the powers of the Co-ordinator in Chief in times other than a State disaster.

Under those powers, the Co-ordinator in Chief could assume a totalitarian role. At least one section of the Victorian community is apprehensive about that situation. I refer to the volunteers of the Country Fire Authority in relation to the Government’s intentions about their future services.

The Minister heard the honourable member for Portland on behalf of the Opposition state that the Opposition is prepared to acquiesce that the powers of the State Disasters Act continue for a further twelve months until June of next year. However, I remind the Minister of the other comment made by the honourable member for Portland that the Opposition would not view favourably a further Bill on this subject unless the Opposition were persuaded strongly to do so by the working party that will be reporting to the Government later in the year on this and other measures to be undertaken about State disasters in Victoria.

I ask the Minister to examine closely the recommendations of that working party and to bear in mind the apprehensions expressed tonight by the Opposition on behalf of the Victorian community. I congratulate the Minister for this amending Bill which is an improvement on the State Disasters Act. I feel it would be appropriate for the Minister to acknowledge that the representations made by the Opposition to the Government led to this alteration.

Mr MATHEWS (Minister for Police and Emergency Services)—The desire of a number of members opposite to get away tonight constrains me to be briefer in reply than would have been my choice. Nevertheless, a number of confusions should be cleared up. Firstly, I highlight a number of contradictions and confusions on the part of the Opposition that have come to the fore in the course of this debate.

The honourable member for Portland criticized the Government for not invoking the terms of the State Disasters Act on the occasion of the 14 January bush fires in order to declare a state of emergency. The honourable member for Ballarat North then rose and said that in his view—and I assume that in some sense he does still speak for the Opposition on matters other than shop trading hours—the powers of this Act should not ever be invoked.

Mr A. T. Evans—That is because I do not trust you.

Mr MATHEWS—Nevertheless, Mr Speaker, that was the view that the honourable member for Ballarat North took. In other words, the Opposition on this matter, as on so many other matters, is completely schizophrenic in its approach.

The operation of the State Disasters Act, since its passage through this House in the aftermath of the Ash Wednesday bush fires, has been a triumphant success. I take the House briefly through the measures that followed the introduction of this legislation. Firstly, it has been possible for the Government, pursuant to this legislation, to set up the Disasters Services Council in Victoria that brings together for the first time around the same table at regular intervals both the heads of the various combating agencies involved in the disaster plan and the chief operational officers in each case.

As a direct result of the establishment of that Disasters Services Council it has been freely admitted that over the past two years the Government has achieved the most effective standards of fire prevention and fire preparedness ever seen in the history of Victoria. It is an achievement acknowledged throughout country Victoria.

Mr Leigh interjected.

Mr MATHEWS—I had hoped that marriage would calm down the frenetic excitability of the honourable member for Malvern. The setting up of the council has enabled the Government to establish the Readiness Review Committee, which is systematically
examining every aspect of the fire and emergency services under four headings. The honourable member for Portland referred favourably to the various working parties under the Readiness Review Committee which are carrying out this important work.

I attach particular importance to this next matter: The establishment of these bodies has enabled the Government to set up the fire management team which operated with such success on the occasion of the 14 January bush fires. From the outset of those fires the fire management team was meeting at the Country Fire Authority's headquarters. For the first time the heads of all the agencies participating in the combating of those fires gathered around a table in the operations room of the authority's headquarters and total liaison occurred between those agencies. As a result, the 14 January fires were managed with unprecedented efficiency. In particular, it was possible for the Government to call in the armed services earlier than would otherwise have been the case, and earlier than had ever previously occurred. One of the reasons why the 14 January bush fires were combated so effectively was that the armed services were involved early in the piece and were deployed effectively.

I give the House an undertaking in response to the request of the honourable member for Portland: That, as the reports of the various working parties become available, pursuant to the establishment of the Readiness Review Committee, they will be sent to the various interested organizations so that comment can be made on them, and a period will then be made available for consultation. Again, the contradictions in the attitude of the Opposition to this matter were apparent.

Mr Kennett—You would not know!

Mr MATHEWS—If the Leader of the Opposition kept his ears open as much as his mouth is open, he would be better informed.

The honourable member for Portland argued that a maximum period should be made available for consultation about the reports of the various working parties. The honourable member for Ballarat North wanted the sunset clause in the proposed legislation cut back from twelve months to six months, but that would inevitably limit the consultative process. It is my intention that, by the end of the year, prior to the 1985-86 fire season, the Government will have in place a disaster plan with a proper legislative basis, as is the case in four other States.

I want to clear up one further matter of confusion. The honourable members for Portland, Benalla and Ballarat North all quoted a statement that I made in Maryborough to the effect that there is no legislative authority in this State for the declaration of disaster areas. What I said was absolutely correct. The case put forward by those honourable members is based on a total misconception of the provisions of the existing legislation. The principal Act enables the Premier to declare a state of disaster in circumstances where the combating agencies require the support of that declaration in order to fully deal with a disaster situation.

In Maryborough, after the fact of the fire, I was asked whether I should declare Maryborough a disaster area. In reply, I say two things. Firstly, there is no legislative authority for such declaration to be made; that point is irrefutable. Secondly, if such a declaration had a legal basis and was made, it would not have made one jot of difference to the benefits available to those affected by fire in the Maryborough-Avoca area because every last cent of entitlement that those people have under the natural disaster relief arrangements has been paid or is in the process of being paid to them.

The honourable member for Ripon earlier was kind enough to acknowledge the various visits I had made to the Maryborough area in order to see that those entitlements were paid in full and that where there was a need for flexibility in dealing with the cases that that flexibility was invoked. Finally, with regard to the money available for bush-fire relief in the State, the honourable member for Ripon—no doubt acting under an honest misapprehension, although one must be curious as to how, because the Ash Wednesday
bush-fire relief trust balance sheet had been sent to him earlier—made the statement in
Maryborough that there was $4 million in the trust plan for disbursement to victims of
the Ash Wednesday bush fires. In fact, the honourable member should have known there
was $28,000 available in the account at that time and that there was no way that that
money could be made available under the terms of the trust to anybody other than the
victims of the Ash Wednesday fires.

Secondly, the honourable member made the claim that there was $4 million available
elsewhere that could be distributed by the Government to the victims of the
Maryborough–Avoca bush fires over and above the entitlements that they were already
receiving under natural disaster arrangements. Again, that was not the case. The money
to which he referred was governed strictly by the guidelines jointly negotiated by the
Commonwealth and State Governments. It was not available for the purpose he indicated
to those bush-fire victims.

The Government has acted towards the victims of the Maryborough–Avoca fires with
the greatest possible flexibility and responsiveness that could be shown. Today, it has
taken three further steps with respect to further assisting those fire victims. In the first
instance, new subsidies will be made available for the transport of high quality fodder to
farming properties in fire-affected areas of Maryborough–Avoca.

Mr Austin—Including grain?

Mr MATHEWS—Especially including grain. Secondly, the Government is extending
the subsidy for emergency accommodation and the provision of emergency facilities for
those fire victims who lost their principal residences and who have not yet been able to
replace them. Those arrangements which originally were available for three months after
the fire will be given a second extension to October this year.

Finally, the Government has agreed to meet the staff and administrative costs incurred
by the Mayor of Maryborough’s bush-fire appeal with those arrangements being taken
further along the line. I have described, they reflect faithfully the attitude that the
Government has taken towards the predicament of the bush-fire victims in the
Maryborough–Avoca area.

I do not believe there is any way in the world in which there can be justification for the
claim that the Maryborough–Avoca area has been forgotten or that the victims of the fire
in that area are forgotten people. I thank the House for supporting the extension of the
legislation and look forward to introducing further legislation to place the disaster plan
arrangements on the proper legislative footing, which should have been done by the
previous Government many years ago.

The motion was agreed to.

The Bill was read a second time and, by leave, the House proceeded to the third reading.

Mr MATHEWS (Minister for Police and Emergency Services)—I move:

That this Bill be now read a third time.

Mr A. T. EVANS (Ballarat North)—I had hoped—and I believe the House had hoped—
that today it was going to see some degree of responsibility shown by the Minister, which
is necessary for a person who can and could hold down the most powerful position in this
State. What did we see? Honourable members saw a disgraceful and emotional performance
from the Minister which again proved that he is not worthy to hold that position. Unless
he changes in the next twelve months, and the Bill is changed, it could be a bad day for the
Government.

The Minister criticized the fact that the honourable member for Portland, who is a
gentleman who shows more tolerance towards bad Ministers than I do, said that the
Government should have declared the disaster legislation. Again, I emphasize what I said
by interjection: I do not trust this Minister with the power he has. I repeat that it would be
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only a heady, conceited man like the Minister who would want to introduce this type of proposed legislation. Not one other Minister in the Commonwealth of Australia or any of the States has sought the powers this irresponsible Minister has sought.

I plead that the measure which the Government is planning to introduce be introduced as soon as possible and that the Government have a good look, through the Readiness Review Committee, at what is going on in other States. This Minister and the Bill are a disgrace to the Parliament.

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

MENTAL HEALTH BILL

Mr ROPER (Minister for Transport)—I move:

That this Bill be now read a second time.

It gives me a great deal of pleasure to bring the Bill and its companion Bills into the House on behalf of the Government. They are the product of a great deal of work by many people over a long time. Each of the Bills has its genesis in the report of a council or committee.

The Mental Health Bill is based on the report of the Consultative Council on Review of Mental Health Legislation chaired by Dr David Myers.

The Guardianship and Administration Board Bill is modelled on the legislation advocated by the Minister's Committee on Rights and Protective Legislation for Intellectually Handicapped Persons headed by Mr Errol Cocks.

The Intellectually Disabled Persons' Services Bill largely follows the proposals of the Committee on a Legislative Framework for Services to Intellectually Disabled Persons under the leadership of Mr John Rimmer.

I take this opportunity of thanking the respective chairmen, and their colleagues, for the thoroughness of their reports, and for the obvious effort which has gone into the formulation of a cohesive set of recommendations for the consideration of the Government.

It would be churlish of me not to also acknowledge the contribution of the then Minister of Health, the Honourable W. A. Borthwick. Bill Borthwick initiated both the Myers and the Cocks inquiries, and the Government is pleased that he retains an interest in the needs of the disabled through membership of the Consultative Council on Services to Intellectually Disabled Persons.

The Bills are among the most comprehensive and far reaching ever brought before the Victorian Parliament. They have one objective, and that is the reform of the law as it relates to mental illness and intellectual disability.

The Bills not only take up the recommendations of the consultative council and the committees I mentioned earlier, but also will give tangible expression to the firmly held belief of the Government, and the Labor Party, that wherever possible people who are mentally ill or intellectually disabled should be maintained in their own communities. Indeed, the fundamental principle on which the whole of this legislative package is based is that of the “least restrictive alternative”. This legislation is long overdue.

Nevertheless, it is essential that I make quite clear that the Bills are not to be interpreted in any way as reflecting on the dedication, or the quality of care, of those involved in the provision of services to the mentally ill or intellectually disabled nor as signifying that any person is, or has been, detained or treated improperly or unjustly under existing legislation.

This legislative package sets out to bring Victoria's statute law into line with modern day thinking; to set achievable goals for the future; and to put beyond doubt that the mentally ill and intellectually disabled have the same rights and aspirations as do other members of our society.

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It is, perhaps, a curious sidenote to Victoria’s 150th anniversary celebrations that Victoria is only thirteen years short of marking the 150th anniversary of the opening of the first “asylum” in the State.

However, Victoria has come a long way since mental illness and intellectual disability were ascribed to such causes as “domestic trouble”, “religious excitement”, “love affairs”, “sunstroke” and even “over-exertion”. While such categorizations are laughable today, they are illustrative of the major advances which have taken place in medical science ever since the turn of the century.

This and the related Bills not only mirror the present day outlook, but will provide the flexibility necessary for the development of services in a changing world. Attached to each of the Bills is an outline description of that Bill, together with detailed clause notes.

Rather than waste the time of the House by reading these into the record, it might be of greater assistance to honourable members if I now went on to discuss the underlying concepts on which this legislative package has been drafted.

EXISTING LEGISLATION

The present Act under which services are provided to the mentally ill and intellectually disabled is the Mental Health Act 1959. This Act, in turn, is an amalgamation of two earlier Acts—the Mental Hygiene Act 1928, which has its roots in the even earlier Lunacy Acts, and the unproclaimed Mental Deficiency Act 1939.

As the Myers report states:

“In reviewing the present Victorian Act in accordance with our terms of reference we find that, whilst it may well have met the needs of the community two decades ago, it falls far short of meeting present needs.”

Looking at the same Act in terms of intellectual disability, the Rimmer report states:

“There can be little doubt that the Mental Health Act 1959 was a significant improvement upon legislation which preceded it . . . . Nevertheless, the Mental Health Act 1959 represents ideas which are now 25 years out of date and which in many respects have nothing to do with current thinking and practice.”

The Government agrees with these views and has taken up the recommendation of Rimmer that legislation relating to intellectually disabled people should be entirely separate from the Mental Health Act.

As a consequence, the Mental Health Bill deals solely with mental illness. It will no longer couple, as the present Act does, mental illness and intellectual disability.

MENTAL ILLNESS

This, of course, leads to the question of what is meant by mental illness. “Mental illness” is defined in the Mental Health Act 1959 as meaning “suffering from a psychiatric or other illness which substantially impairs mental health”.

This is not a very helpful definition and, expressed in practical terms, simply means that a person is mentally ill when he or she is not mentally well. The Government believes this is a most inadequate test, particularly as a standard for determining whether a person should be admitted and detained involuntarily in a psychiatric institution.

This Bill adopts neither a legal nor a medical paradigm. It takes the approach that the state of a person’s mental health is a matter for clinical judgment and, accordingly, does not attempt to define either the causes or the nature of mental illness. Rather, the Bill specifies a series of criteria for involuntary admission.

These can be summarized as being that the person needs to be detained for urgent treatment for mental illness in the interests of his or her health or safety, or for the protection of others.

It can be seen that mental illness of itself will not be sufficient to justify the detention or treatment of a person in a psychiatric service. Indeed, the legislation respects the right of any mentally ill person to live quietly in the community free from interference by others.
A mentally ill person may be admitted and detained involuntarily only when his or her behaviour is sufficiently harmful either to himself or herself or to other people. No person may be detained merely because his or her opinions, lifestyle or behaviour do not fit in with the norms expected by society or just because he or she takes drugs or alcohol. The criteria for involuntary admission have been drafted with a great deal of care.

The Government makes no apology for the fact that they are expressed narrowly, and will be more limited than those applying under the existing legislation. This is not only consistent with the principle of the least restrictive alternative, but emphasizes that involuntary admission has serious consequences, and should be contemplated only as a matter of last resort.

DEFINITIONS

Before going on to describe specific details of the Mental Health Bill, honourable members should be aware of what is meant by some of the terms used in the Bill. The first, which I have already used, is "psychiatric service". The present Mental Health Act talks about "psychiatric hospitals" and about "mental hospitals".

The major distinction is that the former provides short-term treatment, particularly for acute patients, whereas the latter provides long-term treatment or rehabilitation. Myers states in his report:

We see no good reason to continue to distinguish between psychiatric and mental hospitals.... Rather, we believe that all psychiatric patients should be subject to the same modern safeguards and controls.... We therefore consider that all hospitals and units gazetted under the Mental Health Act be designated by the prefix approved psychiatric.

The Bill, in fact, opts for the term "psychiatric service". It embraces what are currently known as "psychiatric hospitals" and "mental hospitals" and any psychiatric unit of a general hospital which meets the requisite standards and which, on the request of the management, is proclaimed as an approved psychiatric unit.

The two other terms which I wish to mention are "authorized psychiatrist" and "chief psychiatrist". Both will have important roles to play under the proposed legislation. The Bill requires that every psychiatric service which admits involuntary patients employs "an authorized psychiatrist on a full-time basis". Authorized psychiatrists are to be appointed by the Governor in Council in respect of each approved psychiatric hospital. The authorized psychiatrist is empowered to delegate his powers, duties or functions to a medical practitioner who is a qualified psychiatrist.

The chief psychiatrist is to be appointed by the commission. Although there will be only one chief psychiatrist for the whole of the State, it is anticipated that many of his or her day-to-day responsibilities will be delegated to a psychiatrist in each of the Health Commission's regions.

It is important to stress that the Bill prohibits any person from exercising any power, duty or function delegated by the chief psychiatrist at the same time that the person is also exercising any power, duty, or function either as, or delegated by, the authorized psychiatrist. This prohibition is designed to prevent any potential conflict of interest which could become manifest if a person was vested with responsibilities both as an authorized psychiatrist and as chief psychiatrist in the same region.

VOLUNTARY ADMISSIONS

I mentioned that the Bills will give expression to the Government's belief that, wherever possible, people should be maintained in their own communities. Honourable members may, therefore, consider it surprising that a substantial proportion of the Mental Health Bill is devoted to the treatment of involuntary patients. This is unfortunate but unavoidable as very few provisions are actually necessary to protect the interests of patients admitted voluntarily.

Voluntary patients are not subject to custodial care and, therefore, have the same rights to refuse treatment and to leave as a patient admitted to any other hospital. On this basis,
the Mental Health Bill contains only a small number of provisions relating to voluntary admissions. They merely permit any person over sixteen years of age to be admitted to a psychiatric service on his or her own application, or a person under sixteen years on the application of a parent or guardian if the person does not refuse to be admitted.

Section 41 of the Mental Health Act 1959 currently requires a voluntary patient to give three days’ notice of his or her intention to leave, even though this is rarely, if ever, insisted upon in practice.

This is an incongruous requirement in respect of a patient admitted voluntarily and, therefore, is not being continued into the proposed legislation. To make this clear, the Bill contains a statement that a voluntary patient may leave or be discharged from a psychiatric service at any time.

I would add that, for similar reasons, the Bill does not seek to regulate the admission of psychiatric patients to private hospitals. Such a capacity is not necessary as patients may be admitted to a private hospital only on a voluntary basis and, legally, will be in the same position as any other patient treated privately.

However, the Bill will vest in the Chief Psychiatrist of the Health Commission a reserve power to initiate investigations into complaints that a patient is being detained unlawfully or improperly treated and will authorize visits of private hospitals admitting or caring for people who are mentally ill by community visitors.

IN Voluntary Admissions

Involuntary commitment to a psychiatric service involves depriving a person of his or her liberty. This puts an onus on legislators to ensure that the law incorporates appropriate safeguards. This is not to say that the rights of any involuntary patients have been abused under the existing Mental Health Act. However, to take up the words of Myers—

Because of the subjective nature of prognosis, it is important in all cases of involuntary detention to see that justice is seen to be done. It is equally important that preoccupation in doing so does not in fact result in justice being denied either to the individual or to the community. More specifically, if a person is to be involuntarily committed to a psychiatric institution, he should have the right to have his case reviewed by an independent body as early as possible, but to await such a review before his committal would in many cases leave him at large as a danger to himself or to the community. The community, equally with the individual, is entitled to justice.

Before discussing the review system recommended by Myers, which is to be established under the Mental Health Bill, it is necessary that I outline briefly the procedures proposed in the legislation for the admission of involuntary patients. Involuntary patients can be admitted for treatment either by civil process, as a result of court proceedings, or through the prison service. I have already described to the House the criteria for admission as an involuntary patient.

Under the civil process, admission to a psychiatric service may be sought by some person concerned for the patient’s welfare, and on the recommendation of a medical practitioner.

The patient must be seen without delay by the authorized psychiatrist for the psychiatric service, and if the authorized psychiatrist is satisfied that the continued detention of the patient is necessary, he or she may order that the patient be detained for not longer than 72 hours for the purposes of observation. The patient must be examined again within that period and either discharged or detained as an involuntary patient.

The second avenue of admission is either directly or indirectly as a result of court proceedings or through the prison service. I turn firstly to court admissions.

These encompass persons who could be termed “unfit to plead”, or “not guilty on the ground of insanity” and ordered to be detained at the Governor’s pleasure, and patients whose admission is ordered by the court under section 51 of the Mental Health Act 1959.

The provisions in the Mental Health Bill relating to “Governor’s pleasure” patients reciprocate proposed amendments to the Crimes Act, which, in turn, will provide the
enabling mechanisms for the treatment of such persons as security patients under the Mental Health Bill.

However, the provisions in the Bill corresponding to section 51 of the present Act have been broadened to give its operation more flexibility in the interests of the patient. Section 51 currently empowers a court to order that a person convicted of a criminal offence be admitted to a State institution in lieu of passing sentence.

Under the new provision, the court will have an option of making either a hospital order of limited duration or a hospital order of unlimited duration. A hospital order of limited duration will have a maximum life of three months and is designed to enable a diagnosis and assessment of the patient to be carried out. At the expiration of a hospital order of limited duration, the court may make an order of unlimited duration, or pass sentence according to law. Where the court makes a hospital order of unlimited duration, the person concerned is required to be admitted and detained as an involuntary patient.

The other avenue of admission is through the prison service and includes persons on remand and persons convicted of an offence. Under the Bill such persons may be admitted on the order of the Minister administering the Office of Corrections.

The Minister will have the alternative of making a hospital order of unlimited duration, in which event the person is to be admitted as an involuntary patient, or a restricted hospital order, in which event the person is to be admitted as a security patient.

In determining the type of order to be made, the Minister will be required to have regard to the public interest and the circumstances of the case, including the person’s criminal and psychiatric history.

It is pertinent to mention in passing that, in relation to convicted persons, the Bill reverses the thrust of section 54 of the Mental Health Act, which effectively discounts any period spent in an institution as part of a term of imprisonment. This is manifestly unfair and may well result in a person being returned to gaol to serve the balance of a term of imprisonment long after his or her sentence would otherwise have expired.

The Bill makes it clear that any period of detention in a psychiatric service is to be counted as a period of imprisonment in a prison as if the person had been of good behaviour.

Under the Bill, security status automatically terminates at the expiration of the person’s sentence of imprisonment. The chief psychiatrist may then either order that the person be detained as an involuntary patient or recommend that the person become a voluntary patient.

MENTAL HEALTH REVIEW TRIBUNAL

Whatever the manner of admission as a patient, one critical requirement of the Bill is that there should be an initial and an ongoing review by an independent tribunal.

To this end, the Bill establishes a Mental Health Review Tribunal which, as recommended in the Myers report, will be responsible for the conduct of such reviews and, among other things, hearing appeals against involuntary admission.

The concept of a review tribunal is new to Victoria, but not novel in Australia. The Mental Health Act of South Australia, for example, constitutes such a tribunal in that State. The tribunal, under the Victorian Mental Health Bill, will, in fact, sit in divisions, each division comprising a barrister and solicitor, who is to be chairman of that division, a medical practitioner, and a person representing the public interest.

Divisions will be appointed by the president of the tribunal from amongst its members, having regard to such factors as representation from both sexes and different age groups, the nature of the matter to be considered and the knowledge and experience of the members of that division.
The Bill requires a review of each patient and each security patient within one month, six months and twelve months from the date of admission or the day the person becomes a security patient, as the case may be, and thenceforward at least once each year.

Although the Bill provides for reviews of voluntary patients, it has been submitted to the Government that such reviews by the tribunal are unnecessary, and inconsistent with the status of a voluntary patient, who is, of course, free to leave at any time. The Government intends to re-examine this aspect of the Bill prior to resumption of debate.

The tribunal is also empowered to hear appeals against a detention order or security status. Such appeals may be initiated within 60 days of the order, or of the person becoming a security patient, either by the patient himself or herself, or by somebody concerned for the care and protection of the patient.

The tribunal will have different powers depending upon the manner of admission of the patient concerned. Where the patient has been admitted by civil process, the tribunal, whether as a result of an appeal or a review, has an executive function.

It will be able, in its own right, to order the discharge of the patient if it is not satisfied that the continued detention of the patient is necessary in terms of the criteria prescribed in the Bill.

However, the tribunal will have a power of recommendation only with regard to the disposition of a patient admitted by court order, or transferred from the prison service. Responsibility for accepting or rejecting the advice of the tribunal will be vested in the Minister. This is an important safeguard, and will ensure full accountability to the Parliament for any decision taken about the future of such a patient. Any person aggrieved by a determination of the tribunal will have a right of appeal to the Supreme Court.

I emphasize that the establishment of the Mental Health Review Tribunal is not intended by the Government to replace the normal process of discharge. Indeed, the Government expects that the majority of patients committed civilly will continue to be discharged by the psychiatric service itself.

This is made clear in the Bill which provides that the authorized psychiatrist may discharge a patient at any time if the patient no longer satisfies the criteria for involuntary admission. Similarly, the chief psychiatrist may at any time make recommendations to the Minister about patients admitted by court order or by transfer from the prison service.

APPREHENSION BY POLICE

Before leaving the question of admission to a psychiatric service, there are several other changes of significance to which I would also invite the attention of the House. The first relates to admissions as a consequence of action taken by the police. The Government is aware that there is a school of thought that police should not have a role to play in the admission of apparently mentally ill persons. Nevertheless, it is a fact of life that the police are usually the first to be summoned to some antisocial incident, and no one else is better trained or equipped to provide the assistance which may be required to deal with a difficult situation.

The present Mental Health Act provisions can only be described as archaic, and follow the judicial model. In part, they require an inquiry by two justices before any apparently mentally ill person apprehended by the police “without sufficient means of support”, “wandering at large”, “discovered under circumstances that denote a purpose of committing some offence against the law” or even “not under proper care and control” can be admitted to a mental hospital. The provisions substituted by this Bill are far more straightforward, practical and compassionate.

In an emergency situation where, for example, an apparently mentally ill person has gone berserk, or is about to commit suicide, the police will have the power to enter any premises without the need for a warrant, and to use such force as may be reasonably
necessary to apprehend the person for the purpose of immediately bringing him or her before a medical practitioner.

A different approach is taken by the Bill where the situation is non-urgent—perhaps where an apparently mentally ill person has locked himself or herself in, and is refusing to eat, but there is no immediate danger either to the person or to the community.

The Bill envisages that time will be available to make arrangements for a medical practitioner to be present and, accordingly, provides for the issue by a magistrate of a special warrant authorizing a member of the Police Force accompanied by a medical practitioner to visit and examine that person.

I add that if it subsequently proves necessary to admit the person to a psychiatric service under either of the circumstances I have described, the same criteria and requirements will apply as apply to the admission of any other involuntary patient.

STATEMENT OF RIGHTS

The other change of significance to which I would invite the attention of the House is the emphasis in the Bill on the rights of patients. This is an area in which Parliament should be vitally concerned. Yet Victoria, and for that matter many of the other States, has a very poor record when it comes to legislating for patients' rights, particularly compared with the protections afforded to persons charged with offences under the criminal law. The Mental Health Bill attempts to redress the imbalance. Obviously, a patient cannot exercise his or her rights if he or she is not aware what these rights are.

The only requirement in the present Mental Health Act is that in every ward of an institution there shall be posted a notice accessible to all detained persons stating the names and titles of all persons to whom a patient may write uncensored letters. The notice must also state that patients are entitled to interview an official visitor or be examined by a panel of official visitors. This is a long way short of properly informing a patient of his or her rights. Under the Mental Health Bill every patient, whether voluntary or involuntary, upon admission to a psychiatric service must be given a printed statement setting out the patient's legal rights and entitlements and any other information relating to the hospitalization of the patient that the Health Commission considers relevant. A copy of that statement must also be sent or given to the nearest relative available.

The Bill does not specify what is to be included in the statement but the Government expects that the commission will be mindful of the Statement of Legal Rights introduced in South Australia some time ago in proposing an equivalent document for Victoria.

In addition, the Bill requires a copy of the statement, a copy of the Act, and any publications prepared by the commission explaining the provisions of the Act, as well as the addresses of the Mental Health Review Tribunal, the Public Advocate, to whom I shall refer in more detail in my comments on the Guardianship and Administration Board Bill, the chief psychiatrist and the community visitors.

PATIENTS' MAIL

I mentioned a moment ago that a requirement of the present Mental Health Act is the posting of a notice stating the names and titles of all persons to whom a patient may write uncensored letters. The present Act, in fact, permits letters to be censored except for letters written to the Governor, a member of the Victorian Parliament, a judge, the Health Commission, the authorized medical officer or an official visitor.

The Government takes the view that the censoring of patients' mail, except for the mail of a security patient, is an indefensible infringement of the rights of the patient. Accordingly, this Bill expressly requires that a letter written by a patient, other than by a security patient, be forwarded unopened to the person to whom it is addressed.
RESTRAINT AND SECLUSION

It is sometimes necessary in the interests of the patient, or for the protection of others, to use seclusion or mechanical restraint. The Government believes it is imperative that any legislation which permits their use should also lay down clear guidelines governing their application.

The Mental Health Bill in effect prohibits the use of bodily restraint by mechanical means or the keeping of a patient in seclusion unless such course can be justified in accordance with the criteria specified in the legislation. Restraint or seclusion may only be used with the approval of the authorized psychiatrist or, in an emergency, authorized by the senior nurse provided the authorized psychiatrist is notified without delay.

It should be noted that, among other things, the Bill requires that any patient kept in seclusion be supplied with bedding and clothing, food and drink, and be provided with adequate toilet arrangements. Moreover, if the patient is acutely disturbed, he or she must be visited at least every 15 minutes by a member of the nursing staff and examined at least every 4 hours by a member of the medical staff.

As a further safeguard, the authorized psychiatrist is to be required to report to the Mental Health Review Tribunal on a monthly basis explaining in each case the reasons why restraint or seclusion was used during that month.

PATIENTS’ FUNDS

The present Mental Health Act is silent on the question of the administration of patients’ funds. The provisions incorporated into the Mental Health Bill take account of the recommendations of the working party established to inquire into the management of patient’s trust funds.

Patients can, and sometimes do, accumulate large sums of money. It is, therefore, important both in the interests of the patient and of a psychiatric service, that Parliament determines the ground rules for the management of such funds as are held in trust on behalf of a patient.

The Government believes that it should not be the responsibility of a psychiatric service to manage substantial amounts on behalf of individual patients. This is reflected in the Bill which will give the Executive Council the capacity to fix ceilings for individual accounts. Where an amount to be credited to a patient’s account will exceed that ceiling, the patient or the patient’s representative is to be advised to invest the money in an appropriate manner.

A patient will have the right to withdraw money from his or her own account for any purpose he or she sees fit. Any money not immediately required may be invested by the chief executive officer of the psychiatric service, and interest thereon is to be credited to individual patient’s accounts at the prescribed rate.

Any proceeds from the investment over and above the prescribed rate may be used for the provision of goods and services or other amenities for the benefit, use or enjoyment of patients generally.

It can be seen that the essential thrust of the provisions I have outlined is to protect the rights of patients by ensuring that they not only have access to their own money, but will also be the prime beneficiaries of any income earned from the investment of their own funds in proportion to individual contributions.

LEAVE

"Trial leave", in the words of the Myers report, "allows a degree of flexibility in the rehabilitation of patients back into the community as well as the utilization of the available psychiatric hospital beds."
The Government has accepted the subsequent recommendation that, in accordance with the least restrictive form of care, trial leave should be continued into the new legislation.

I turn first to involuntary patients. Section 87 of the present Mental Health Act permits the superintendent of an institution to approve trial leave for a maximum of seven days. Any leave in excess of seven days can be approved only with the consent of the authorized medical officer of the Health Commission. "Trial leave" is perhaps a misnomer, and the equivalent terminology used in the Bill is "leave of absence".

The Bill is less rigid than the present Act. It permits the authorized psychiatrist to allow an involuntary patient to be absent from the psychiatric service for such period, and subject to any conditions, the authorized psychiatrist considers appropriate. Leave of absence may also be granted to an involuntary patient for the purpose of receiving medical treatment. Leave of absence cannot be granted for an indefinite period.

Under the Bill, any involuntary patient who remains on leave of absence for six months is automatically discharged as an involuntary patient unless, in the meantime, an application has been made to the Mental Health Review Tribunal by the chief psychiatrist or the authorized psychiatrist for an order that the patient not be discharged. An involuntary patient absent without leave is automatically discharged after three months.

These provisions are designed to safeguard the rights of patients by precluding any potential recall to a psychiatric service after sufficient time has elapsed to reasonably assume that the patient has been able to return successfully to the community. More stringent requirements will apply when leave of absence is being considered for a security patient.

A security patient may be granted either leave of absence or special leave. Leave of absence may only be granted by the Minister on the recommendation of the chief psychiatrist or the Mental Health Review Tribunal.

In special circumstances, leave may be approved by the chief psychiatrist or by the tribunal on appeal. However, neither leave of absence nor special leave may be granted unless the chief psychiatrist or the tribunal, as the case may be, is satisfied that the safety of the public will not be seriously endangered, and the Director-General of Corrections has been consulted.

COMMUNITY VISITORS

Official visitors have long provided a degree of community oversight over the running of mental institutions in Victoria and on the condition of the patients.

Official visitors are independent of both the Government and the Health Commission and as well as checking on the care, treatment and bodily health of patients, opportunities and facilities for religious observances and the occupations and amusements of patients, constitute a focus outside the psychiatric service to whom patients can turn for advice and assistance.

Victoria has been well served by its official visitors, as any Minister for Health will vouchsafe. Nevertheless, there is a need to re-evaluate the functions of official visitors as a consequence of the proposed establishment of the Mental Health Review Tribunal.

The Government believes it is important that there should continue to be a community involvement in the provision of psychiatric services. The revitalized community visitor scheme provided for in the Bill broadens the role of official visitors, and redefines their responsibilities in the context of the objectives of the Act.

The Bill requires the appointment of up to nine community visitors for each of the Health Commission's regions. Community visitors will have the power to visit any "mental health service" in the region. This encompasses not only services provided by the State, but also community support services, any premises licensed for the performance of
“prescribed treatments”, and any general hospital or private hospital admitting or caring for persons who are mentally ill.

The function of community visitors will be to inquire into the adequacy of services; appropriateness and standard of facilities; adequacy of opportunities and facilities for recreation, occupation, education, training and rehabilitation; the extent to which patients or residents receive care and treatment consistent with the least restrictive environment; and any failure to comply with the Act.

Community visitors will have broad powers of inspection and to make inquiries, and, it should be noted, to initiate an appeal or review under the Act. It will be the right of any patient or resident of a mental health service to ask to be seen and to be interviewed by a panel of community visitors.

The Bill includes a mechanism for convening an annual general meeting of community visitors, and for the tabling of an annual report. This is an innovation in our mental health laws and will ensure that the findings of the community visitors are not “swept under the rug” but are put before the members of both Houses of Parliament.

PSYCHIATRIC TREATMENT

The Bill, with the exception of electro-convulsive therapy (ECT) and psychosurgery, contains no provisions relating to the psychiatric treatment of patients. However, ECT and psychosurgery have probably generated more emotion in the community than any other medical or surgical procedure. ECT, in simple terms, could be described as the passing of an electric current through the brain to induce a convulsion which is modified by the administration of a muscle relaxant. There is still no clear understanding of how the induced convulsion produces its beneficial effects, although there is no serious argument that ECT does not have a valuable therapeutic role.

Psychosurgery refers to a variety of operations which have the object of creating lesions in the brain for the ultimate purpose of effecting changes in the thoughts, emotions and behaviour of the patient. Both ECT and psychosurgery continue to be controversial and the Government recognizes that there is a public concern about the use of these treatments. In the circumstances, the Bill seeks to regulate the use of both ECT and psycho-surgery in Victoria.

ELECTRO-CONVULSIVE THERAPY

ECT is identified as a prescribed treatment. No prescribed treatment may be administered under the Bill unless the patient has first given informed consent. However, if an involuntary patient or security patient is incapable of giving informed consent, the authorized psychiatrist may consent on the patient’s behalf, provided the various criteria set out in the Bill have been met. Where the authorized psychiatrist does consent on behalf of a patient, details must be provided within seven days to the Mental Health Review Tribunal.

The Bill defines what constitutes informed consent. A prerequisite is a thorough explanation to the patient of the procedures, and attendant discomforts, risks and benefits, and possible alternative procedures. In addition, the patient must be informed in writing that he has the right to legal and medical advice, and is free to refuse or withdraw consent, and have the prescribed treatment discontinued at any time. Prescribed treatments may be performed in private practice only at premises licensed by the commission for the purpose.

The Bill requires the commission in considering an application for a licence to perform prescribed treatments, to take into account the suitability of the applicant and the premises, whether the equipment complies with the prescribed standards and conditions, and the qualifications of any person to be permitted to perform prescribed treatments on the premises. At the present time, there is a dearth of information as to the number of ECT’s actually performed in the private sector.
The Bill requires the holders of licences issued for the performance of prescribed treatments to furnish an annual return to the commission. As I have already mentioned, it will be one of the functions of the community visitors to visit and inspect premises licensed for the performance of prescribed treatments. This will further safeguard the interests of both the public and the patient in connection with the administration of ECT.

PSYCHOSURGERY

Psychosurgery is now rarely undertaken, but experience overseas, and in at least one other State, suggests that there is a need to regulate the performance of such operations. The inquiry into psychosurgery in New South Wales under the chairmanship of the then Mr Michael Foster, QC, which reported some years ago, noted that various forms of psychosurgery were not yet generally accepted procedures. The report added:

We find difficulty in seeing how a treatment which is “experimental” can at the same time be regarded as “generally” accepted, even though it may be a perfectly proper treatment to apply to a particular patient in particular circumstances.

The Myers report, in referring to the findings of the Foster inquiry, recommended that psychosurgery also be carefully controlled in Victoria. It went on to advocate the establishment of a Psychosurgery Review Board, modelled on that recommended for New South Wales, as an option for the consideration of the Government. This recommendation has been taken up in the Bill and will be manifested in the proposed constitution of a Psychosurgery Review Board in Victoria.

Before outlining the structure and function of the board, I must emphasize to the House—and this is spelt out in the Bill itself—that in no circumstances will it be lawful to perform psychosurgery on a patient unless that patient has given his or her informed consent. The Bill, as in the case of prescribed treatments, defines what constitutes informed consent to psychosurgery. However, it goes on to provide that certain persons are to be conclusively presumed incapable of giving informed consent. These include persons under eighteen years of age or awaiting trial or in prison and involuntary patients.

The Psychosurgery Review Board is to consist of five members drawn from the legal and medical professions and will include a member of the public nominated by the Victorian Council for Civil Liberties. The function of the board is to consent or refuse its consent to the performance of psychosurgery after considering the various criteria specified in the Bill.

If there is a substantial doubt as to whether the patient has given informed consent, or the patient comes within the class of persons conclusively presumed incapable of giving informed consent, the Bill requires the board to refer the application to a judge of the Supreme Court. It will be the prerogative of the court to determine whether or not the patient is capable of giving informed consent, and whether the person has, in fact, given informed consent.

Where the court finds that the person is not capable of giving informed consent, or is conclusively presumed to be incapable of giving informed consent, it will have jurisdiction to consent, or refuse consent, on behalf of the person. The Government considers that this is a reasonable and sensible approach, and that the provisions proposed in the Bill should minimize the risk of abuses relating to the performance of psychosurgery.

NON-PSYCHIATRIC TREATMENT

As the Myers report points out:

Medical or surgical interventions for non-psychiatric reasons are sometimes necessary for (involuntary) patients.

The provisions in the Mental Health Bill follow the thrust of Myers that, wherever practicable, consent to treatment should be obtained. In broad terms, the Bill prohibits non-psychiatric treatment unless the patient gives informed consent to that treatment.

Where a patient is incapable of giving informed consent, consent may be given by a guardian appointed under the Guardianship and Administration Bill who has
appropriate powers or, in any other case, by the authorized psychiatrist. Details of any
treatment performed in the latter event must be forwarded on a monthly basis to the
Mental Health Review Tribunal.

It should be noted that the provisions I have outlined will not apply to any medical
procedure involving sterilization, termination of pregnancy or the removal of non-
regenerative tissue from a patient for the purposes of transplantation. These procedures
may only be performed either with the informed consent of the patient, or where the
patient is a "represented person" with the consent of the guardian and the Guardianship
and Administration Board, except if it is necessary to perform the procedure in an
emergency to save the life of the patient.

OTHER RIGHTS

Two final points should be made in my remarks dealing with the rights of patients. The
first is to point out to the House that the Bill will continue into our new mental health
laws, section 82 (2) of the Mental Health Act which requires every patient to be examined
as to his or her mental and general health at least once every year.

However, to ensure that this does not merely degenerate into a statement of pious
intent, the Mental Health Bill requires that a report of each such examination be submitted
by the authorized psychiatrist to the Mental Health Review Tribunal.

The second point is to draw to the attention of any honourable member comparing the
Bill with the existing Mental Health Act that the Government has not retained those
sections dealing with the ill-treatment or neglect of a patient, or dealing with the connivance
of an officer or employee in permitting a patient to "quit or escape" from an institution.

Both these matters are better dealt with under the criminal law or by the institution of
disciplinary proceedings against the officer or employee concerned and, accordingly, are
not carried on into the new Bill.

FUNDING AND SERVICES AGREEMENTS

The detention of any citizen unless for sound reasons, and subject to appropriate
safeguards is anathema to a democratic society.

It is because of the fact that the Mental Health Bill, the present Mental Health Act and,
for that matter, every comparable Act in every other State, provides for the involuntary
detention of the mentally ill in certain circumstances, that I have taken care to identify the
mechanisms to be established under, and the various checks and balances to be built into,
the proposed legislation.

Nevertheless, as vital as these provisions are, they should not be allowed to overshadow
the important initiatives that are aimed at the enhancement of services to the mentally ill
in a community rather than an institutional environment.

The provision of such services is an area where there is a need to foster and encourage a
co-operative approach by Government and non-Government agencies. It is, therefore,
essential, in accordance with the fundamental principle of the least restrictive alternative,
that the Mental Health Bill should seek to promote a range of services outside the
institutional model.

Indeed, the Bill would be a travesty if it only set out to prevent involuntary admissions
unless absolutely necessary but did nothing about providing assistance to patients who
had been discharged or not admitted. Experience in the United States of America where
the requirements for admission have become even more restrictive, is that patients often
become homeless or imprisoned, and this highlights the need to develop within this State
a range of residential support and rehabilitation services, complemented by non-residential
services.

The major initiative in this area proposed by the Bill, is interestingly enough, not based
on a recommendation of Myers, but "borrows" a recommendation made by the Rimmer
committee, which is also reflected in the companion Intellectually Disabled Persons' Services Bill. This is to provide the legislative framework for the introduction of a system of funding and service agreements. "A funding and service agreement", to quote from Rimmer, "is a negotiated agreement signed by both the funding body and the recipient of funds".

The Mental Health Bill specifically empowers the Health Commission to enter into a funding and services agreement with any association or organization which is registered with the commission, to use the terminology of the Bill, as a "community support service". To qualify for registration as a community support service, the association or organization concerned will be required to provide one or more of a range of specified services. A funding and services agreement will be a mutual arrangement entered into between a community support service and the commission. It will be binding on both parties.

A funding and services agreement can relate to a variety of matters such as the objectives the community support services should seek to achieve, the purposes for which the funds may be used, the persons for whom, and the types of services to be provided and so on.

However, it is essential that I stress that although the Bill gives a general indication of the nature of the matters which may be dealt with in a funding and services agreement, nevertheless the enabling provisions are expressed, deliberately, in very broad language. This is intended to provide the maximum flexibility in the ambit of individual funding and services agreements.

Funding and services agreements will have a number of advantages over the traditional methods of funding services to the mentally ill, and, in particular, get away from the conventional concept of equating "services" to "buildings". Thus, funding and services agreements can be used to encourage the development of new service models such as home-based services, which are likely to assume increasing importance in future years. They will help in promoting the better co-ordination of services within the community; they will enable committees of management to plan for the future with greater confidence; above all, they will foster a sense of collaboration between funding and funded agencies and minimize the risk of misunderstanding.

It only remains for me to add that the Bill will also vest in the commission a capacity to finance the provision of services outside a psychiatric service to a person who is mentally ill or suffering from the effects of mental illness. The commission will also have the ability to support self-help organizations under the proposed legislation.

SUMMARY

In his book Mental Health and the Law John O'Sullivan describes the dilemma of mental health law reform in the following terms:

The law is based on the capacity for a rational, objective approach to life but psychiatry deals with people whose actions and thinking are governed to a large extent by the irrational.

The Bill takes a compassionate approach to mental illness. Indeed, it represents, in the opinion of the Government, a proper balance of the rights of the individual, the needs of the community and the interests of the psychiatrist and those involved in providing services to the mentally ill and the well-being of the patient.

The Bill is most comprehensive and forms part of a comprehensive package. I thank all those who have worked so long to develop the proposed legislation and particularly the committee which is chaired by Dr Evans, who spent countless hours going through the reports and information to reach this stage. We now have a Bill on which the community has been asked to comment and which will be debated during the next sessional period when possibly some amendments may be made as a result of that consultation. I commend the Bill to the House.

On the motion of Mr WEIDEMAN (Frankston South), the debate was adjourned.

It was ordered that the debate be adjourned until Sunday, September 1.
The sitting was suspended at 6.30 p.m. until 7.35 p.m.

INTELLECTUALLY DISABLED PERSONS' SERVICES BILL

Mr ROPER (Minister for Transport)—I move:

That this Bill be now read a second time.

In my comments on the Mental Health Bill I mentioned the recommendation of the Committee on a Legislative Framework for Services to Intellectually Disabled Persons that legislation providing for services to the intellectually disabled should be entirely separate from the Mental Health Act.

The Intellectually Disabled Persons' Services Bill not only adopts this recommendation but, to all intents and purposes, implements the concepts espoused by that committee.

The emphasis in the Bill is on the rights of the intellectually disabled and, indeed, one of the unusual, if not unique, features of the Bill is a statement of principles. These not only set out to advance the rights of intellectually disabled people, but provide standards against which the performance of service providers can be evaluated and assessed.

This statement of principles will be reinforced by a clear direction to the Health Commission that its primary objective under the Act is "to advance the dignity, worth, human rights and full potential of intellectually disabled persons".

The Bill sets out criteria for determining whether a person is eligible for services under the proposed legislation.

An important initiative is the inclusion in the Bill of a mechanism for appeals against a determination that a person is not eligible for services. This will be one of the functions of the Intellectual Disability Review Panel to be established under the Bill.

The Bill gives legislative effect to the commitment of the Government that program plans are to be formulated for every client of the intellectual disability services. Existing clients will be entitled to the preparation of both a general service plan and individual program plan within twelve months of the commencement of the Act.

Future clients will have the right to request a general service plan where a declaration of eligibility for services has been issued. However, a general service plan and an individual program plan must be prepared following admission to an institution or residential service. General service plans and individual program plans will be reviewable annually.

The Bill also calls for the preparation on a three-yearly basis of plans for the development of services at both a Statewide and a regional level and, for this purpose, provides for the establishment of regional intellectual disability planning committees. Provision is made in the Bill for the appointment of a Director of Intellectual Disability Services.

It is intended that the director will be a Crown appointee who, although subject to the general direction and control of the Health Commission, will have specific responsibility for the provision of services to intellectually disabled people.

The Bill enables the director to delegate his or her powers. This takes account of the impending regionalization of the Health Commission.

It should be noted that, among other things, the Bill makes provision for the establishment of what are termed "security units". These will offer an alternative to the prison system for offenders who are intellectually disabled, and will permit those who become security residents to be detained in a therapeutic, rather than a penal environment.

The balance of the Bill replicates, with such modifications as are necessary, provisions in the Mental Health Act which I have already described to the House. These include funding and service agreements, review of security orders, leave of absence for security residents, the use of restraint and seclusion, residents' funds, the appointment of community
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visitors, and so on. With this in mind, it is not my intention to take up the time of honourable members by going over similar ground again.

I advise those honourable members who have a particular interest in the Bill to read the two Bills and the two speeches together; otherwise they may believe a number of items have been neglected by the second-reading speech.

**SUMMARY**

Suffice to say that, in its 1982 election platform, the Labor Party described our mental health and retardation services as the “Cinderellas of the health care scene”.

The Mental Health Bill, and its companion Intellectually Disabled Persons’ Services Bill, coupled with the additional resources already made available by the Government, will go a long way towards redressing many years of neglect. I commend the Bill to the House.

On the motion of Mr WEIDEMAN (Frankston South), the debate was adjourned.

It was ordered that the debate be adjourned until Sunday, September 1.

**GUARDIANSHIP AND ADMINISTRATION BOARD BILL**

Mr ROPER (Minister for Transport)—I move:

That this Bill be now read a second time.

The third Bill which makes up the proposed legislative package is the Guardianship and Administration Board Bill.

The Bill follows fairly closely the draft Bill appended to the Report of the Minister’s Committee on Rights and Protective Legislation for Intellectually Handicapped Persons published several years ago.

The major recommendations of the committee are:

(i) a guardianship tribunal should be established with power to appoint limited and plenary guardians and/or estate administrators for those developmentally disabled persons who are in need of guardianship or estate administration;

(ii) an Office of Public Advocate should be established and the Public Advocate empowered to act, among other things, as a guardian of last resort and an advocate for developmentally disabled people; and

(iii) appropriate consultation should be undertaken with a view to enacting legislation which is “generic” rather than “categorical” in approach.

The Government has accepted all three of the above recommendations, including the recommendations that the legislation be generic rather than categorical.

Thus, the Bill before the House is designed to benefit a person with any disability, whether such disability is an intellectual disability or of some other kind.

Guardianship is a legal device which gives an individual a right to make decisions on personal matters on behalf of some other person. Parents are the legal guardians of their children.

The main aim of the Bill is to establish an administrative process for the appointment of guardians, or administrators of the estates, of persons who have reached adulthood and, because of a disability, it is in their interests to do so.

Needless to say, the vast majority of disabled people are capable of looking after their own affairs and are not, and are never likely to be, in need of guardianship or estate administration.
It is important, therefore, that I emphasize that there is no suggestion in the proposed legislation, inherent or implied, that any person will be compelled to apply for guardianship.

However, the Bill will facilitate the appointment of a guardian or estate administrator where such an appointment is warranted, without the need to resort to the courts.

GUARDIANSHIP AND ADMINISTRATION BOARD

The appointment of guardians and estate administrators is to be the main function of the Guardianship and Administration Board to be constituted by the Bill.

The Bill provides that any person may apply to the board for the appointment of a guardian in respect of a person with a disability who has attained the age of eighteen years.

However, a guardian may not be appointed by the board unless the board is satisfied that the person in respect of whom the application is made is unable because of the disability to care for himself or herself, and to make reasonable judgments in respect of all or any of the matters relating to his or her person and is in need of a guardian.

The board is prohibited from appointing a guardian unless it is in the best interests of the person concerned.

In accordance with the fundamental principle of the whole proposed legislative package, the Bill specifically requires that the board, in determining whether a person is in need of a guardian, consider whether the person's needs could be met by other means less restrictive of his or her freedom of decision and action.

The Bill is framed in such a way as to permit hearings by the board to be conducted in an informal "coffee table" atmosphere. Indeed, the Government believes it is highly desirable that those attending proceedings before the board, and especially the person who is the subject of the application, should not be overawed by what otherwise would be a court room environment.

The board can appoint a guardian either with plenary or with limited powers. This reflects the central feature of the recommendation of the Minister's committee that guardianship orders should be tailor made. In other words, the system contemplated by the Bill is that the board would appoint a guardian only in those areas in which a person lacks a decision-making ability.

The philosophy of the least restrictive alternative is also followed in the provisions in the Bill providing for the appointment of administrators. However, it should be noted that the Government has not accepted the majority view of the Minister's committee that an individual is preferable to a professional administrator. There is no doubt that a guardian of the person requires special qualities. He or she will often be a family member, living in reasonable proximity to the person concerned, who is able to fulfil the responsibilities of guardianship.

Different qualities are required for an estate administrator. An estate administrator, especially if the estate is of any size, must have a business acumen, and be able to exercise a professional disinterest in the administration of the estate of the represented person. With this in mind, the Government has endorsed the substance of the minority report. The Bill, therefore, provides that the preferred administrator is to be the Public Trustee.

It does not follow from what I have said that other people are necessarily excluded from being appointed as estate administrators. What it does mean is that, before appointing any other person, the board must be satisfied that the person would act in the best interests of the represented person; that there is no potential conflict of interest; that the person is suitable to act as the administrator and that there are special reasons why the other person should be appointed in preference to the Public Trustee.

A key feature of the Bill is the requirement that guardianship and administration orders be reassessed by the board within six months of making an order, and then be reviewed at
least annually. This will ensure that the need for a guardian or estate administrator is re-evaluated on a regular basis and adjustments made as necessary.

There is no doubt that the appointment of a guardian or estate administrator affects the civil liberties of the person concerned. On this basis it is important that I should emphasize that the Bill provides a specific right of appeal to the Supreme Court against orders of the board.

Two other matters should be mentioned before leaving this aspect of the Bill. The first is that the board will have a capacity, if the need arises, to appoint itself as a plenary guardian or limited guardian for a short period pending the determination of an application for temporary guardianship. Temporary guardianship would normally be sought only in an emergency, and the Bill envisages that such applications will be dealt with by the board without delay.

The second point is to highlight the fact that the board will have an ability to initiate investigations in circumstances where an application has been made for guardianship and allegations have been made to the board that the person for whom guardianship is being sought is being unlawfully detained against his or her will, or is likely to suffer serious damage to his or her physical, emotional or mental health or well-being.

PUBLIC ADVOCATE

The Bill will also constitute an Office of Public Advocate, and its provisions substantially follow those proposed by the Minister’s committee.

As suggested by the committee, the public advocate will have five main functions. These are, firstly, acting as guardian of last resort and intervening where desirable in guardianship proceedings; secondly, promoting family and community responsibility for guardianship; thirdly, receiving and, in appropriate cases, investigating complaints of abuse or exploitation of disabled people; fourthly, making recommendations to the Minister with respect to the operation of the Act; and, finally, acting as general advocate on behalf of the disabled.

The public advocate will be an appointee of the Governor in Council, and consequently will be, and will be seen to be, independent of the bureaucracy.

The creation of the Office of Public Advocate, which is modelled on that of the public guardian in Alberta, represents a recognition by the Government of the importance of preserving the rights of disabled people.

CONCLUSION

The Bills before the House are landmarks in the Government’s program of legislative reform. They are innovative, and signal a change in direction in our thinking about the manner in which services should be provided to the mentally ill and intellectually disabled members of our community.

It is not the intention of the Government to debate the Bills during the present sessional period, but, rather, to circulate copies as widely as practicable with the view to debate in the spring.

In the interim, the Government looks forward to receiving constructive comments and suggestions for improvement of the proposed legislation from interested organizations and members of the public. I commend the Bill to the House.

On the motion of Mr WEIDEMAN (Frankston South), the debate was adjourned.

It was ordered that the debate be adjourned until Sunday, September 1.

RACING (AMENDMENT) BILL

The debate (adjourned from the previous day) on the motion of Mr Trezise (Minister for Sport and Recreation) for the second reading of this Bill was resumed.

Mr E. R. SMITH (Glen Waverley)—I oppose the introduction of betting shops into hotels, not on moral grounds—
Mr Jasper—Speak on the clause!

The SPEAKER—Order! The honourable member for Glen Waverley should continue, without assistance.

Mr E. R. SMITH—I oppose the introduction of betting shops into hotels. I am not doing so on moral grounds because, like most Australians, I partake of the odd drink and enjoy having the odd flutter.

My hard and bitter experience in racing has taught me that the two do not mix. One goes to the races to bet and one enjoys a drink later on. People can do both but, if one is going to be successful, one certainly does not mix both. There is no success in both. I shall cite an example to illustrate my point.

Approximately 26 years ago, I was a teacher in a country area of New South Wales when poker machines were introduced. At that time one of the major problems in licensed clubs was that each Friday night—pay night—certain members of a club would drink and play the poker machines until they had exhausted their pay packets. The illustration I am giving closely parallels what could happen with the introduction of betting shops in hotels in Victoria. When those people had ploughed all of their wages through the poker machines, they were reminded by a committee man that it was time to go home. Often an argument would ensue and the local policeman, who would, for example, be playing table tennis, would ask the person or persons to leave and they would wander off into the night.

Inevitably the following morning the wife of one of those persons would visit the club and complain bitterly to the manager that there was no money for the family for the week. The manager would express horror, but in every case the money would be given back to the family. Inevitably on the following Monday night the member would be called up before the committee and would receive six months' suspension, and during that suspension there would be bad feeling amongst different people in the local community. My experience of the licensed clubs in New South Wales was that the persons who played the poker machines were the ones who could least afford to.

Over the years I found that the entire family fabric had been broken up due to the effects of drinking and gambling. Following my posting to the country town in New South Wales, I was posted to Albury as a teacher. At one stage, the wife of a prominent businessman in town played the poker machines almost constantly for three months. In the end she had ploughed all the money from the family's butcher's shop into the poker machines. The couple went into debt and inevitably they were both asked to leave the licensed club. Their business was bankrupt. That incident taught me that drinking and gambling do not go together.

Everyone has been to the races from time to time and broken his or her resolution about not drinking and gambling. If one is to be successful at the races, one learns that drinking and gambling do not go together because drinking makes one foolhardy and irresponsible. Temptation is so much greater if gambling is available in the same room as drinking.

A few years after my teaching in Albury I worked in Ireland where I saw betting shops operate in pubs where there appeared to be a race broadcast every second or third minute. There were broadcasts of races not only in Ireland but also in the United Kingdom and Europe. One could envisage a similar situation occurring here with betting facilities being extended to cover everything imaginable. The mind boggles at what the Minister could allow with regard to gambling. A responsible Minister would not allow people to bet on anything—even to a fly crawling up the wall. However, the reason for my opposition is that by the further extension of betting facilities to hotels, drinkers, and especially younger persons, will face too many temptations.

The extension of betting facilities to hotels would represent a further step in the breakdown of the family way of life by taking advantage of people in a weakened state. The Government should be building bridges to strengthen families rather than weakening them. The Government should encourage people to spend more time at home with their
families and not squander the family budget. The Government should avoid introducing measures that will lead to the disintegration of the family unit.

The proposal to establish Totalizator Agency Board agencies in hotels in addition to the existing 425 agencies is a retrograde step. The existing TAB agencies must be protected. The Government must not proceed with this measure as it would have a disastrous effect on families.

Mr WILLIAMS (Doncaster)—Quite frankly I do not like this Bill. I do not understand the Australian Labor Party. I always thought it stood for the little people, such as the housewives with children in the industrial suburbs who want their husbands home at nights and on week-ends. I presume the Bill will legalize the betting of two flies on a wall as it seems to be legalizing everything else.

The latest report of the Totalizator Agency Board indicates that this year Victorians will spend $1150 million on gambling; including $250 million on the on-course totalizator, $650 million with legal bookmakers, probably another $500 to $1000 million with illegal bookmakers, $70 million on Instant Tatts, $7 million on lotteries, $400 million on Tattslotto, $7 million on soccer pools and $100 million on bingo. Including gambling with illegal bookmakers, this State will spend more than $3000 million on gambling. The State has a population of four million, which means that $750 a head will be spent on gambling which, if multiplied by four, on an average of four people a family, is $3000 a family.

Mr Ross-Edwards—What about those who win?

Mr WILLIAMS—I am most intrigued by that interjection. I regret to say that most gambling is a mug's game. An article in *Choice* of October 1984 indicates that the odds against selecting six winning numbers in a lottery game are a staggering 3·8 million to one. The chances are virtually 4 million to one. Gambling has now become the opiate of the masses. People no longer believe in the rewards of heaven. People believe they will win paradise by placing their money on Tattslotto, but out of 4 million Victorians only one will win. We would all have to live millions of years before all of us could win Tattslotto.

The same situation applies in racing. A number of inquiries have revealed that the only people who win at the races are the "insiders". A survey conducted recently revealed that more than three-quarters of people who gamble admitted they expected to lose in the long run. Only 17 per cent thought they could break even or even make money out of gambling. They were mostly young people and low income earners. Only about 1 per cent of people who gamble make any money out of it. They are the bookmakers, inside punters and other people who know when the horses have had caffeine and so forth.

The largest beneficiary is the State Treasury. Far too much gambling is taking place in this State. I am irritated to hear about the vulnerability of people and about those who, if they are not involved in organized crime, are on the fringes of organized crime. An article that appeared in the *Rydge's* journal of September 1983 stated:

The cost of alcoholism to business pales beside the bill totted-up by the compulsive gambler. No-one has quantified the price tag, but compulsive gamblers say it is huge.

Some put the figure at double the cost to companies of problem drinkers.

I have no doubt about that. An article that appeared in a weekly newspaper only this week dealt with a man who lost millions of dollars gambling in New South Wales. Apparently he is now acting as a top level financial agent in New South Wales. The point I am making is that even the most intellectual and highly trained people in the country may be affected in this way. Once they are addicted to gambling, they drag themselves down, together with their families and their companies.

Many things are unknown about the extent of gambling. An interesting article appeared in the *National Times* of 21 to 27 September 1984. When reading the Totalizator Agency Board report, I was staggered that I could not find Victorian figures equivalent to those for New South Wales. According to the article, in New South Wales, 1·34 million people visit

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TAB agencies each week. I ask the Minister to inform the House of how many people attend Victorian TAB agencies each week.

The substance of the article to which I refer relates to an exciting new development in the communications revolution. It mentions a teletext unit, which its marketers hoped to link into the TAB agencies and, through that process, to accentuate the national urge to gamble. The article states:

Suddenly, they're looking at a booming market.

I am delighted that it continued by stating that, in the process, the marketers are threatening the future of the starting-price bookmaker. If the Minister intends to clamp down on starting-price bookmaking, the best way of doing so seems to be the installation of the teletext units in private homes.

It is stated that, in the United Kingdom, some 1·6 million teletext sets are already in use; that number is equivalent to 10 per cent of the number of colour television sets in that country. The article states:

One significant development has been that some of the turf world's biggest professional punters now sit home each Saturday afternoon, watch the city races live on T.V. and conduct their betting activities using the T-Text TAB service and a Totalizator Agency Board telephone account.

Official figures show that many of these punters are turning over tens of thousands of dollars every race meeting.

If the system is good enough for the big boys, why should it not be good enough for the little punters who ought to be able to install these sets in their homes? In that way, they could watch the teletext service programs, bet and drink in comfort while remaining in the company of their families rather than racing around to Totalizator Agency Board agencies at hotels and over-indulging in liquor. The establishment of these agencies would encourage people to gamble at hotels.

I had hoped the Government would not try to ram this Bill through Parliament so quickly. I cannot remember any other occasion since I have been in this place when honourable members have had to come back after dinner to discuss just one Bill in the closing hours of the sessional period.

The SP bookmakers' market is enormous and it would be good for the national and State revenues if that market could be cut back. I am also concerned about how far we can go in permitting hotels to establish Totalizator Agency Board agencies on their premises.

Mr Trezise—Not far.

Mr WILLIAMS—I hope it is not possible to go very far. I hope there will be no suggestion that some exemption be given to people involved in companies, as that would result in a ridiculous repetition of the old bona fide travellers racket. If we go too far, everybody will end up going to bet at hotels situated 30 or 40 kilometres out of Melbourne, and the same old trouble will arise of people in a semi-drunken condition—because some small minority are addicted to liquor just as they are addicted to gambling—returning from hotels on the outskirts of Melbourne.

Wide differences of opinion on matters such as these are held by members of my party. Those who are taking a conservative view on these moral issues stand for family, God, Queen and country—apparently, today that is unfashionable.

Looking back into history, it is obvious that the Liberal Party had trouble bringing about legislation for the originally proposed Totalizator Agency Board. There were delays and outrages associated with that legislation. I believe the Liberal Party was somewhat hypocritical in some of its attitudes—for instance, in not allowing seating or toilets or other civilized amenities to be provided at TAB establishments. In modern times the Liberal Party has become more civilized and, while not encouraging people to bet at the TAB, the provision of those facilities make conditions more comfortable for members of the betting public.
I do not wish to deny other people their rights so long as they do not harm society. I do not object to properly conducted gambling in the form of Tattslotto, for example, where everyone all over the country can watch the results drawn on television and can see the marbles brought out of the barrel, and so on. That is very straightforward gambling.

I object to the business of allowing gambling in hotels where people will overindulge in liquor, desert their families and bet to excess. Nothing can be said in defence of this iniquity. Reluctantly, I join my colleagues in the Liberal Party in supporting the Bill but am proud the Liberal Party is prepared to stand firm against allowing betting activities to occur in hotels. I do not go along with that idea in any way.

Mr LEA (Sandringham)—The Bill amends the Racing Act with respect to the powers and functions of the Totalizator Agency Board. Apparently, the House is treating the matter somewhat lightly. I remind honourable members of the background of the Totalizator Agency Board and the battle in 1959 of the then Premier, Sir Henry Bolte, who moved to establish it in an effort to tighten up gambling in Victoria and to reduce the prevalence of starting-price bookmakers operating in the racing industry.

It was never suggested that these legislative measures were to encourage gambling. It was suggested that gambling needed to be controlled, rather like prostitution, cigarettes, drinking and other social evils that exist and which society has learnt to tolerate. There was never any intention to encourage those activities.

When the original Bill went to the House in 1961 the four guiding principles behind it were: To provide an efficient off-course betting service by means of telephone and cash betting facilities; to provide the service without encouraging the spread of gambling; its agencies were not to have a betting shop atmosphere and were expected to blend into the normal business life of the community—they were not to be situated close to churches and schools; and it was to offer no inducement for the public to loiter on or near its premises. In other words, it was not intended to encourage people to bet.

I congratulate the honourable member for Bendigo East on putting forward the argument about how facilities for betting in this State have been encouraged since that time. The Liberal Government was just as much at fault as the present Government in encouraging the extension of betting to cover dogs, football and other forms of gambling so much so that the ultimate purpose of the Totalizator Agency Board was lost.

The Bill is a major fund-raiser for the Government which is amoral, gives no consideration to the public at large and encourages betting to the nth degree.

On 18 April, a headline appeared in the Age stating:

Totalizator Agency Board launches million dollar lure for punters.

The Government does not care about punters so long as they are participating in gambling and providing revenue for the Government. Some members of the Government are not treating this issue seriously, and members of the community have lost sight of the fact that gambling can cause damage to the lives of many people.

The proposal has been referred to as “Pub TAB”. The Minister for Sport and Recreation is aware that he currently has the power to grant Totalizator Agency Board licences to chemist shops, petrol stations and milk bars in country towns. That could be done in country towns where no TAB facility exists, and it has been done on previous occasions.

I stress the point that gambling is a disease, but the community must tolerate it. The facilities provided by the board are to prevent starting-price bookmaking in small country towns. The honourable member for Glen Waverley made a telling point when he mentioned the effects of the availability of drinking and betting facilities in the same place. That would be absolutely disastrous. The Minister is a reasonable man and shows a willingness to listen to amendments proposed to Bills that he has introduced.
Many people in the community feel the same way as I do about this matter. The Liberal Party wants the functions of betting and drinking separated so that people who become inebriated, and are not capable of controlling what they do, are not encouraged to place extra bets. Honourable members are well aware of the effects drinking has on people placing bets. Honourable members who are interjecting show callous and scant regard for families in our society.

The Government is concerned with revenue raising and taxing. The Totalizator Agency Board has a turnover of more than $1000 million and the Bill provides an extension of that revenue raising. During the Committee stage I shall vehemently oppose clause 19 because it could have harmful effects on families in smaller country towns.

Mr KENNETT (Leader of the Opposition)—In the nine years that I have been a member of Parliament, the House has probably devoted more time debating the racing industry and the liquor industry, either separately or collectively, than any other industry or issue. There is no doubt, as has been expressed by some of my colleagues tonight, that there is a wide range of feeling within the Liberal Party on some aspects of the proposed legislation. However, there is no disagreement on one clause that will be debated in the Committee stage, but I shall not discuss that at the moment.

Governments of all persuasions have amended the operation of the Totalizator Agency Board in recognition of the importance of the racing industry generally.

The community often overlooks the major contribution the racing industry makes, not only as a sport or as a leisure industry but also, more importantly, as an employment industry and a revenue-raising industry. There is no doubt that without the operations of the TAB, many of the services currently provided by Government, regardless of their political persuasions, would not be available to the Victorian community.

The Opposition does not oppose most of the amendments contained in the Bill. It recognizes that any piece of legislation has to be updated from time to time. However, I ask that the Government and the community pay due recognition to the importance of separating the functions of gambling from other aspects of life. That matter must be seriously taken into consideration if honourable members are to ensure that some of the moneys raised from the racing industry, which are directed through hospitals, are not then used for the treatment of people who may be massive and addictive gamblers. There is no difference between an alcoholic and a person who is a committed gambler—their illnesses are equally sad.

The Bill gives the TAB greater flexibility in its operations and, for that reason, the Opposition generally supports it. However, overall, the racing industry, which must be supported, and the TAB, which generally operates effectively and efficiently, must recognize that in the pursuit of the dollar they should not overlook the fact that the first responsibility of the Government, or any sector of the industry, is to the people that it must serve.

Ultimately any examination of the Bill in the Committee stage must take into account the social ramifications of the changes proposed in clause 19.

Mr TREZISE (Minister for Sport and Recreation)—I thank honourable members, with their different views, for speaking on the proposed legislation. I am pleased that the majority of the Bill has been approved by all parties except for this one controversial clause—clause 19.

Many issues were raised in the debate and I have taken note of approximately twelve important points. For the benefit of those honourable members who raised queries I shall explain later the different aspects of the Totalizator Agency Board. Honourable members have stated how important the racing industry is to Victoria. The honourable member for Bendigo East said that it employs between 30 000 and 40 000 people. However, he also stated that this measure is another attempt to raise money for the Government.
I inform honourable members that the only way to keep the racing industry viable is to make sure it has a financial flow to assist in keeping the racing industry buoyant. The honourable member also stated that the racing share of the Government's revenue is 11 per cent. However, I inform him that the gaming share of revenue, not racing alone, is 11.5 per cent. However, the TAB share to benefit racing has actually declined proportionally in recent years. Last year the TAB held a 42.4 per cent share of the gambling market, but this year the share has decreased to below 42 per cent.

Therefore, it is important to ensure that the racing industry is kept viable. That is not the major reason for the measure. It is only a consideration or an alternative that a TAB agency be considered in hotels or licensed premises. All other States including Queensland, which has a National Party Government, and Tasmania, which has a Liberal Government, have TAB betting in selected licensed premises. I understand that few complaints have been received from the respective political parties in those States about those betting shops.

The reason for having the option of TAB agencies in hotels or licensed premises is to provide a service to people in outlying areas who do not have access to any other TAB agency. People in those areas have approached the Government and the TAB, either as individuals or through a local community body, requesting that a TAB agency be established in their area. They feel they should have equal access to services that are provided in the bigger towns and cities. In a smaller town that does not have an hotel or a licensed premises, there may have been no alternative but to consider installing an agency in a milk bar or a service station which may not wish to operate an agency.

Another important issue that has been raised periodically, particularly by the honourable member for Doncaster, is the attempt of the Government to decrease the amount of illegal betting after the Costigan inquiry directly linked organized crime with starting price bookmaking. It is somewhat amusing to hear the moral tones of the Liberal Party which for years fostered gambling on the Totalizator Agency Board and bingo in hotels throughout the State.

The Liberal Party now has reservations about gambling and drinking in the same vicinity. I ask members of the Opposition whether they have ever been on a racecourse for either horse racing, greyhound racing or harness racing. I point out that every course has a bar that is a few steps from the betting ring or a tote. Does the Opposition want the Government to close bars at Caulfield, Moonee Valley and Flemington racecourses? Does the Opposition believe betting and drinking do not mix? There is no response.

I have listened to all this talk about not allowing gambling on licensed premises or in hotels, but it is only approximately five years since the former Liberal Government, of which the honourable member for Gisborne was a member, pushed through a Bill to allow gambling on bingo in hotels. The amount of money being spent on that type of gambling is growing every year. At present the bingo industry turnover is $80 million a year, due to the Liberal Party's decision to mix drinking and gambling. For members of the Liberal Party to suggest that drinking and gambling on the same premises do not mix is hypocritical.

Do TAB agencies and hotels mix for the Liberals? Hawthorn has a Totalizator Agency Board agency right next to the Beehive Hotel. The nearest Totalizator Agency Board agency to Parliament House is not far from the Southern Cross Hotel. How far away is that agency from the bar-room door of that hotel? It may be 60 feet; probably closer. All approved under the Liberal Government.

Honourable members interjecting.

The SPEAKER—Order! The Minister for Sport and Recreation is advising the House where the Totalizator Agency Board agencies are.

Mr TREZISE—I draw the attention of members of the Opposition to a letter which is on file in my department. In 1980 under the former Liberal Government the then Minister for Youth, Sport and Recreation, Mr Dixon, received a letter, the subject-matter of which
was a proposal for a Totalizator Agency Board agency as part of the ground floor of the Chevron Hotel in Melbourne. However, the same members of the Liberal Party now say they will not have a bar of a Totalizator Agency Board agency in an hotel.

I shall read out the letter:

The Totalizator Agency Board has made application for Ministerial approval to open a TAB agency on the ground floor of the Chevron Hotel, Melbourne.

The area to be occupied by the Board is not a licensed area and is in fact part of the hotel used as a residence for staff of the Alfred Hospital.

I have also been advised that the Liquor Control Commission has no objection to the siting of the proposed agency.

The Minister rushed approval through. If one examines this, one finds that the TAB agency and hotel bar are situated very close to each other.

A country example is the TAB agency in Dimboola. It shares the same wall as the hotel bar. I am prepared to go to the Totalizator Agency Board and request that the TAB agency at Dimboola be removed, if the honourable member for Lowan really feels that it is situated too close to an hotel.

Members of the Liberal Party are prepared to say that they will not have a bar of gambling in hotels but those same members are pushing bingo every night of the week in areas adjacent to liquor bars to the tune of $80 million a year. If they condone TAB agencies right next to hotel walls and right next to the bars, which is probably far closer than these future hotel TAB agencies will be situated to the bar, those Liberal Party members are on shaky ground.

I accept the complaint about the insecure futures feared by some present agencies but I have emphasized, both in this House and in public statements, that it is not intended to take away from the business of present TAB agents, whether they be in Melbourne or in country areas. I cannot imagine any reason why inner Melbourne needs TAB agencies in hotels or licensed premises. Those agencies are for areas, particularly country areas where there is no present alternative.

Mr Reynolds—That is not in the Bill.

Mr TREZISE—I will give that assurance.

The SPEAKER—Order! If the honourable member for Gisborne wishes to continue with this debate, he should control his interjections; otherwise I shall name him.

Mr TREZISE—The honourable member for Gisborne states that this is not in the Bill. That is the situation and the Government is therefore not prepared to put it in the Bill. The honourable member for Gisborne said he has not heard of it before. I have raised it in this Parliament and I did so on 17 April this year when, during debate on the motion for the adjournment of the sitting, the honourable member for Lowan asked about the future of TAB agencies. My reply is reported on page 92 of Hansard:

The proposal is not to replace any current agency, and to install an alternative agency in the local hotel or licensed premises. The proposal is to allow that to happen in local communities where there is currently no agency, especially in small country towns where it has not been economic to establish an agency.

I have given that assurance on numerous occasions and that is the way it will be in the future because the TAB has received representations from numerous areas and small communities throughout Victoria for this type of service. The present considerations relate to areas where it is not economic to set up agencies or suitable alternative premises, towns such as San Remo, Inverlock, Sea Lake, Paynesville, Metung, Flinders, Mirboo North and so on.

The proposed legislation does not intend to place TAB agencies in all areas where there is an agency at present. It is designed to give those areas all alternatives for a TAB agency,
including a licensed premise. If an hotel is being considered, the location of the hotel will be examined. Some hamlets have only a milk bar, a local store, and newspaper shop and perhaps a service station. It is possible that in such small towns a TAB agency would not be welcomed by the proprietors, for one reason or another. Perhaps the service station proprietor would not want to open his business on a Saturday afternoon or, if he was serving petrol from the bowser, he might not want to rush over to another section of the service station to write a $4 ticket for someone placing a bet.

The local store where newspapers are sold may be the logical place for a TAB agency. However, honourable members should not forget that, in centres that have an hotel, a service station and a general store that sells newspapers, the general store usually has a Tattersall’s agency and, under the agreement with the George Adams estate, no store with a Tattersall’s agency is allowed to have a TAB agency.

Mr Kennett—Perhaps you should change that too.

Mr TREZISE—That is a matter for agreement between the George Adams estate and their agents. The hotel will be considered as an alternative only if no better venue is available.

Honourable members should note that country hotels are not only places where people go to drink alcohol; often they are also the social centre of a town. Hotels are the location to hold 21st birthday parties, annual meetings of mothers’ clubs, wedding receptions, sporting club functions and the gathering place for the people of the town, including non-drinkers.

I am amazed that members of the National Party do not want these rural hotels to be considered as venues for TAB agencies. Patrons would not necessarily walk through the bar of an hotel to place a bet. If it were found necessary to establish an agency at an hotel it could be 40 or 50 feet away from the bar. The entrance to the agency may be separated from the bar door and the patron may go to a separate room per a separate door in the hotel to place his bet. Under the previous Liberal Government many TAB agencies are sited far closer to hotels bars than many of these future hotel TAB’s will be.

The honourable member for Doncaster would agree that the second major concern of the Government, the opposition parties and the community generally is illegal SP betting. The Costigan report pointed out that SP betting was often linked with hotels. The small SP operator in an hotel was often linked directly to organized crime on a far bigger scale. Honourable members would be aware that before 1961 a person who wished to place a bet in any of the major rural towns or in metropolitan Melbourne, but who could not go to a racecourse would usually go to the local hotel to place his bet with an SP operator.

The motion was agreed to.

The Bill was read a second time and committed.

Clauses 1 to 18 were agreed to.

Clause 19

Mr TREZISE (Minister for Sport and Recreation)—I move:

1. Clause 19, line 25, after “19.” insert “(l)”.

This is a consequential amendment.

The amendment was agreed to.

Mr TREZISE (Minister for Sport and Recreation)—I move:

2. Clause 19, line 32-34, omit paragraph (b) and insert—

‘(b) For the expression “provided that the premises are not licensed premises within the meaning of the Liquor Control Act 1968” there shall be substituted the expression “provided that no office or agency
The amendment is a clarification of the Government's intention to restrict where a licensed office or agency of the Totalizator Agency Board may be established on licensed premises. Because the amendment provides that the agency shall not be within 60 kilometres of the General Post Office at Melbourne, this will ensure that no agency is set up in an hotel in Fitzroy, Carlton, Essendon and so forth in competition with established TAB agencies. That removes the concern of previous speakers that agencies on licensed premises would take away the business of established agencies.

However, there are small country communities in which an agency could not be established and the board will be able to install an agency, at the request of the community, in licensed premises. This will protect the small country TAB operators, in situations raised for my attention by the honourable member for Lowan on the motion for the adjournment of the sitting some four or five weeks ago, who believe that if the proposed legislation is passed, they will have business taken away because of TAB agencies in hotels and their livelihoods will be threatened.

By setting up the provision that no office or agency shall be established within a 15 kilometre radius of present agencies, their businesses will not be threatened. It is a fair situation and it protects the present operators whether they be in Melbourne or country areas. It provides a service to the punters in isolated areas by providing an alternative to having bets with an SP bookmaker. It may be said that people could use a telephone account to make bets but some do not wish to use a telephone account. Most people will not have a telephone account. This will protect the operators of agencies and will satisfy the situation so far as the people in small country towns are concerned.
Obviously one has to draw a line on a map to specify some areas, but in so doing one will be discriminating against other areas. There is no doubt about that. What happens in a town that meets the various criteria laid down by the Minister in the Bill, and has two hotels? How does one make a choice? Because that avenue has been opened up, one could have the situation where there are two hotels in a town and the licensee of the hotel that contains the TAB will have to pay a higher licence fee because he or she will attract all the business.

As the honourable member for Doncaster said, and as all honourable members know, back in the old days bona fide travellers were allowed to have a drink in hotels on Sundays. I am sure the Minister for Housing would remember those days because he is just about old enough.

This amendment will create problems. One of the problems that arises with hotels is that sometimes customers overindulge. Sometimes even the publican overindulges, and by lunchtime it might not be wise to invest at any TAB that is established on licensed premises for that very reason! There is nothing in the Bill that says agencies cannot be located in brothels, now that they have been legalized. It might even help their business! The Bill contains many other areas of concern.

If the amendment is agreed to, it will afford TAB agencies some protection. However, one wonders whether it would be in the realm of possibility that the TAB would close an agency because it saw a better opportunity to operate from an hotel. The Minister for Sport and Recreation interjects by saying, "Perhaps there is credit betting going on". If there is, the Government should put an end to it because it is illegal.

Honourable members interjecting.

The CHAIRMAN (Mr Fogarty)—Order! I ask the Committee to control itself because there are far too many interjections.

Mr REYNOLDS—If the TAB did close down an agency because it believed it would be more profitable to operate from an hotel, that would create other problems. I have gauged community action as being against the proposal because the community well understands that alcohol and betting are a volatile mix, and I refer to betting at the bar, an example of which the Minister referred to as occurring at an hotel in Tasmania.

I have discussed this matter with various people, and whether they be gamblers or not, I would not know. I asked them their views on the establishment of TAB agencies in hotels, with access to betting at the bar and so on. Those people were unanimously opposed to the idea.

If the Bill in its present form is agreed to, it will have a detrimental effect on on-course attendances of the three codes of racing. A fall in attendances will occur due to the availability of betting through hotels. Indeed, improvements in TAB agencies generally have led to a decrease in on-course attendances and the Bill will be another step in this direction.

The correspondence I have received from various racing clubs indicates the belief that the Bill will have an adverse effect on on-course attendances.

It has been claimed that starting-price bookmakers operate in and around licensed premises, especially hotels. However, those SP bookmakers make only a small part of the major turnover generated by SP bookmaking. The Costigan report estimates the SP bookmaking turnover at $1 billion a year in Australia. Although that is pure guess-work, I suggest that the hotels in Victoria provide the environment for SP bookmakers who contribute only a minor amount towards that huge total.

All honourable members would know that the major bookmaking work is performed by SP bookmakers using telephones in hired rooms and attics, and that the facilities are moved from time to time. No one can demonstrate that the introduction of TAB agencies in hotels in other States has led to a decrease in SP bookmaking activities.
The point I made yesterday bears repeating. In New South Wales, Totalizator Agency Board agencies began operation on 1 July 1983. I understand the circumstances were somewhat different, but the Minister used the comparison of interstate operations in the second-reading speech so I will do the same. There are 171 TAB outlets in licenced premises in New South Wales in either hotels or clubs. The figures for the last financial year indicate a turnover of $29 million. That represents a turnover of $3261 a week for each agency. A normal TAB agency with a turnover of that amount would probably face closure as it would not be considered viable.

If that is the criteria by which the agencies are set up, Victoria may have a proliferation of agencies with similar turnovers. In opposing the amendment, I emphasize that people sometimes do not like visiting hotels. Some people do not like parking their cars in front of hotels and would not visit an hotel to place a bet.

As the former Liberal Government first allowed drinking at racecourses, the Minister suggested that, to be consistent, we should not allow drinking and gambling to occur together at racecourses either. However, that is a different story. People pay to enter racecourses which are known for their social, picnic-like atmosphere. Hotels are different because people may walk off the street so it would be easier for people to be attracted to gambling.

It has also been suggested that the only place in a town that would accept the agency is an hotel. Perhaps the town may be small and the turnover would be very high. In that case the town would not need an agency. My party opposes the amendment and hopes the National Party will support us.

Mr ROSS-EDWARDS (Leader of the National Party)—I make it clear publicly that I, along with members of my party, will not support an amendment giving the Minister power to place TAB agencies in every hotel or licenced club in Victoria. To do so without carrying out proper research and without gathering more knowledge than we have, would be wrong.

The National Party has considerable confidence in the Minister for Sport and Recreation, who is responsible for the proposed legislation.

A sunset clause provides that in one or two years the provision will be considered again. If the National Party knew the present Minister would still be the Minister then, it might support the amendment because I have no shadow of doubt about the responsible way in which he would act.

Once changes of this type are made, capital investment is committed and a considerable number of individuals are involved. If the legislation did not work exactly as planned and had to be withdrawn at a later stage, it would impose hardships on the people concerned.

It was the intention of the National Party to oppose the Bill as it was framed. The Minister had discussions with National Party members. I make it clear that, on any piece of proposed legislation, the National Party door is always open for discussion. That situation has applied for the fifteen years in which I have been Leader and for many years before then. The door is always open because it is our responsibility to do the best we can for the people of Victoria.

It would have been easier for the National Party to say, "Let us throw it out. It would be nice and popular out there to look after the public and do what is easiest." However, it is not quite as simple as that. The honourable member for Sandringham can have his bet and his drink on a Saturday, because the Totalizator Agency Board agency and the hotel are only a stone's throw from each other. Whether he does so or not, I do not know, but he has the privilege of doing so, if he wishes; if he does not wish to do so at present, he may do so at some future time. However, what happens if one lives 40 miles from a Totalizator Agency Board agency? The honourable member for Sandringham does not care what happens to someone else.
In answer to the interjection about the telephone account, I use the Totalizator Agency Board from time to time and derive enjoyment from doing so. However, it is my preference not to have a telephone account. I am glad that the Minister, who interjects, shares that view. That policy is shared by many of my friends. I do not have a telephone account for the simple reason that it hurts me to put money over the counter and lose it; that tends to restrain my betting, and that is a good thing. However, if one has a telephone account and is winning, one has a tendency to get carried away from time to time, so I do not allow myself to be open to that sort of temptation.

It has always been the policy of the National Party—and it has a very proud record in this respect—to give all Victorians the same privileges and facilities so far as possible. The policy of Country Party Governments in years gone by to give every hamlet in Victoria an electricity supply is a good example of that proud record. Today, that policy would be considered uneconomic, and some would argue that more money should be paid for the supply of electricity in certain areas, although we all obtain our electricity supply from the same place; it is a privilege shared by all. It may be uneconomic to connect electricity in some cases but the National Party believes that Victorians should all have the same rights and conveniences.

This policy also applies to the establishment of TAB agencies. The Minister would agree that every other country member in this place and I have fought to have agencies established in certain towns. Time and again we have had to fight with the Totalizator Agency Board, which had stated that the establishment of an agency in a certain town would be uneconomic. Many times I have argued—and I have won on a couple of occasions in the electorate I represent—that all Victorians deserve the privilege of being able to bet at the TAB. The TAB has lost money on some of those agencies, but that is not important, and the board has to carry that loss.

If it were not possible for the Totalizator Agency Board to find an agent in a small hamlet and the local hotel offered to do the job, I would go along with the proposal contained in the amendment. In fact, hotel betting shops in small communities will be a good test of how the system works out. Probably only a dozen or so agencies will be established throughout Victoria, and it will be interesting for the Liquor Control Commission, the TAB, members of Parliament and the public at large to judge how the experiment works.

I am not impressed by the fact, that every other State has this system. The other States may have the system, but I should not like TAB agencies to be established in all hotels in Victoria. However, I shall be an interested spectator and shall watch carefully how the system works out in the small number of hotel betting shops that will be established. I hope the agencies will not be in the bars of hotels. However, as was discussed last night, a situation may arise in the odd hotel where an agency may be set up in the bar. Because of the small population and the limited facilities of a particular centre. That may be the only place available. That is distasteful to me; however, there is probably nothing wrong with it. It will be interesting to see how the experiment works.

I am disappointed with some of my Liberal Party colleagues. They are becoming very self-righteous over this issue. The Liberal Party was responsible for the introduction of the Totalizator Agency Board. The Liberal Party has extended gambling to every corner of the State. It has done that with great efficiency and with many safeguards. I have no argument with the way in which those matters were handled by men of initiative like Sir Chester Manifold, Sir Henry Bolte and Sir Arthur Rylah. Victorians have a lot to thank those gentlemen for in the way in which they carried out their responsibilities.

The original Bill establishing the TAB was a giant step forward. This Bill is just about a quarter of an inch step forward, rather like placing a toe in the water. It will help certain individuals who are handicapped because they live in isolated centres. The National Party did not choose 15 kilometres as a distance for fun. Deep thought went into discussions with the Minister. In case some of my colleagues are not aware, I point out that 15 kilometres is equivalent to approximately 10 miles. A TAB agency will not be located in
an hotel if it is within 10 miles of an existing TAB agency. That is the safeguard. In other words, the TAB agencies in hotels cannot be established in Melbourne, in Geelong, in any provincial centre or in any decent sized town in Victoria. They can be located only in the most isolated places.

The principle might be a little dangerous if it were extended but, for any extension to occur, the issue must be brought before Parliament. A precedent is not being set. The honourable member for Gisborne, by interjection, suggests that it could be extended to 60 kilometres. For his benefit I repeat that it will be difficult to find any spot within 15 kilometres where one could move between TAB agencies. When the honourable member for Gisborne makes his second contribution, perhaps he will give some examples. If he wished, he could move a further amendment to the distance of 15 kilometres to look after the people of Romsey or some other centre.

The National Party, in discussions with the Government, has done its very best to give a fair result. I appeal to the Liberal Party to take a broad view of this issue because I think members of the Liberal Party are being too righteous for words. Really, it is a very different attitude from that which the Liberal Party adopts normally. Usually its members are broad-minded. They have been leaders in innovation and social progress. I shall be disappointed if the Liberal Party wants to make a big issue out of this matter.

The National Party makes no apology for its attitude. It has been the champion of isolated people of the State from the moment the party was formed nearly 70 years ago. The National Party intends to look after the isolated people of the State, those who suffer hardships and those who have to go without. If they want to bet, let them have a bet. They should have the same opportunities for betting and the same privileges as the honourable member for Sandringham has every Saturday afternoon.

Mr KENNETT (Leader of the Opposition)—The Liberal Party, as well as the National Party, has carefully considered the position that the party will adopt on this clause. As was stated earlier, in general the Liberal Party welcomes the proposed legislation, with the exception of this clause. It is all very well for the Leader of the National Party to say that the Liberal Party is being self-righteous. That is like the pot calling the kettle black, having regard to some of the stances adopted over recent years by the National Party. The Leader of the National Party was right when he spoke of the very fine work behind the establishment of the TAB by Sir Henry Bolte and Sir Arthur Rylah.

What has not been said is that on every occasion that the matter of extending the franchise of the Totalizator Agency Board into hotel premises has been discussed, the Liberal Party has rejected it—not once or twice, but seven times. It is not a matter of the Liberal Party being self-righteous; the party is being consistent and for good reason.

During the second-reading debate, the Minister for Sport and Recreation indicated that there are isolated cases where some TAB agencies are situated in the complex of an hotel. That creates a false impression if it is meant to convey the image that those agencies are within the hotels themselves. They are not common occurrences, they are isolated cases, and honourable members are discussing an entirely different matter.

When discussing proposed legislation, honourable members must consider the justification for change. The honourable member for Gisborne proved that the monetary return to the TAB is probably not the reason for the change. If the Bill is passed as it presently stands, many agencies may be established in hotels, but, if Victoria follows the experience in New South Wales, only a small amount of money will be generated through those agencies.

As the Leader of the National Party argued, the reason for the change is probably the issue of service, that is, whether a service of this type should be delivered to the community outside the metropolitan area. There is some justification for change in regard to service. Therefore, one must ask oneself whether this proposal is the best way of doing it or whether other alternatives would be better.
Honourable members are aware that TAB agencies can be established in some business premises. The Minister correctly indicated that some businesses do not want this type of operation, and that is probably because the demand is not great enough. If there were a large demand, someone would be only too prepared to open that type of facility.

Computerized Tatts lottery systems are not situated in hotels, and I suspect that is for good reasons.

Mr Trezise—You can buy Tatts tickets in pubs.

Mr KENNETT—One cannot buy Tatts lottery coupons. I may be wrong, but I have not seen one hotel with a Tatts lottery agency. During the second-reading debate, the Minister indicated that there may be problems involved in introducing a system through the George Adams Estate. If honourable members want to protect the interests of the people, the Government should approach the George Adams Estate and request it to change its rules with the assistance of the Government to cater for TAB functions because most people who have a Tatts lottery agency recognize its worth and would probably welcome the extension of business.

The Liberal Party objects to the clause because of its potential side effects, which have already been discussed. It is not a matter of some self-righteous moralistic point of view; it is a question of asking ourselves as legislators whether the concerns being expressed by members of the community regarding unemployment and the increasing crime rate would be increased by this provision.

Earlier today, during the grievance debate, the honourable member for Ringwood alluded to the crime rate and stated that in some areas it is decreasing due to community involvement, but in other areas it is increasing.

Unfortunately, the crime rate of young unemployed people is growing in Victoria at a rate at which most honourable members would be horrified. Young people are turning to drugs and then to burglaries to support their habits. I can understand the derision that may be expressed by members of the Government or the National Party about our opposition, but it is important to the Liberal Party, regardless of what has occurred in the past, that we, the legislators, try to understand the changes that are occurring in the community and be prepared to say, "If there is a threat of that crime rate increasing, let us do something to stop it". If this measure may cause some concern, why run the risk?

Mr Ross-Edwards interjected.

Mr KENNETT—It is all right for the Leader of the National Party to be facetious, but members of the Liberal Party believe the crime rate of young unemployed people should be considered. Young people will be less inclined if legislators do not put in front of them another temptation.

It would be easy for the Liberal Party to join with the Government and let this Bill pass, and to completely forget the ramifications that may follow. However, one has only to visit an area such as Ballarat to realize that over 50 per cent of people under 25 years of age are out of work and that the crime rate in Ballarat and the surrounding district, where the provisions of this measure may easily apply, is growing rapidly. Police officers have stated that young people are gambling more and are using drugs.

I am no moralist and I like a drink and a bet, but I am increasingly concerned about what we as legislators are doing by introducing systems that are simply paving the way for those who have less, for one reason or another, to turn to crime or gambling and then, through the shortage of money, to create a need to commit another crime.

The Liberal Party is simply saying that the Minister for Sport and Recreation may be right in his political views—and I know from speaking to some Labor back-benchers that he has concerns about the clause—but it is also true that the Liberal Party may be right. If there is a growth in the number of unemployed and an increase in crime, what is the point in running the risk? What is the justification?
Mr Ross-Edwards—Do nothing!

Mr KENNEDY—Not to do nothing; to oppose the measure if it puts at risk young people, old people or the family unit. It is easy for the Leader of the National Party and members of the Government to sit there and interject and have no social conscience.

Honourable members interjecting.

Mr KENNEDY—I am not saying that the betting procedures should be changed at racecourses because bars are already open for the sale of liquor—gambling and bars have traditionally operated there. But why should it be extended even further when so many things are working against families and individuals in connection with crime, unemployment and drugs? The honourable member for Ballarat South represents an area where 50 per cent of people under 25 years of age are unemployed.

The CHAIRMAN (Mr Fogarty)—Order! The Minister for Public Works, who continues to interject, is out of order. I ask honourable members on both sides of the House to cease interjecting.

Mr KENNEDY—It is important to consider cities such as Ballarat and other rural areas where high unemployment levels exist and, regrettably, are growing. That is not necessarily the fault of any one Government, regardless of political persuasion. It is a result of a series of events that has occurred within society. The honourable member for Ballarat South spoke about the YMCA and the number of unemployed young people in Ballarat who go through that facility. I was in Ballarat the other day and I spoke to these desperate, unemployed young people. Measures such as this one certainly will not improve their position.

I may be wrong; the Liberal Party may be wrong. If the Government is unsure, why run the risk? That is all members of the Opposition are asking. The clause does not seem to be justified. I accept that one can open a telephone account for betting. I do not have one because I do not want one. I also accept that one may have to drive a few kilometres to gamble, but that is one's choice.

Why do we, as legislators, continually introduce measures to provide various services without any concern about their social ramifications? Other problems are associated with this measure. It is the thin end of the wedge. I repeat that the Opposition has the utmost confidence in the Minister for Sport and Recreation, but is concerned that another Minister may have total control of the proposed legislation in the future.

The present legislation has worked effectively for 30 years; the Minister would accept that. I accept that laws have to be changed from time to time. The laws that have operated for the Totalizator Agency Board have worked effectively, but honourable members must ask themselves whether this amendment is genuinely necessary. Has this measure been fully tested? If so, and if people in rural areas still want to take up the option, is there a potential risk to the very fabric of society for which we, as legislators, have more direct responsibility? Do we have the right to continually act in a way that will erode so many opportunities for so many individuals and families?

There will be problems on an administrative level. Many country towns have perhaps four hotels. How will the agency be allocated to one particular hotel? That is only an administrative matter and is not fundamental to the Opposition's rejection of the amendment.

Mr Hann—You support gambling on cricket, football, the Stawell Gift and a whole range of activities. Why not support this?

Mr KENNEDY—If the National Party were to come out from the heap of manure under which it exists, it would realize that the Opposition is debating whether betting facilities should be installed in licensed premises in spite of resistance from local people. If mature people want to bet on the result of the next election or the Stawell Gift, that is their choice. The Opposition is debating whether a facility should be set up in a premises
that has been operating for many years under an effective law in a time of much social
change.

The opposition to the clause may be seen as only a small step towards re-establishing a
principle in the administration of the State and only a small step towards re-establishing a
commitment to the interests of the family unit as such, but the Opposition cannot justify
the potential risk of extending TAB agencies to outlets which have been denied that
privilege for 30 years, and for very good reason. The Opposition believes this is a small
step in the right direction. With the effluxion of time, all members of Parliament, regardless
of their political persuasion, have found that more and more constituents are confronting
them with social problems.

No doubt that will continue in the future. As legislators we must be prepared to face
those social welfare problems and not take the easy course of simply extending this facility
into areas for which there is no justification but in which there is risk. That risk should
not be taken at a time when social change is placing in jeopardy so many families who
may fall victim to yet more poverty and peril when their resistance is substantially
reduced.

Mr McNAMARA (Benalla)—I wish to speak on this measure because the electorate I
represent contains many isolated communities. Although I do not desire to canvass all the
points raised by previous speakers, I shall speak to the matter that the Leader of the
Opposition raised, namely Tattslotto agencies that could possibly be used as outlets for
the TAB. That could create a problem because most businesses in which Tattslotto agencies
are operated close at 5 p.m. or 5.30 p.m. That rules out the opportunity for people in those
areas to bet on harness or greyhound racing, which activities have most of their events in
the evening.

Because of the size of such an isolated community, the township could not support the
infrastructure of a full TAB office. These isolated communities do not have a TAB office
within 15 kilometres of them and they are more than 60 kilometres outside the metropolitan
area.

The Leader of the Opposition spoke of the moral threats and dilemmas facing our
community, especially the younger members of the community, and he referred to urban
problems. The amendment does not deal with urban problems; it deals with the small
hamlet that is of insufficient size to support a TAB agency. This measure is an avenue by
which these communities can obtain facilities that larger communities take as of right.
This has been a continuing issue and members of the National Party in this Parliament
for generations have pushed that country people—as our Leader said—should have the
same facilities available to them as those available in larger urban areas.

This measure will relate to only perhaps a dozen small hamlets throughout the State.
An example is Woods Point which is probably an hour and a half drive from the nearest
Tattslotto agency at Mansfield. It is probably one of the most isolated communities in the
State. The honourable member for Gippsland East has a number of similar isolated
communities within the electorate he represents and there are similar isolated communities
in the Mallee-Wimmera area.

To highlight the isolation of that small community at Woods Point, I indicate that last
year for two weeks the road was totally impassable. The local policeman could not get out
of the area and on one occasion he drove to Frenchman’s Gap when the road was covered
by more than 2 feet of snow. The area is so isolated that he did not even have radio contact
with Jamieson. I believe the people in those isolated communities should share the
facilities that people in larger urban areas take for granted.

The Leader of the Opposition spoke of the dens of iniquity that would be created by
mixing gambling and liquor in these small hamlets. The picture should be set straight.
Only 200 to 300 people live in each of these small hamlets. The one hotel in town, although
perhaps not a community centre in the traditional sense, functions like one.
It is the focal point for the community and many community activities take place in the hotel. The Country Women's Association and many sporting clubs use hotel rooms as meeting places. This measure will not create a larger increase in crime, as the Leader of the Opposition has suggested. People living in small hamlets, particularly those people in my electorate, should have the opportunity of enjoying the same privileges and recreational facilities as people in larger centres. I hope all honourable members will support the clause.

Mr JOHN (Bendigo East)—I support the remarks of the Leader of the Opposition. The points he made were a lesson to all honourable members. He talked about accountability, about responsibilities and about consultation with the various interested parties. Government members should take note of those comments. Opposition members are not self-righteous, pious people.

I have a particular expertise and experience in matters of horse racing and horse breeding, although I am not, by any means, a successful horse breeder and horse racing man, as is the Minister for Sport and Recreation. I have the deepest respect for the Minister, for his knowledge of the industry and for the way he administers his department. If the Committee accepts the amendment, the clause will be inserted in the Bill and become law in Victoria, but the present Minister will not always administer the industry; Victoria will be faced with a new Minister for Sport and Recreation.

I support the erudite remarks of the honourable member for Doncaster, who expressed many of the doubts, concerns and worries of a large section of our community, and honourable members should not ignore those remarks.

The honourable member for Sandringham, who joined the Parliament at the same time as I did, placed on record a strong argument from his constituents against the amendment. The honourable member for Gisborne also raised responsible points.

The Opposition is not being righteous in the views it is expressing; it is right. I oppose the amendment and I am extremely disappointed that our National Party colleagues have changed sides.

Honourable members interjecting.

The CHAIRMAN (Mr Fogarty)—Order! Because of the noise in the Chamber, I cannot hear what the honourable member is saying, and I am sure the Hansard reporters cannot understand what is being said. The interjections are out of order.

Mr JOHN—I am disappointed that the National Party has not stayed with the point of view it had yesterday. However, it does represent a narrow section of the community and it does that well.

The amendment refers to establishing TAB agencies on licensed premises within 15 kilometres of another office or agency of the board or within 60 kilometres of the General Post Office in Melbourne. I ask: Why 15 kilometres and not 14 kilometres or 16 kilometres? Instead of 60 kilometres why not 61 kilometres?

Mr Ross-Edwards—Sit down and we will tell you.

Mr JOHN—The Leader of the National Party has had ample opportunity to put his party's point of view. I am disappointed that the National Party has yet again changed horses midstream.

I am at a loss to understand why the amendment should give special privileges to some parts of Victoria and not to others. If it is wrong to have a TAB agency in an hotel, we should not have them at all. Why draw lines on maps? Will surveyors with their instruments be brought in next to measure whether a certain TAB agency in an hotel is within the area defined or not? There is opportunity in the Act for the Minister and the Totalizator Agency Board to approve agencies in service stations, chemist shops, milk bars and so forth in country towns.
What consultations has the Government had with church leaders on this matter? In a recent consultation I had with a bishop of a major church, he said that he did not know about the situation because the Government had not informed church leaders. The Government has fed the press releases on the Totalizator Agency Board to the sports pages only of newspapers through its socialist media unit. That is the sort of treatment that the Government has been giving the people of Victoria.

The key change is in permitting people to enjoy gambling while not condoning it; that is the responsibility of the Government. It is our responsibility to allow people to enjoy that freedom without that freedom encroaching on the freedom of others. It is not the Parliament’s responsibility to actively encourage gambling simply for the sake of gaining revenue.

Last night I spoke at length on the threat to existing agencies and I wonder whether the Government has consulted with existing agencies about threats to their businesses if the amendment is agreed to.

The amendment is spurious, erroneous, ill-conceived and I am unable to support it. I shall oppose the amendment strenuously.

It is not in the best interests of Victoria.

I speak as a fun-loving person who races horses and enjoys the good things in life, in moderation. I would enjoy the evil of gambling a little more if I had more success; but as a responsible member of Parliament, albeit a new chum, I find that I must support the sections of the community that consider that this sort of amendment is not warranted for Victoria.

Mr HEFFERNAN (Ivanhoe)—From my short experience in Parliament it seems to me that this important Bill is being treated in a light-hearted manner. When one examines what we are doing, it appears we are directly involved in the lives of people. Honourable members may laugh and say whatever they like, but they are involved.

The Bill will have a major impact on the lifestyle of Victorians, and I imagine that that is the purpose in debating the issue. The only bright spark to emerge is the sudden urge for everybody to be concerned about the public. All I can say to my Leader is that the shop trading hours are looking better by the day. The Government is beginning to show concern for the public. It will be interesting to see, if the Government is so concerned, whether the demands of the public will come forward as the National Party has said they will.

Furthermore, if one examines the Bank Holidays (Amendment) Bill, one can see the hypocritical situation. The Government is supporting a Bill about banks which will take more services away from the public. The Government is supporting an action which will deprive people of a service. The banks ought to be open seven days a week, and yet the Government says it is concerned for the public.

The Leader of the National Party stated that the Bendigo Jockey Club supports the Bill. To my mind, that is a great reference—the Bendigo Jockey Club! It really has great sway! All I can say is that if the Leader of the National Party won his seat on the votes of the jockey clubs, God help the rest of his supporters!

Another point of grave concern in the Bill is that it has now come back to the radius system. The older members would remember, if they went back in history, the old radius system that applied to petrol. Surely we all remember it, and here we are, in 1985, returning to a radius system of supplying a service.

I tell the Minister now that the system will fail. It cannot work. It has been proved before that it will not have any effect. I assure the Minister that times ahead are going to be rough.

Has the Minister at any stage indicated what the cost of hotel licences will be? Are we giving them out free? Will there be a tender? To whom will licences be given? The Minister ought to explain.
I am glad to see that we are supporting the poor publicans. That is the party that is looking after the workers. The poor publicans will have the rights to licences. Has consideration been given to small businesses in country areas that would love to have these licences? If they can get them, so be it. I ask the Minister, in his summing up, to indicate whether they also will have the opportunity of obtaining licences.

Furthermore, mention was made of the starting-price bookmakers. That is the direction in which the Minister is moving. I accept that that is the direction, but I assure him that nothing will be achieved by stamping out starting-price bookmakers in this way, and the Minister knows that.

Previous Governments have made greater endeavours to stamp out starting-price bookmakers and now the Government has come out with this attempt, but it will have no effect, and the Minister knows it.

I ask the Minister to indicate where the demand has come from for this measure. Can the honourable gentleman produce a petition or request for this service from the people whom the honourable members represent? I do not want the Minister to tell me that two or three people have telephoned him and said that it was inconvenient for them to walk out their front doors and place bets. I want the Minister to demonstrate to me that the people of Victoria want this measure.

It is to be hoped that Victoria has not reached the stage of living under a dictatorship with the Minister telling people that this is what they want. Has the Minister received an indication that this is what people want?

Honourable members interjecting.

The CHAIRMAN (Mr Fogarty)—Order! There are far too many interjections.

Mr HEFFERNAN—The Government has accused the Opposition of making a moral judgment on this issue. I believe the Opposition has a right and an obligation to examine the Bill, and the Minister knows that.

In a debate on the Professional Boxing Control Bill the Minister declared that he had a moral obligation to do something about boxing by providing those involved in the sport with some sort of protection.

The CHAIRMAN—Order! The Committee is not dealing with the Professional Boxing Control Bill.

Mr HEFFERNAN—I am providing the Committee with a comparison of the priorities of the Government. The Minister is burying his head in the sand by ignoring what will happen if the Bill is passed and TAB agencies operate in hotels. I am strongly opposed to the Bill. I do not believe the public has been adequately consulted, contrary to the claim often made by the Government that it is a party of consultation. In this instance consultation has not occurred.

Mr PERRIN (Bulleen)—Although I did not make a contribution during the second-reading debate, I believe during the Committee stage Opposition speakers have made a good and varied case why the clause should not be passed. I commend the Leader of the Opposition on clearly demonstrating the fact that a principle, which has stood for 30 years, is involved.

A number of spurious arguments have been used and various names thrown about on how great Sir Arthur Rylah and Sir Henry Bolte were.

The CHAIRMAN—Order! Will the honourable member for Bulleen return to the amendment?
Mr PERRIN—Both Sir Arthur Rylah and Sir Henry Bolte were opposed to the establishment of TAB agencies in hotels and they are the people whom the Opposition is supporting. The Opposition is supporting a principle that has been established for more than 30 years.

I have always believed that anyone who advocates a change should make out the case for that change. In listening both to the Minister for Sport and Recreation and the Leader of the National Party I have not been convinced that a case exists for the change. The amendments that have been proposed by the Minister do not seem to relate to the principle involved. The Government has spoken about physical location, and the honourable member for Ivanhoe clearly pointed out the problems of drawing lines on a map. Zoning can create all sorts of problems.

It seems that the arguments put by the Minister in support of establishing Totalizator Agency Board agencies in hotels are based on the physical location. However, it is not the physical location of the agency that is important, but the control, ownership and operation. The Bill provides that the control, ownership and operation will be by the person who has control, ownership and operation of the hotel, namely, the publican of the hotel. That is the key element of the argument.

If National Party members could have put forward the case of their constituents in isolated locations having absolutely no access to the Totalizator Agency Board, their case would have been stronger. I point out that the Totalizator Agency Board has a telephone betting service. People can telephone from remote areas such as Mount Hotham to place a bet on their telephone accounts.

The Totalizator Agency Board has one of the most powerful and expensive computers in this State. The telephone computer facilities are available to all isolated people, whether or not they are 15 kilometres in distance from an agency.

The final argument relates to starting-price bookmaking. This type of bookmaking is available in hotels for various reasons, certainly not because there is no local Totalizator Agency Board agency. The local starting price bookmakers offer pre-arranged odds. Anyone who places a bet with a starting-price bookmaker—I have never done so—knows that pre-arranged odds are given. That is not available at the Totalizator Agency Board. Many people who use starting-price bookmakers do so because they know the odds when they place the bet.

The Minister for Transport introduced a Bill today. Honourable members have been told many times that alcohol contributes significantly to the road toll. However, this provision will encourage people to travel to an hotel at least 15 kilometres away. Those people will certainly have a drink once they are in the hotel and they will therefore drink before driving home, not 1 or 2 kilometres, but in excess of 15 kilometres.

The key element is the principle that has stood in this House for 30 years. It has been defended in this place by some very eminent gentlemen for whom I have much respect. If it is good enough for them, it is good enough for me. When one considers the arguments that have been put by the National Party and the Minister, one decides that the case for a change has simply not been made.

Mr WILLIAMS (Doncaster)—I oppose the amendment. The proposal to establish Totalizator Agency Board agencies in hotels is bad economics at a time when the Government is endeavouring to curtail spending and when every cent of profit generated by the TAB is needed. The provision will impose upon the TAB the responsibility of providing, at great cost, a betting service to remote communities. The figures that appear in the latest annual report of the Totalizator Agency Board indicate that the board is not increasing the number of agencies in the Melbourne city area.

In 1982-83 there were nine TAB offices and there still only nine today. If the Government is fair dinkum, it will realize that there are not enough agencies in the Melbourne city area. If the Government intends to encourage tourism, it should provide more facilities in the
city area. The figures for the metropolitan Melbourne area show that there has been a
decrease from 258 to 256 in the number of agencies. The number of restricted agencies
has increased and I hope the Minister will explain to the Committee what that is all about.

I am always intrigued by the attitudes of my friends in the National Party. When it
comes to making profit, they are extremely active capitalists.

The CHAIRMAN (Mr Fogarty)—Order! I suggest that the honourable member return
to discussing the second amendment to clause 19.

Mr WILLIAMS—However, when it comes to losses, the good old National Party
jumps on the bandwagon with the socialists; it is all too keen to indulge in wild, extravagant
enterprises at the expense of the taxpayer.

The CHAIRMAN—Order! The honourable member for Doncaster is trying my patience,
as usual. I ask him to confine his remarks to the second amendment to clause 19.

Mr WILLIAMS—Mr Chairman, this amendment is quite clear. It seeks to amend the
principal Act to provide for additional Totalizator Agency Board offices and agencies.
Every speaker from the National Party has supported that proposition. The honourable
member for Benalla has told the Committee about Woods Point, where there are only
about 50 houses, and he stated that a Totalizator Agency Board agency should be established
there. He wants a TAB agency in every hamlet and every National Party stronghold, even
in areas where there are only about ten houses! For the information of the honourable
member for Murray Valley, who interjects, I do not even know the location of the TAB
agency in the electorate I represent. I suppose there is one in that area.

I was born in the country, and I do not begrudge privileges for country Victorians.
However, from my knowledge of the situation, I believe most of the country people are
telephone betters anyway; I am sure persons in isolated areas would not drive 10 kilometres
on a Saturday just to place a bet; they would surely do so by telephone.

I understand that television station HSV-7 is developing the teletext service. I also
understand that Dick Smith Electronics Pty Ltd, in association with Woolworths (Vic.)
Ltd will provide teletext extensions to television sets at a cost of only $200 which will have
the capability to be linked with TAB agencies. With that unit one will be able to obtain
visual information on the odds and so on, and I presume one will also be able to place
bets through that television connection.

I do not know why the Government will not wait until this process is developed to see
what happens. I understand that it is being developed in New South Wales. If it is
successful, what a terrible thing it will be in retrospect for the Government to encourage
people to establish these little TAB agencies in hotels throughout every rural hamlet in
Victoria when technology will overtake their operation and will eliminate entirely the
need for the agencies so that they will have to close down. The TAB has appointed a first­
class person to streamline its operations.

The CHAIRMAN (Mr Fogarty)—Order! Once again, I ask the honourable member to
return to the subject-matter.

Mr WILLIAMS—I am seeking to tell the Committee that the Government is trying to
impose on the TAB a proposition to which its management will be totally opposed. The
TAB management wants to cut costs. I have quoted figures showing that TAB agencies
have been reduced in the metropolitan area and in country areas. This socialist
Government, in collusion with the rural socialists, is going to impose on this State an
uneconomic extension of TAB agencies. I deplore this day when the National Party
exhibits such double standards and is so hypocritical.

Mr RICHARDSON (Forest Hill)—The Opposition is concerned about the marrying of
TAB betting facilities and hotels. It is as simple as that. The Opposition does not believe
it is an appropriate mix of facilities. The Liberal Party has resisted that proposition for 30
years, as has been pointed out several times during this debate.
A Liberal Party Government brought in the TAB. Strict guidelines were established. They were supported by all parties. That support is recorded in Hansard. One of the key elements in the original proposition was that there should be a separation of TAB facilities from hotels. The Government is trying to break that down. It now finds itself with a strange bedfellow. The National Party is now agreeing with the Government. One is tempted——

Mr Ross-Edwards—You are never tempted!

Mr Richardson—Not by you, sweetheart! One is tempted to reach the inevitable conclusion that there may have been some sort of deal done between the Government and the National Party. There has been such an outburst of pious indignation from the honourable member for Murray Valley that I presume that he was not involved in those discussions. It is important to note that there was no protest either from the Leader or the Deputy Leader of the National Party when hypothesized on the possibility of a deal having been done.

Mr Hann (Rodney)—On a point of order, Mr Chairman, the honourable member for Forest Hill has made an accusation against the Leader and the Deputy Leader of the National Party. The Liberal Party was well aware of the negotiations which took place last night.

Mr Richardson (Forest Hill)—That was not a point of order; it was a clumsy attempt by the Deputy Leader of the National Party to get off an uncomfortable hook. He has confirmed what I did not wish to state, but I no longer have to be coy about it. The Deputy Leader of the National Party has now established that a deal was done. It is just as well that he has come clean because otherwise he would have caused extreme embarrassment to his colleague, the honourable member for Lowan, who yesterday, on this very subject, stated:

The National Party has reservations about allowing these facilities on licensed premises, such as hotels. Legislation has been passed relating to those who have five beers and have a blood alcohol content of ·05, which state that people who have this alcohol level are not able to drive their motor vehicles and the same could be said that someone who goes into a hotel, has five or ten beers and is over ·05 is not responsible enough to handle money. This parallel situation should be taken into consideration.

Those words are recorded in Hansard of 29 May and they were spoken by a highly respected and influential member of the National Party.

The situation has arisen where the National Party has been hoist with its own petard. One wonders what would be the attitude of the honourable member for Lowan, if he were present, when he discovered that he had been sold out by the Leader and the Deputy Leader of his own party. The honourable member for Lowan has been encouraged to make the remarks he made yesterday, but his own Leader and Deputy Leader are now acting in contradiction to that position.

The community which I know best, the community in the outer eastern suburbs of Melbourne, would not be in favour of the marriage of TAB facilities and hotels. The amendment proposed by the Minister for Sport and Recreation precisely excludes TAB facilities from being established in hotels within a certain distance of existing TAB facilities. The Government has reached some type of agreement with the National Party to enable a discriminatory line to be drawn between metropolitan and rural communities.

Mr McNamara—Isolated communities!

Mr Richardson—The only people isolated in this debate are members of the National Party who have got into bed with the socialists of the Labor Party.

If there is a need for a betting facility to be established in an isolated rural community, let it be established by the Totalizator Agency Board, but do not let it be established in an hotel. Let it be established somewhere else in some other facility!
If the Government and the National Party are convinced that there is a need for a TAB agency to be established in Pyramid Hill, for example, which was a town mentioned by the Deputy Leader of the National Party as being a small country town which did not have a TAB facility, let the board establish a facility in a shop in Pyramid Hill.

The Deputy Leader of the National Party interjects that the TAB will not do that. There is the crunch! That is the essence of the problem: The TAB will not do it. The Government runs the TAB; let the Government instruct it to take account of the needs of a small town such as Pyramid Hill, which I know well, and establish a TAB branch in a shop or in some other building but not in the hotel.

I can recall the Leader of the National Party making a remark like that during his speech on the clause. It is easy for the Government to make the decision that the TAB will do it, but if the board will not make a profit by having a facility in a small shop in a country town such as Pyramid Hill, Mittiamo or Macorna——

Mr Jasper—You would not even know Macorna.

Mr RICHARDSON—I grew up there. If the board is not going to make a profit, so be it. The Leader of the National Party put the proposition sensibly.

Mr FORDHAM (Acting Premier)—I move:

That the question be now put.

The CHAIRMAN (Mr Fogarty)—There have been ten speakers on the amendment: One from the Government, seven from the Opposition and two from the National Party. The time of commencement of debate on the amendment was 8.36 p.m., so there has been a one and a half hour debate on this one amendment. I believe the proposal is fair and reasonable.

Mr RICHARDSON (Forest Hill)—Mr Chairman, may I address the Chair? I do not wish to debate the matter.

The CHAIRMAN—No, the motion has to be put forthwith without debate.

The Committee divided on Mr Fordham’s motion (Mr Fogarty in the chair).

| Ayes      | 39 |
| Noes     | 26 |

Majority for the motion 13

AYES

Miss Callister Mr Hill Mr Pope Mr Stirling
Mr Cathie Mr Hill Mr Remington Mrs Toner
Dr Coghill Mrs Hirsh Mr Roper Mr Trezise
Mr Crabb Mr Hockley Mr Rowe Dr Vaughan
Mr Culpin Mr Kennedy Mr Seitz Mr Walsh
Mr Ernst Mr Kirkwood Mrs Setches Mr Wilkes
Mr Fordham Mr McCutcheon Mr Sheehan Mrs Wilson
Mr Gavin Mr McDonald Mr Shell Tellers:
Mrs Gleeson Mr Mathews Mr Sidiropoulos Mr Andrianopoulos
Mr Harrowfield Mr Micallef Mr Spyker Mr Cunningham

NOES

Mr Coleman Mr Jasper Mr Pescott Mr Weideman
Mr Delzoppo Mr John Mr Plowman Dr Wells
Mr Dickinson Mr Kennett Mr Ramsay Mr Williams
Mr Gude Mr Lea Mr Reynolds Tellers:
Mr Hann Mr Leigh Mr Richardson Mr Smith
Mr Hayward Mr McNamara Mr Ross-Edwards (Glen Waverley)
Mr Heffernan Mr Perrin Mr Tanner Mr Stockdale

964
Racing (Amendment) Bill

Mr Cain
Mr Norris
Mr Simmonds

Mr Austin
Mr Steggall
Mr Evans

(Gippsland East)

30 May 1985 ASSEMBLY

The Committee divided on the question that the paragraph proposed by Mr Trezise to be omitted stand part of the clause (Mr Fogarty in the chair).

Ayes ............... 22
Noes ............... 43

Majority for the omission of the paragraph ............... 21

AYES

Mr Coleman
Mr Delzoppo
Mr Dickinson
Mr Gude
Mr Hayward
Mr Heffernan

Mr John
Mr Kennett
Mr Lea
Mr Leigh
Mr Perrin
Mr Pescott

Mr Plowman
Mr Ramsay
Mr Reynolds
Mr Richardson
Mr Tanner
Mr Weideman

Mrs Ray
Mr Simpson
Mr Whiting

NOES

Miss Callister
Mr Cathie
Dr Coghill
Mr Crabb
Mr Culpin
Mr Ernst
Mr Fordham
Mrs Gleeson
Mr Hann
Mr Harrowfield

Mrs Hill
Mr Hill
Mrs Hirsh
Mr Hockley
Mr Jasper
Mr Kennedy
Mr Kirkwood
Mr McDonald
Mr McNamara
Mr Mathews

Mr Micallef
Mr Remington
Mr Roper
Mr Ross-Edwards
Mr Rowe
Mr Seitz
Mr Sheehan
Mr Shell
Mr Sidiropoulos

Mr Spyker
Mr Stirling
Mrs Toner
Mr Trezise
Dr Vaughan
Mr Walsh
Mr Wilkes
Mrs Wilson
Mr Andrianopoulos
Mr Cunningham

Pairs:

Mr Austin
Mr Steggall
Mr Evans

Mrs Ray
Mr Simpson
Mr Whiting

The Committee divided on the question that the paragraph proposed by Mr Trezise to be inserted be so inserted (Mr Fogarty in the chair).

Ayes ............... 44
Noes ............... 22

Majority for the insertion of the paragraph ............... 22

AYES

Miss Callister
Mr Cathie
Dr Coghill
Mr Crabb
Mr Culpin
Mr Ernst
Mr Fordham
Mrs Gleeson
Mr Hann
Mr Harrowfield

Mr Hill
Mrs Hirsh
Mr Hockley
Mr Jasper
Mr Kennedy
Mr Kirkwood
Mr McDonald
Mr McNamara
Mr Mathews

Mr Remington
Mr Roper
Mr Ross-Edwards
Mr Rowe
Mr Seitz
Mrs Seitches
Mr Sheehan
Mr Shell
Mr Sidiropoulos

Mrs Toner
Mr Trezise
Mr Walsh
Mr Wilkes
Mrs Wilson

Tellers:

Mr Andrianopoulos
Mr Cunningham

Mrs Toner
Mr Trezise
Mr Walsh
Mr Wilkes
Mrs Wilson

Mr Cunningham
The CHAIRMAN (Mr Fogarty)—Order! The time for me to report progress under Sessional Orders has arrived.

Progress was reported.

The SPEAKER—The time appointed by Sessional Orders for me to interrupt business has now arrived.

On the motion of Mr FORDHAM (Minister for Industry, Technology and Resources), the sitting was continued.

The House went into Committee for the further consideration of this Bill.

Discussion was resumed of clause 19.

Mr TREZISE (Minister for Sport and Recreation)—I move:

Clause 19, after line 34 insert:

'(2) Section 110 (3A) of the Liquor Control Act 1968 shall be amended as follows:

(a) The word “or” between paragraph (a) and (b) shall be repealed; and

(b) At the end of paragraph (b) there shall be added the following:

"; or

(c) an office or agency of the Totalizator Agency Board is established in the licensed premises and

the betting takes place through that Board in that office or agency.

(38) In paragraph (c) of sub-section (3A) “Totalizator Agency Board” means the Totalizator Agency Board

established pursuant to the provisions of Division 2 of Part V. of the Racing Act 1958.”.’

The purpose of the proposed amendment is to amend the Liquor Control Act to allow the TAB agencies to operate on licensed premises.

Mr REYNOLDS (Gisborne)—For the first time in Committee the Government has referred to the Liquor Control Act. Although other Acts have been referred to, this is the first occasion on which the Liquor Control Act has been referred to. Indeed, no reference was made to it in the original Bill.

I assure the Minister that if he can give the assurance that the Opposition needs, there will be no further Opposition speakers. I should like the Minister to indicate who has been consulted on the proposed amendments to the Liquor Control Act. Whenever that Act has been amended discussions have been held with the Australian Hotels Association; publicans; restauranteurs and the Liquor Control Commission. Has the Government discussed this matter with the Chairman of the Liquor Control Commission? The Opposition has not had a chance to do so because it saw the amendment only an hour or so ago. I am sure the National Party has not had the opportunity of talking to anybody from the Liquor Control Commission.
It appears that the Minister does not know whether the matter has been discussed with the Liquor Control Commission. Under the proposed amendment, TAB agencies could be established in licensed restaurants; BYO restaurants; licensed self-service grocery outlets and so on. The proposed amendment could contain many new ramifications. I wonder whether the National Party would agree that any licensed premises whether they be shops, hotels or licensed restaurants should operate as TAB agencies? The proposed amendment could open up a whole new Pandora's box.

This matter has been raised for the first time. I ask the Minister specifically to answer those questions. If it is fair for a TAB agency to be established in licensed premises, is it not fair for TAB agencies to be able to sell licensed goods and liquor?

Mr Fordham—That does not follow; that is absolute rubbish!

Mr REYNOLDS—Why not? I am pleased that more information has been provided tonight than previously. I demand answers to the question raised about the Liquor Control Act. I understand TAB agents were not consulted about the Bill before it was introduced and I dare say they were not consulted about the amendments in any shape or form.

Mr TREZISE (Minister for Sport and Recreation)—Queries were raised by the Australian Hotels Association. I have had discussions with officers of the association personally and the Chairman of the Liquor Control Commission, who sought this amendment.

Mr ROSS-EDWARDS (Leader of the National Party)—This technical amendment was required by the Liquor Control Commission and put forward by the Government. It necessarily follows the amendment that has already been agreed to by the Committee.

The honourable member for Gisborne stated no consultation has taken place with the Australian Hotels Association. All I can say is that he is out of touch with the association because I have had consultations with the association.

Mr Reynolds—They did not answer my letter.

Mr ROSS-EDWARDS—The association is probably ignoring the honourable member for Gisborne. I have had discussions with the association, as has the Minister. I discussed the amendment with officers of the association earlier today, which was my last discussion with them.

The association is happy with the amendment. It is a consequential amendment and simply enables the Liquor Control Commission to tidy up the Act to avoid any possible conflict. As the previous amendment was passed, this amendment must also be passed. It is a technical amendment to put the proposed legislation in order.

Mr KENNNETT (Leader of the Opposition)—I am not satisfied with the answer. I understand this is a consequential amendment, but it is a significant proposal. For the first time, under the administration of the Liquor Control Act, gambling is being allowed through the TAB in licensed premises. I may be totally out of order, but I seek clarification because if I do not do so now, I will not receive an answer until the Bill is passed.

I refer to licensed restaurants in areas affected by the amendment, such as those outside the 60-kilometre limit from Melbourne and 15 kilometres from country towns. Does the amendment provide that those restaurants will also be able to tender for TAB operations? This may have serious ramifications for hotels.

There is value in obtaining a TAB licence as it may provide the opportunity for a business to build up its operations. I wonder what effect it would have on a restaurant in an hotel. I am sure National Party members and honourable members who visit country restaurants will appreciate that those businesses survive on a fine line.
If an hotel alone has the right to obtain a TAB licence, will that put at risk what are, in many cases, very tenuous operations as restaurants? I ask this question, not in a facetious way, but in an attempt to obtain clarification. Does the amendment mean that licensed restaurants will also have the right to apply for a TAB licence? If not, why not? Honourable members know the high costs associated with liquor licences, and an hotelier, recognizing the TAB agency operation as new business, may seek to attract restaurant business. I ask the Minister this question because I believe the matter is important.

Mr TREZISE (Minister for Sport and Recreation)—The amendment will remove the barrier precluding licensed premises from being considered for the establishment of TAB agencies. Presumably, the licensed premises may be a club, a restaurant, an hotel or whatever. The purpose of the Bill is, and will be, for agencies to be established in hotels. However, no matter what the business conducted on the licensed premises may be, the amendment means that there will be no barrier to the establishment of a TAB agency on licensed premises, but hotel betting shops will be established only after consultation between the Liquor Control Commission and the Totalizator Agency Board.

Mr KENNETT (Leader of the Opposition)—I am not seeking to score political points; I am trying to clarify the amendment that honourable members have seen for the first time tonight. Can I assume from his reply that the Minister will guarantee to the Committee that, under the provisions of the amendment that has just been passed, any licensed restaurant in rural Victoria will have an equal right and equal access to a TAB licence, and that that will include sporting and RSL clubs which have been awarded liquor licences? Will the Minister give a personal guarantee that every one of those restaurants, clubs and associations that have been granted liquor licences will be treated equally?

Mr TREZISE (Minister for Sport and Recreation)—Honourable members should bear in mind that, in most cases, RSL clubs and other clubs are open only to their members, and the amendment seeks to make access to TAB agencies available to the public generally. It allows the TAB to look anywhere when considering setting up new agencies. The clubs and restaurants to which the Leader of the Opposition refers will all be treated equally by the TAB and the Liquor Control Commission, with my approval.

The amendment was agreed to, and the clause, as amended, was adopted, as were the remaining clauses.

Title

Mr TREZISE (Minister for Sport and Recreation)—I move:

Long Title, after “that Act” insert “, to amend the Liquor Control Act 1968”.

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

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

ADJOURNMENT

Railway land in City of Prahran—Obstruction of motor vehicle rear view windows—Fairway system—Government Employee Housing Authority—Proposed extension to Eastern Freeway—Board of Works—Australian flora and fauna—3AW interview with Derryn Hinch

Mr FORDHAM (Minister for Industry, Technology and Resources)—I move:
That the House, at its rising, adjourn until Tuesday, July 2.

The motion was agreed to.
Mr FORDHAM (Minister for Industry, Technology and Resources)—I move:

That the House do now adjourn.

Mr HAYWARD (Prahran)—I raise with the Minister for Transport a matter of urgent importance to the City of Prahran concerning the proposed development of railway property in South Yarra. This land is desperately needed by the City of Prahran for open space and recreational purposes. Intense development has occurred in Prahran recently which has included commercial, residential and high-rise development. This has placed pressure on the City of Prahran.

The land in question is the last piece of open space available in this area and the City of Prahran is anxious to buy it from the Metropolitan Transit Authority. The authority is concerned to make the best possible commercial deal over the land and it has options to consider as well as some possible leases for high-rise commercial and residential development. There is conflict between officials of the Metropolitan Transit Authority carrying out the intention of making the best possible commercial use of the area and a great community need for the land. This conflict can be resolved only by bringing the matter to the attention of the Minister. The community need of the land in these circumstances overrides the commercial desires of the Metropolitan Transit Authority.

For weeks representatives of the City of Prahran have been attempting to see the Minister for Transport. There have been many telephone calls and letters and suggestions that the Minister will see them in due course. The matter is becoming urgent and if action is not taken soon the situation could become a fait accompli and the commercial deals, leases and options could be exercised.

I ask the Minister as a matter of extreme urgency to make himself available to the City of Prahran on this issue at a time, obviously, to suit his convenience, but very soon. It is a fundamental responsibility of a Minister to make himself available on a matter of urgent community concern. It is particularly important that the Minister meet with the city. It shows deplorable lack of consideration and respect for a city to refuse the council the opportunity of placing its case before the Minister. I reiterate that the matter is of urgent importance to the community.

Mr McDONALD (Whittlesea)—I raise a matter for the attention of the Minister for Transport. It concerns a dangerous practice of suspending toys and dolls from the inside rear view mirrors of motor vehicles. A short time ago a constituent of mine was involved in a two-car accident in the electorate that I represent. Fortunately, the drivers and passengers were uninjured.

However, the cars were badly damaged and tow trucks were required. One of the tow truck drivers pointed out to my constituent that a toy dog, approximately three inches wide and seven inches high, suspended from the rear-view mirror of the other car probably contributed to the accident.

Since the accident, the constituent has taken considerable notice of other cars and informed me that the practice of suspending novelties from rear-view mirrors is prevalent. Some of the novelties take the form of animals and I have seen a skeleton hanging from a rear-view mirror. The movement of the car animates the novelty.

Driving at any time demands complete concentration and observance by the driver. To intentionally place any obstruction in the field of vision of the driver is a most dangerous and irresponsible action. As well as obstructing the driver's view, the movement of the objects detracts from his or her concentration.
Car manufacturers have spent millions of dollars in trying to reduce the size of the front pillars of motor vehicles because they obstruct the vision of the driver. However, people are deliberately interfering with the clear view built into the design of the car.

Other vehicles have transfers and posters on the rear windows depicting the States and towns the owners of the cars have visited. That practice is a serious hazard. I ask the Minister for Transport to take whatever action is necessary to ensure that drivers do not have their rear vision and attention impaired by dangerous and senseless practices.

Mr LEIGH (Malvern)—I direct a matter to the attention of the Minister for Transport. I raised this matter in the Chamber approximately twelve months ago. I refer to the Fairway system introduced by the former Minister of Transport. Honourable members are aware of what a nightmare the system has been. The program has decreased the travelling times of trams by only 1 minute and it has cost approximately $13 million to implement.

On 1 May this year, the Minister for Transport stated in a press release that:

"I believe that we've got to justify our actions to the community," Mr Roper said. "The only way we can do that is on the basis of proper information."

For some time, the Motorcycle Riders' Association has been attempting to discuss the problem with the Minister. The present Minister has blamed the former Minister for the mess which he inherited and he has indicated that the issue may have to be reconsidered.

Pedestrians, motor cyclists, motorists and people travelling on trams are entitled to present their views to the Minister, but, apart from getting his picture in the paper while riding on trains, the Minister does not appear to be interested.

I have received a letter from the Motorcycle Riders' Association and I have been requested to present the letter to the Minister. I hope the Minister will undertake to meet with members of the association.

The Motorcycle Riders' Association has asked me to give the Minister for Transport a gift—while he is considering whether the Fairway system is adequate—from the bottom of the heart of motor cyclists. It is the LP record "Goodbye Yellow Brick Road" by Elton John, which states on the cover, "To Mr Roper, on behalf of motorcyclists of Victoria".

If the Minister is prepared to meet me outside the Chamber, I shall not only give him the letter but also the LP record which will provide him with many hours of enjoyable listening. Perhaps some of the public servants who dreamed up this insane scheme can also be present in his office when the record is played. As the Minister is a pop fan, I am sure he knows the main words of the title song are, "Goodbye yellow brick road". That is exactly what motor cyclists want to have taken out of the system: Goodbye yellow brick road! I hope the Minister will agree to meet representatives of the Motorcycles Riders' Association, motorists and other people such as representatives of the Royal Automobile Club of Victoria.

Mr JASPER (Murray Valley)—I raise a matter for the attention of the Minister for Education concerning a current policy of the Government Employee Housing Authority in relation to the tagging of residences for principals. The only residences currently tagged as principal residences are those that are attached to primary schools with an enrolment below 174 pupils.

Until recently, the Education Department had a policy of maintaining tagged residences for principals for every State primary and post-primary school in country areas. However, there has been a change of policy whereby there is no tagging of residences for many schools in country Victoria. If country schools are trying to secure a new principal, the best way to attract a principal of high calibre to a country area is to offer him the use of a tagged residence of high standard. Not only are tagged residences not of a high standard, but also they are no longer tagged for the principal.
The fear in country communities is that a lowering of the standard of principals wishing to go to country schools will occur because there is no longer the possibility of the principal obtaining a tagged residence of a reasonably high standard. It is obvious that some investigation must be made into this matter.

I contacted the previous Minister of Education, Mr Fordham, and he indicated that a committee had been established to examine the tagging of residences generally, and for whom these residences should be available in country areas.

The Government Employee Housing Authority will take notice of the committee, but because some tagged residences have not been taken up by principals in the past but have been used by other members of school staff, it was decided there should not be a continuing policy of having a tagged residence specifically for the principal of the school.

A principal may move out of a residence and may no longer require a residence in the country specifically tagged for use by a principal. There is, however, an initial need for a residence of a high standard to be tagged for the principal. I have had further correspondence with principals from both primary and secondary levels in the electorate I represent, expressing concern about the change in policy. That is the point I bring to the attention of the Minister.

In the past residences of a reasonably high standard in country areas have been tagged for the use of principals. Residences that are not utilized by principals may be used by other members of the staff. The policy of tagging residences needs to be restored to maintain a high standard of housing for principals of country schools. The most highly qualified principal will apply if a suitable residence is tagged for his use. Again I ask the Minister to investigate the matter and to indicate that he will provide tagged residences for principals in country Victoria in future.

Mr WILLIAMS (Doncaster)—Rumours have been circulating in the electorate that I represent about the extension to the Eastern Freeway. One prominent councillor, who does not agree with my politics and who is well informed, tells me that the Government plans an extension to the Eastern Freeway. He tells me that it will not be called a freeway but an arterial road and will affect Wetherby Road in Doncaster. This may have something to do with the forthcoming events in my area, especially if a particular judicial decision is made.

Mr Roper—Fill us in on the nonsense!

Mr WILLIAMS—It is my belief that the people of Box Hill, Warrandyte and Mitcham would be intrigued by the possibility of joining the Eastern Freeway via Middleborough Road, Box Hill, to the arterial road extension of the freeway right through to Ringwood.

From statements made by the honourable member for Ringwood, I understand that she is strongly opposed to the extension of the freeway to Ringwood and does not want it anywhere near Ringwood. From the point of view of political expediency the proposal might get the honourable member for Bulleen and me off the back of the Government because we have provocative statements reported in the press. At a hurriedly organized conference at the Doncaster/Templestowe municipal chambers just before the State election, the former Minister of Transport promised not less than $30 million for road improvements. If I heard correctly, the Minister was emphatic that the $30 million would be made available for that purpose in the municipalities that have the worst traffic bottlenecks and other problems generated by the lack of an arterial road to the Eastern Freeway. Those municipalities are Camberwell, Box Hill, Ringwood, Doncaster/Templestowe and Nunawading but not Croydon. It is important for future planning in the Doncaster electorate that a categorical statement be made by the Government that it intends to maintain the freeway reservation and has no intention of selling it as it sold the railway land in Doncaster. I ask the Minister to indicate that the Government intends to spend the $30 million quickly, and that some attempt will be made to obtain additional funding from the Commonwealth Government through the Bi-centennial Road Program.
so that a number of feeder roads into the freeway—such as Wetherby Road which is of a low standard and has only recently been upgraded—can be improved.

The solution of traffic problems is of vital importance to people in the eastern suburbs of Melbourne. Doncaster Road is heavily clogged with traffic which is endeavouring to reach the Eastern Freeway. I am tired of hearing backroom rumours from people who seem to have a pipeline to the Minister. I will believe what is happening when I hear it from the Minister's own lips.

Mr STOCKDALE (Brighton)—I raise a matter with the Minister for Water Resources. This matter was canvassed in a letter to a Liberal Party colleague in the other place, a copy of which letter I have given to the Minister. It relates to Melbourne and Metropolitan Board of Works rates and it refers to a firm in Cheltenham which had rates for the 1983–84 year levied at $1337. In the 1984–85 year, the Board of Works rates had risen to $10,602, an increase of 680 per cent over a year. This is a thriving and developing business which has grown from employing one person in 1979 to employing 40 persons in 1985.

Costs of this magnitude that flow from Government policies and the rating system are threatening the employment of the employees of that company and stand in stark contrast to the promises of the Government in the lead-up to the last election and its much touted economic strategy plan for Victoria of promotion of growth and, via growth, employment. The employees of this thriving business are threatened by this increase in rates of 680 per cent in one year.

I remind the Minister of the pledges made by the Government leading up to the State election. On the first page of the publication "State Taxation: the next 4 years", the Government's taxation policy is documented and it stated:

We will not increase real tax rates over the next four years.

On page 3, that is particularized to include Board of Works rates because it states:

Prices for electricity, gas and MMBW water will not rise by more than the inflation rate in our next term.

It is not the global amount of revenue raised by virtue of these means, but the rates of charges.

In the Premier's campaign speech published by the Government the honourable gentleman is reported at page 9 as stating:

The key feature of our tax package announced last week does just that: It gives a firm pledge that the rates of State taxes and charges will not increase in the next four years beyond increases in the CPI.

That is again particularized:

The same applies to gas, electricity and Board of Works charges. They will not rise in real terms during the next four years.

That is again particularized and related to the rates and charges. A gradual slide then began and in the Governor's Speech at the opening of Parliament the Governor stated——

Mr ROPER (Minister for Transport)—On a point of order, during the adjournment debate, the honourable member for Brighton is raising matters contained in the Governor's Speech. This matter is still on the Notice Paper as an item before the Parliament and should not be referred to during the same session.

The SPEAKER—Order! I do not uphold the point of order. The honourable member for Brighton is making reference to various points to strengthen his request to the Minister for Water Resources to take some particular action.

Mr STOCKDALE (Brighton)—The Government cannot bear to have its own words put back to it. At page 8 of the Governor's Speech, a statement appears in similar terms.

On 4 April the Minister in this House indicated that the Government pledge could not be applied to water rates. I raise two particular matters on this issue. The first matter relates to the levying of Melbourne and Metropolitan Board of Works rates. The Opposition
believes something is wrong in Victoria when a ratepayer faces an increase of 680 per cent in one year.

Mr WEIDEMAN (Frankston South)—I raise a matter with the Minister for Education who in this House represents the Minister for Conservation, Forests and Lands. An article appeared in the Age recently written by Geoff Maslen titled “Battle to save our disappearing flora and fauna”.

Many honourable members who present flags to schools take along the insignia folder provided by the Department of the Premier and Cabinet as it is suitable to take on those occasions. The emblems of the State are displayed in those folders and children often give funny answers when they are asked about those emblems. It is pleasing to inform children that the Leadbeater's possum is part of our fauna. The article indicated that the animal was believed to be extinct but it has been discovered to exist in the ash forests around Healesville. It is important that Victorians retain and nurture these animals. The helmeted honeyeater, a yellow tufted bird, is another such animal. The Government diverted one of the waterways to the Cardinia Reservoir because a colony of helmeted honeyeaters was found to exist in that area. Approximately 200 of them live in the Woori Yallock and Cockatoo area.

Something should be done to emphasize our flora, the pink heath, and fauna during the State's 150th anniversary celebrations. Investigations should be made about the whereabouts and numbers of those because otherwise our children will not be aware of them and the State's emblems will have to be changed.

This is an important matter as the State needs to look after its heritage and I ask that consideration be given to research into these animals.

Mr PERRIN (Bulleen)—I raise for the attention of the Minister for Employment and Industrial Affairs a matter relating to a radio interview on 3AW yesterday between Mr Derryn Hinch and Ms Deborah Cooper. The interview involved the cancellation of the 150th anniversary concert to be televised nationally on GTV9. The proceeds of that concert were to go to deaf children.

The cancellation of the concert would have caused disappointment to many Victorians. Ms Cooper alleged that the Government used taxpayers' funds to pay back union fees to ensure that an industrial dispute was resolved.

Further, Ms Cooper's allegations were that four Government officials were involved in the negotiations. My understanding is that she was to play an important part in the preparations for that concert, as she was a dressmaker. Her allegations were that these amounts were paid on her behalf to resolve an industrial dispute. I am sure that most Victorians will consider this to be a despicable situation.

I ask the Minister to give an assurance that taxpayers' funds were not used in this case, to confirm whether the Government did pay these back union fees and to disclose to the House who the four Government officials were and what role they played in the dispute.

Mr ROPER (Minister for Transport)—I will have examined the matter raised by the honourable member for Prahran and come back to him on that.

With regard to the matter raised by the honourable member for Malvern on the question of the Fairway system, I have asked those officials responsible in that area, chiefly the Road Traffic Authority and the Metropolitan Transit Authority, who are on the committee on which the tramways union is also represented, to provide to me evidence that the Fairway system is effective.

I, certainly, as I am sure do other members, wish to be convinced that the system which is aimed at ensuring that tram-running times improve, will be able to demonstrate that. From the evidence it would appear that on a number of lines where traffic arrangements have been made that has occurred. The Royal Automobile Club of Victoria has also made
a study which suggests that car travelling times have not been affected either. That material
will be put together for me and I shall be making a decision following receipt of that.

The Motorcycle Riders' Association of Australia has in fact had constant contact with
the Road Traffic Authority not simply about this matter but on a whole range of education
matters. Indeed, it will continue to have that contact. There will be a number of programs
initiated over the next six months to continue to improve the safety of motor cyclists, and
especially learner motor cyclists, in Victoria. I have received material from the association,
and I have asked that it be carefully examined. Of course, the association did take the
matter, as may any citizen, to the courts and it was singularly unsuccessful.

Mr Leigh interjected.

Mr ROPER—A citizen has all kinds of legal rights but that does not necessarily mean
that one will win a case. The Supreme Court upheld the decision of the various authorities
in relation to the matter.

I am not sure what I am expected to do with a record of “Goodbye Yellow Brick Road”
but I notice it contains a submission and no doubt I shall read that. I have some interest
in what I might do with the “Yellow Brick Road”. It is probably scratched but that I will
find out.

In relation to the matter raised by the honourable member for Doncaster, it is his wont
to hear rumours all over the electorate he represents and he has another of the hares
started in that area. As I said in Parliament only a couple of weeks ago, in relation to an
undertaking made by my colleague, the former Minister of Transport, in relation to the
major road developments in the outer eastern suburbs, that work will be fulfilled and is
currently being carried out by the Road Construction Authority. There have been
discussions with those councils in relation to that.

The honourable member for Whittlesea raised an important matter of the impact on
aspects of road safety. I am sure most honourable members have seen the doll-type
creatures that people hang in their vehicles on the rear-vision mirrors, which prevent them
using their mirrors properly and contribute substantially to driving difficulties.

I will ensure that the Road Traffic Authority examines the matter carefully because it is
all too easy for people unthinkingly to place not only themselves but also other people in
danger. I know this from the case mentioned by the honourable member. One does not
wish to see such accidents occur in the future.

The honourable member for Bulleen referred to an industrial dispute that affected the
televising of a concert by GTV9. I shall draw the matter to the attention of the Minister
and he will reply to the honourable member.

Mr CATHIE (Minister for Education)—The honourable member for Murray Valley
mentioned tagging school residences for school principals and indicated that a change of
policy has been in place for some time. A number of factors must be taken into account.
The Government seeks to be fair and equitable in housing teachers in country areas. Those
processes do not exclude principals and, in many cases, principals prefer other options. If
the honourable member can show me evidence that this is a factor preventing country
schools from attracting good principals, I will be prepared to examine the matter.

The honourable member for Frankston South referred to an article in the Age about the
disappearance of our flora and fauna, especially the State emblem, which is the Leadbeater's
possum, as well as the helmeted honeyeater. From memory, I think it was in the early
1970s that Mr Tom Uren, a Federal Minister, was responsible for the provision of funds
for the preservation of the habitat of the helmeted honeyeater in the Yarra Valley. The
Cain Labor Government, as well as Mr Bill Borthwick, a former Liberal Minister for
Conservation, both appreciated the need to preserve the central habitat of these creatures.
The record of the Government in providing national parks and adding to existing national
parks shows its priority in preserving as much as possible of the natural habitat for what are often unique flora and fauna and an important part of the national heritage of the country.

Mr McCUTCHEON (Minister for Water Resources)—The honourable member for Brighton referred to an industrial concern in Cheltenham which has written a letter concerning the Board of Works rates not only to Mr Connard in another place, but also to my colleague, the Minister for Consumer Affairs, who happens to represent the area.

The letter claims that during the years 1983–84 and 1984–85 a dramatic rate increase of 680 per cent occurred on the property owned by the company. In each of the three years of the first term of the Cain Labor Government the Board of Works rate revenue was raised only by the level of the consumer price index or less. Therefore, the rates did not rise by any extraordinary amount such as that quoted in the letter. The reason for the sharp change in rates may or may not have some relationship to a revaluation due to an extension of the development of the property.

When the firm inquired of the owners the reason why the rates had risen so much, it was informed that the Moorabbin City Council had undertaken a revaluation, which had occurred not in the normal year of valuation. That would suggest there had been a development on this site that led to a dramatic increase in the value of the property and therefore in the rate paid on the property.

The honourable member for Brighton should have inquired into that matter before merely assuming the rates had increased dramatically. The policy of the Government has been to contain increases in rate revenue by the board each year to no more than the consumer price index, and on some occasions less than that index. I shall make inquiries of the board on the matter and provide the honourable member with an answer.

The motion was agreed to.

The House adjourned at 11.31 p.m. until Tuesday, July 2.
QUESTIONS ON NOTICE

The following answers to questions on notice were circulated—

STOLEN GOODS

(Question No. 3)

Mr DICKINSON (South Barwon) asked the Minister for Police and Emergency Services:

1. How many bicycles, television sets, video recorders and stereos have been stolen in the past five years and what was the recovery rate of these items in each year?

2. What was the total value of these stolen goods and what is the value of the stolen articles which to date have not been recovered?

Mr MATHEWS (Minister for Police and Emergency Services)—The answer is:

1 and 2. Details of the information sought by the honourable member are contained in individual crime reports prepared by the investigating police. Copies of the reports are held at police headquarters, but it is not practicable, given available resources, to manually extract the information. It is proposed to computerize the present crime reporting system, thus providing a facility which will provide greater details of stolen property in the future.

However, the following information is available from those details of crime reports which are routinely collated for statistical purposes:

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Stolen</td>
<td>12,367</td>
<td>12,684</td>
<td>13,261</td>
<td>11,837</td>
<td>11,947</td>
</tr>
<tr>
<td>Recovered</td>
<td>—</td>
<td>—</td>
<td>2,184</td>
<td>1,112</td>
<td>1,388</td>
</tr>
<tr>
<td>Stolen value</td>
<td>—</td>
<td>—</td>
<td>$1·9 m</td>
<td>$2·2 m</td>
<td>$2·2 m</td>
</tr>
<tr>
<td>Recovered value</td>
<td>—</td>
<td>—</td>
<td>$182,400</td>
<td>$255,400</td>
<td></td>
</tr>
</tbody>
</table>

Television Sets

| Stolen | 2,968 | 3,171 | 3,197 | 4,529 | 4,103 |

Details of video recorders stolen cannot be provided as they have not been segregated for statistical purposes.

However, research into burglary offences reported to police between 8 June and 4 July, 1984 indicated that, from a sample of 4948 residential burglaries, 1011, representing 20.43 per cent, involved the theft of a video recorder. An extrapolation of these figures indicates a total of 10,296 video recorders stolen from 50,398 burglaries during 1984.

Details in respect of stereos cannot be provided as they are classified as “electrical goods” in the stolen property index. Nevertheless, research indicates that 2.7 per cent of burglaries reported to police involve the theft of stereo equipment.

BELMONT/GROVEDALE POLICE COMPLEX

(Question No. 10)

Mr DICKINSON (South Barwon) asked the Minister for Police and Emergency Services:

When a start will be made on the construction of a police complex in the Belmont/Grovedale area of the electoral district of South Barwon?

Mr MATHEWS (Ministry for Police and Emergency Services)—The answer is:

Detailed planning for, and the construction of, a police complex at Belmont is dependent upon the acquisition of a suitable site. The Department of Property and Services is currently negotiating with the Shire of South Barwon the purchase of council-owned land for this purpose.
SCHOOLS HANDBOOK PROJECT
(Question No. 18)

Mr DICKINSON (South Barwon) asked the Minister for Education:

1. What is the production cost of the schools handbook project 1985, how many copies will be printed and what is the cost of staff time utilized in its preparation and continued updating?

2. What was the production cost of the 1984 post primary education handbook, how many copies were printed and what was the cost of staff time utilized in its production and continued updating?

3. Whether both publications will be printed annually and at what cost to the Victorian taxpayers?

Mr CATHIE (Minister for Education)—The answer is:

1. 1985-86 HANDBOOKS

<table>
<thead>
<tr>
<th></th>
<th>No. of Copies</th>
<th>Ext. Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>EDUCATION HANDBOOK—SECONDARY</td>
<td>3 000</td>
<td>19 000</td>
</tr>
<tr>
<td>EDUCATION HANDBOOK—TECHNICAL</td>
<td>3 000</td>
<td>13 200</td>
</tr>
<tr>
<td>EDUCATION HANDBOOK—PRIMARY</td>
<td>3 000</td>
<td>44 500</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td><strong>3 131</strong></td>
<td><strong>12 879</strong></td>
</tr>
</tbody>
</table>

This is the first year a primary handbook has been published.

2. 1984 HANDBOOKS

<table>
<thead>
<tr>
<th></th>
<th>No. of Copies</th>
<th>Ext. Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>EDUCATION HANDBOOK—SECONDARY</td>
<td>5 712</td>
<td>17 845</td>
</tr>
<tr>
<td>EDUCATION HANDBOOK—TECHNICAL</td>
<td>3 131</td>
<td>12 879</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td><strong>5 712</strong></td>
<td><strong>30 274</strong></td>
</tr>
</tbody>
</table>

Approximate cost of staff time

45 000

3. Consideration is being given to the publication of the handbooks only every two years. It is not possible to estimate the cost of production for 1987-88.

Consideration is being given to the publication of a single post primary handbook.

REFUND OF LUMP SUM PAYMENTS TO INJURED WORKERS
(Question No. 20)

Mr DICKINSON (South Barwon) asked the Treasurer:

Whether there has been a new stand taken by the administrators of the Insurers Guarantee and Compensation Supplementation Fund and the Workers Supplementation Fund in regard to moneys refunded on certain lump sum payments made to injured workers; if so, what are the details and whether this will lessen the amount refunded from such funds which in the past have been reimbursed to insurers who agree to pay the additional amounts on behalf of their clients?

Mr JOLLY (Treasurer)—The answer is:

On the basis of legal advice the administrator of the two funds mentioned has taken certain actions in relation to a number of claims by insurance companies.

These matters are now the subject of a number of legal proceedings in the Supreme Court and in all the circumstances it would be inappropriate for me to make any comment at this stage.
SECONDARY SCHOOL STUDENTS
(Question No. 47)

Mr WILLIAMS (Doncaster) asked the Minister for Education:

What was the retention rate of secondary school students to Year 10, Year 11 and Year 12, by category of—(a) Government; (b) Catholic; (c) other non-government schools, in Victoria for 1981 and 1982?

Mr CATHIE (Minister for Education)—The answer is:

<table>
<thead>
<tr>
<th>Year Level of Education in 1981</th>
<th>Government Technical Schools</th>
<th>Government High Schools</th>
<th>All Government Schools &amp; TAFE</th>
<th>Catholic</th>
<th>Non-Catholic</th>
</tr>
</thead>
<tbody>
<tr>
<td>%</td>
<td>%</td>
<td>%</td>
<td>%</td>
<td>%</td>
<td>%</td>
</tr>
<tr>
<td>Year 10</td>
<td>93·7</td>
<td>88·0</td>
<td>90·0</td>
<td>93·1</td>
<td>109·6</td>
</tr>
<tr>
<td>Year 11</td>
<td>56·3</td>
<td>65·7</td>
<td>68·1</td>
<td>78·1</td>
<td>109·6</td>
</tr>
<tr>
<td>Year 12</td>
<td>33·1</td>
<td>37·3</td>
<td>46·8</td>
<td>46·8</td>
<td>89·8</td>
</tr>
</tbody>
</table>

Retention Rates for Secondary School Students 1982

<table>
<thead>
<tr>
<th>Year Level of Education in 1983</th>
<th>%</th>
<th>%</th>
<th>%</th>
<th>%</th>
</tr>
</thead>
<tbody>
<tr>
<td>Year 10</td>
<td>94·4</td>
<td>90·1</td>
<td>93·9</td>
<td>94·4</td>
</tr>
<tr>
<td>Year 11</td>
<td>68·9</td>
<td>72·3</td>
<td>82·2</td>
<td>83·6</td>
</tr>
<tr>
<td>Year 12</td>
<td>4·5</td>
<td>38·4</td>
<td>51·3</td>
<td>51·3</td>
</tr>
</tbody>
</table>

Notes:

1. These calculations are based upon the July–August school census returns.
2. The calculation of the retention rates is based upon the total Year 7 enrolments for the appropriate year for each group, that is, 1978 for Year 10 in 1981.
3. “Government Technical Schools” includes the enrolments in secondary technical school Years 7 to 11.
4. “Government High Schools” includes high school enrolments and secondary enrolments at central schools, central classes, higher elementary schools and consolidated schools.
5. “All Government Schools and TAFE” includes enrolments from technical and high schools (see notes 3 and 4 above) and the number of pupils identified by TAFE as commencing students in 1981 or 1982 or 1983 who were enrolled at secondary level in 1980 or 1981 or 1982. It is not possible to dissect the TAFE students into those coming from Government and non-Government schools, so this figure will be a slight overestimate.

PACKAGING STANDARDS
(Question No. 60)

Mr WILLIAMS (Doncaster) asked the Minister for Consumer Affairs:

Whether any steps have been taken to establish codes and standards for the packaging, labelling and advertising of consumer goods including—(a) indices of thermodynamic efficiency for heating and cooking devices; (b) content labels specifically showing the existence of fluorocarbons, chloroform and other potentially harmful substances; and (c) details of relative costs of packaging; if so, what steps; if not, why?

Mr SPYKER (Minister for Consumer Affairs)—The answer is:

Steps have been taken to establish codes and standards for the packaging, labelling and advertising of consumer goods.

(a) The Australian Minerals and Energy Council instructed its co-ordinating committee on energy conservation to investigate a national system of energy efficiency labelling. The committee, which consists of representatives from the Commonwealth, Northern Territory and the States, is currently discussing the labelling of such appliances as refrigerators and freezers. Other consumer goods to be labelled are space heaters, water heaters, refrigerative air-conditioners and dish-washers. The Department of Minerals and Energy supplies the Victorian representative on the co-ordinating committee.
(h) Under the terms of the Poisons Regulations 1963, any consumer product containing a substance scheduled under the Poisons Act must show on the label the approved name of such poison or deleterious substance which, in general, covers the existence of any potentially harmful substance.

Under the Drugs, Poisons and Controlled Substances Act 1981, fluorocarbons were scheduled on 20 June 1984 as follows:

"Fluorocarbons or chlorofluorocarbons alone or in combination with other propellants or refrigerants in liquefied gas form for therapeutic use."

(c) The codes and standards already set for packaging, labelling and advertising for which the Ministry of Consumer Affairs is responsible are contained in the Consumer Affairs Act 1972 and the Weights and Measures Act 1958.

The Ministry of Consumer Affairs as a member of the Standing Committee on Packaging (a national body under the auspices of the National Standards Commission) is involved with ongoing assessment of packaging and labelling in addition to the development of policies and strategies on packaged consumer goods.

One of the strategies presently being developed through the committee is the development of uniform legislation in respect of deceptive practices in packaging which is designed to prevent consumers from being disadvantaged by deceptive techniques such as oversized packaging. In addition these developments have revealed that the material costs in packaging can be reduced without detriment to the product.

The number and variety of articles which are pre-packed in advance for sale for today's society is enormous and this inhibits the introduction of one code or standard.

**INCENTIVES FOR MANUFACTURING INDUSTRIES**

(Question No. 139)

Mr DICKINSON (South Barwon) asked the Minister for Industry, Technology and Resources:

What action the Government proposes to enhance Victoria's economic advantages and prevent further declines in manufacturing activity, indicating what industrial incentives the Government intends to offer?

Mr FORDHAM (Minister for Industry, Technology and Resources)—The answer is:

This Government has identified, as a key ingredient for maximizing Victoria's economic growth, an aggressive long-term economic strategy that embraces both public and private sectors. This strategy has as its principal objective the maximization of the trend rate of growth of income and employment in Victoria over the medium to long term.

The strategic approach best suited to achieving this stated objective is to improve the competitiveness of the trade exposed sector of Victorian industry. The Government has initiated two levels of policy action to secure this improved competitiveness. The first involves improving the economic environment in which Victorian firms operate, and the second involves the identification of particular areas in which Victoria has a comparative advantage.

The economic climate in Victoria has been and will continue to be improved by a range of Government initiatives in such areas as industrial relations, regulation review, budgetary policy and Government assistance to Victorian firms. In particular, Victoria's manufacturing activities benefit from programs directed towards the improvement of entrepreneurial skills and an increase in the level of accessibility to innovation, design, technology and marketing.

The Government has isolated a number of key areas of economic advantage, including industrial skills, natural resources, tourism, research capability and commercial activity. The State economic strategy aims to reinforce these advantages through investment facilitation, overseas and interstate promotion, and the development of downstream and upstream related industries.

The economic strategy is supported by a number of practical incentives to Victorian firms, administered by the Department of Industry, Technology and Resources. Three categories of assistance, business support, business development and regional industry have been developed to enhance the performance of Victoria's manufacturing and tertiary industries.

The business support services programs are intended to improve the ability of Victorian firms to gain access to new markets, information and technology. Assistance with export market development and support for upgrading the level of new technology available to Victorian firms are particularly important to Victoria's future.

Business development assistance programs provide assistance with business planning and finance for small to medium sized firms, and assist revitalization of sectors which are not currently internationally competitive. The
business planning scheme is currently the major industrial incentive offered by the Government, and with a 1984-85 allocation of $1 million dollars is designed to assist firms to obtain finance and enhance their viability.

Regional industry assistance ensures all Victorian companies have complete access to these Government initiatives. Certain key regional areas have been identified for targeted examination under this program.

These economic initiatives will ensure the enhancement of Victoria's economic advantages and the continued revival of Victoria's manufacturing and tertiary industries.

**STAFFING LEVEL OF POLICE FORCE**
(Question No. 155)

Mr PERRIN (Bulleen) asked the Minister for Police and Emergency Services:

What was the total police strength and the rank of each plain-clothes and uniformed officer at the—(a) Heidelberg; and (b) Doncaster police stations as at 30 June in the years 1981 to 1984, respectively?

Mr MATHEWS (Minister for Police and Emergency Services)—The answer is:

The total police strength at the Heidelberg and Doncaster police stations on 30 June 1981 was as follows:

<table>
<thead>
<tr>
<th>Station</th>
<th>Rank</th>
<th>Uniformed</th>
<th>CIB</th>
</tr>
</thead>
<tbody>
<tr>
<td>Heidelberg</td>
<td>Senior Sergeant</td>
<td>2</td>
<td>1</td>
</tr>
<tr>
<td></td>
<td>Sergeant</td>
<td>6</td>
<td>3</td>
</tr>
<tr>
<td></td>
<td>Senior Constable</td>
<td>30</td>
<td>7</td>
</tr>
<tr>
<td></td>
<td>TOTAL</td>
<td>38</td>
<td>11</td>
</tr>
<tr>
<td>Doncaster</td>
<td>Senior Sergeant</td>
<td>2</td>
<td>1</td>
</tr>
<tr>
<td></td>
<td>Sergeant</td>
<td>6</td>
<td>1</td>
</tr>
<tr>
<td></td>
<td>Senior Constable/Constable</td>
<td>25</td>
<td>4</td>
</tr>
<tr>
<td></td>
<td>TOTAL</td>
<td>33</td>
<td>6</td>
</tr>
</tbody>
</table>

The total strength of these stations on 30 June in each of the years 1982, 1983 and 1984 was the same except for the addition of one Senior Constable/Constable to the Doncaster CIB prior to 30 June 1982.

In March 1985, three additional positions of Senior Constable/Constable were authorized for the Heidelberg uniformed police and in April 1985, one additional position of Sergeant was authorized for the Heidelberg uniformed police.

**SCHOOL IMPROVEMENT PLAN**
(Question No. 183)

Mr DICKINSON (South Barwon) asked the Minister for Education:

1. Whether he can advise the names of 400 schools which have participated in the School Improvement Plan mentioned on page 11 of His Excellency the Governor's Speech at the opening of the first session of the 50th Parliament on 3 April 1985?

2. Whether he can advise the names of the 300 schools that will embrace the School Improvement Plan in 1985-86?

Mr CATHIE (Minister for Education)—The answer is:

1. Schools which have been funded under the School Improvement Plan in 1983, 1984 and to 29 April 1985 are set out below.

The schools which were funded early in 1983 have completed their two-year period and will be dropping off the list as others come on.

2. It is not possible to predict which schools will decide that they are ready to undertake a period of intensive evaluation and planning and hence which will apply for SIP funding. Although all schools will have the opportunity to apply for SIP funding, there is no compulsion and no roster.

SIP Funded Schools (up to 29/4/85)

*Loddon Campaspe-Mallee*

Kangaroo Flat P.S., Maryborough East P.S., Spring Gully P.S., Bendigo H.S.
Barwon South-Western
Beeac P.S., Grovedale T.H.S., Grovedale West P.S., Belmont P.S.

Westernport
San Remo P.S., Urimbirra Sp. Dev., Cardinia P.S., Eumemmering P.S.

Central Highlands-Wimmera
Laharum P.S., Kaniva Cons., Dooen P.S., Lubeck P.S., Wendouree West P.S., Woomelang Gr. School, Dimboola Memorial H.S.

Goulburn North-Eastern
Dhurringie P.S., Orrvale P.S., Kyabram H.S., Shepparton T.S., Waiwa P.S., Wodonga West P.S., Wunghnu P.S., Manangatang Cons.

Eastern
Ringwood North P.S.

Maroondah

Northern

South Central

Tullamarine

Western

Westernport

Barwon South-Western

Central Highlands-Wimmera

Eastern
Allambie Special, Ashburton P.S., Ayr P.S., Balwyn North P.S., Bulleen P.S., Bulleen Special, Camberwell South P.S., Donvale H.S., Kew East P.S., Mount Waverley H.S., Templestowe T.S., Warrandyte P.S., Wheelers Hill H.S., Yarralane P.S., Doncaster Hghts P.S.

Gippsland

981
Goulburn North-Eastern
Alexandra P.S., Benalla H.S., Benalla T.S., Lancaster P.S., Merrigum P.S., Melrose P.S., Mooroopna H.S., Yarrawonga H.S., Yarrunga P.S., Mt Beauty H.S., Numurkah P.S., Shepparton H.S., Shepparton P.S., Shepparton P.S. (St. Georges Rd), St Germaines P.S., Mooroopna North-West P.S., Strathbogie Gr. School, Thornton P.S., Wodonga West H.S.

Loddon Campaspe-Mallee

Mallee
Dingwall P.S., Irymple T.S., Swan Hill T.S., Kerang P.S., Mildura West P.S., Red Cliffs H.S.

Maroondah

Northern

South Central

Tallamarine

Western
Essendon T.S., Footscray H.S., Altona H.S., Seaholme P.S., Ardeer H.S., Newport P.S., Point Gellibrand H.S., Keilor Downs P.S., Avondale H.S., Sydenham P.S.

Westernport

Barwon South-Western

Central Highlands-Wimmera

Eastern
Questions on Notice

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Gippsland

Goulburn North-Eastern

Loddon Campaspe-Mallee
Lockwood South P.S., Boort P.S., Kerang T-H.S., Carwarp P.S., Meringur P.S., Dunolly P.S., Quambatook Group School, Castlemaine H.S., Sebastian P.S., Chewton P.S., Big Hill P.S., Campbell's Creek P.S.
Tuesday, 2 July 1985

The SPEAKER (the Hon. C. T. Edmunds) took the chair at 2.5 p.m. and read the prayer.

DEATHS OF THE HONOURABLE FRANCIS FIELD AND FREDERICK LEWIS EDMUNDS, ESQUIRE

Mr CAIN (Premier)—I move:

That this House expresses its sincere sorrow at the death of the Honourable Francis Field, and places on record its acknowledgment of the valuable services rendered by him to the Parliament and the people of Victoria as a member of the Legislative Assembly for the electoral district of Dandenong from 1937 to 1947, as Deputy Premier from 1945 to 1947 and Minister of Public Instruction in 1943 and from 1945 to 1947.

Frank Field was first elected to Parliament in 1937 as the honourable member for Dandenong. He was re-elected at subsequent elections in 1940, 1943 and 1945 and was defeated at the election of 1947, which, as some of the older members will recall, was fought around the issue of bank nationalization.

In 1943, for a very short time, he held the portfolio of education and was Vice-President of the Board of Land and Works. The Government, of which he was a member at that time, did not last for a prodigious number of days—about four in all—but in 1945 he was again a Minister in the second Cain Government and held the education portfolio, which was then called the Ministry of Public Instruction, and he was Deputy Premier during that period.

Frank Field had previously been a member of the Standing Orders Committee of the Parliament; the Statute Law Revision Committee; the Printing Committee; and the Forestry, Pulp and Paper Company’s Afforestation Contracts Committee.

He was educated locally in Dandenong, which was the electorate that he was later to represent. He was one of those brilliant students academically. He won a junior scholarship to St Kevin’s College and, upon completing his secondary schooling, was dux of the college. He then won a senior scholarship to the University of Melbourne. Not satisfied with that, he won the Donovan Bursary, which enabled him to enrol at Newman College, where he was a resident during the time of his university education.

Mr Frank Field was a first-class honours student at the university and a first-class tennis player. He won a university blue for tennis and took out honours degrees in both arts and law.

I am indebted to the remarks made by former Judge Frederico, who gave the eulogy at the funeral of Frank Field. The judge, who was a contemporary of Frank, was more eloquent than I. They had been at Newman College together, studied law together and had maintained a close personal friendship in the years following their university days. After they both retired they met monthly for lunch until Frank’s death. Judge Frederico said that he always saw his contemporary at university as a very modest, unassuming student who was able to achieve considerable distinction academically without appearing to do much work.

It is a rare capacity that most honourable members would envy, but Frank Field was one of those people who are able to reach the top academically without requiring to do an enormous amount of study.

Judge Frederico said that in those days—and later, from my knowledge of him—Frank Field never had a desire for personal aggrandizement. He was never one to promote himself, despite the various abilities he had in his academic days and the distinctions he won. That was an attribute of his later career.
Frank practised as a barrister and solicitor in Dandenong and during the second world war served as a flying officer in the Royal Australian Air Force from 1942 to 1945. Some people believed his interest in politics commenced because his father was the Chief Electoral Officer, which was probably a less onerous task than it is today. Frank Field joined the Labor Party in early life and was elected to Parliament as the member for Dandenong in 1937.

During his period as Minister of Public Instruction he was responsible for a number of initiatives. Honourable members who remember the post-war years would know that resources were short in every area, so Frank Field had to make do with what he had. Time does not change much because Frank initiated a recruiting drive for more teachers and also raised the school leaving age, and these were two issues of concern at that time. He also sought to lower the entry age of pupils for school.

Frank Field won considerable distinction by revamping the area of public instruction in the vital formative period immediately following the second world war. He was instrumental in establishing refresher courses for returning servicemen and women, increasing school transport services, the establishment of the first Teachers Tribunal and the State Film Centre. They were considerable milestones in that period.

In 1946 Frank was responsible for the formation of the Council of Adult Education. Honourable members who remember Frank Field would agree that he was a tall man with considerable presence and had about him an air of authority and determination. That is certainly my memory of him when I visited Parliament House and met him on numerous occasions.

After losing his seat in this House in 1947, he remained active in public life. Frank Field served a term on the Licensing Court, as it then was, and later the Liquor Control Commission. He was Chairman of the Churchill National Park Committee, a committee member of the RAAF welfare fund and a member of the Defence Department Board of Administration. He was also active in the local scene, having been a committee member of the Dandenong Hospital, vice-president of the Dandenong Football Club and president of the Dandenong branch of the Australian Labor Party.

Throughout his life Frank Field had a driving ambition and determination to do what he thought was best and to use his abilities to achieve that end. He devoted his whole life to public service and remained constantly associated with the Labor movement, despite his defeat in Parliament. His loyalty to the Labor Party during those turbulent years of the early 1950s was significant. As a Catholic, Frank Field was faced with the difficult problem of remaining loyal to what he believed were the principles of the Labor Party, despite strong opposition and pressure from many quarters applied to people in his position. He resisted that pressure, and his view was always clear. He stood by the Labor Party and his beliefs in the Labor movement and what it meant to this country.

In summary, Frank Field won the acclaim and support of his colleagues as a diligent and competent Minister in an extremely difficult time. His friends and colleagues remember him as a very modest, unassuming man of outstanding ability and dedicated to doing all he could to ensure that society was a fair and just place so far as men and women could make it.

I regard him as a great Parliamentarian and a very great man and, on behalf of the Government, I extend sincere sympathy to the family of the late Francis Field and record the Government’s expressions of sympathy and appreciation of a fine Parliamentary career and a fine career as a public servant of this State.

Mr KENNETT (Leader of the Opposition)—On behalf of the Parliament, I join with the Premier in offering the Opposition’s condolences at the passing of the late Francis Field and extending sympathy to his family. There is not much I can add to what has already been said. It is interesting to note that in recent times in this Parliament mention was made of another individual who served this Parliament for a long time and whose
service took place at the end of the second world war. From 1942 to 1945 Francis Field was a flying officer in the Royal Australian Air Force.

I suppose it is his contribution in the education field which probably best represents the contribution he made not only to Parliament but also to the community at large. I well remember after the Labor Party won the election in 1982 seeing a photograph being taken of Mr Field with the new Minister of Education at that time, Mr Fordham. It was the first time I had heard of Francis Field because obviously I did not have the length of experience of the current Premier. However, I thought it was a nice gesture that a person who had served the party well was brought together with an incoming Labor Minister in that victory.

Without a doubt one of the most important contributions made by Francis Field was the establishment of the Council of Adult Education. That body has served the community well over many years and, no doubt, with adequate assistance and financial backing from Governments from all sides, will continue to do so. If there is a legacy that is still working well in the minds of the electorate that can be attributed to the work of Francis Field, the Council of Adult Education, for which I had the pleasure of serving as a councillor for some time, is that legacy.

The Premier, in speaking about some of the other educational contributions of Francis Field, omitted to say that he was also responsible for the establishment of the first Teachers Tribunal in Victoria. He moved quickly and was credited with the responsibility of bringing about the abolition of technical and secondary school fees. Again, we are paying tribute to an individual who not only made a contribution to Parliamentary life and therefore the activities in this place and the community at large, but also throughout his life after his service in this place continued to serve in a wide range of community activities.

To his five surviving children and their families we offer our condolences. Obviously they had a father or a grandfather whom they can look up to in the years to come as a fine individual, a fine politician and, more importantly, a politician who has a record of achievement very closely established to his name.

Mr ROSS-EDWARDS (Leader of the National Party)—I join with the Premier and the Leader of the Opposition in extending my sympathy and that of the Parliament to the family of the late Francis Field. He was the member for Dandenong from 1937 to 1947, the Deputy Premier from 1945 to 1947 and the Minister of Public Instruction from 1943 to 1947.

It is interesting to note that during his service as a member of Parliament he went to the war for three years and during that time served his country in two different ways at the same time. Another interesting point is that he was defeated on the bank issue in 1947 which obviously had nothing to do with State Parliament but had to do with the Federal Labor Government being defeated in 1947. There is a lesson to us all in that particular incident.

In 1954 Frank Field was appointed by the then Premier Cain to the Liquor Control Commission. Judge Fraser and Mr Atchison were the other two commissioners and I got to know Frank Field well when I appeared as a solicitor before the commission. It was a very practical body and one could sort things out fairly quickly with those three individuals. It was efficient and well run.

I remember Frank Field as a courteous, well-mannered and competent person. He did not have quite the "colour" of Judge Fraser or Mr Atchison but he made up for that in ability and competence. I was especially interested in this area during the 1950s and 1960s because many clubs in my part of the world were applying for licences. Appearing before the commission was important because there was much at stake.
I join with the Premier and the Leader of the Opposition in extending to his family the National Party's deepest sympathy. He was a distinguished Victorian and those who knew him hold very fond memories of him.

Mr JOLLY (Treasurer)—I join with other speakers today in expressing my sorrow at the passing of Frank Field. He was widely respected in the Dandenong area and was recognized as making a great contribution to the development of the Dandenong community. As the Premier indicated, he was Chairman of the Churchill National Park Committee, which is one of the greatest assets in the area in which I reside.

It is well established that Frank Field, in his roles as Deputy Premier and Minister of Public Instruction, made a great contribution to the development of Victoria. That is recognized by all members of Parliament who are aware of his activities. Frank Field continued to play an active role in the community following his electoral defeat.

Although I did not have the privilege of knowing Frank Field when he first entered politics, because I was far too young, I did have the pleasure of personal contact with him and his son in my early years when I was a caddy with the Kingswood Golf Club. I had the opportunity of playing a number of rounds of golf with him and his son, which were among the most enjoyable experiences of my life to that time. He demonstrated on the golf course that he was a man of great judgment and a man who was humble despite the significant achievements that he had made.

I join with those who have spoken on this occasion to express to Frank Field's family my sincere sympathy on his passing. He was a man of integrity and a man who achieved much.

Mr CATHIE (Minister for Education)—I join with previous speakers in expressing my condolences to Frank Field's family. I met Frank Field on one occasion only but I well remember in my early years as a teacher, both within the Victorian Teachers Union and within the Australian Labor Party, that he was held in high regard indeed. When the Deputy Premier, who was the Minister of Education, addressed the annual conference of the Victorian Teachers Union in June 1982, Frank Field was present, as he had been in 1946 in his capacity as Deputy Premier.

During his term as Minister of Public Instruction he presided over a period of great change and considerable stress at all levels within the education system. It was, after all, the immediate post-war period. As a result there were critical shortages of teachers, equipment and accommodation; so Frank Field's educational achievements are all the more impressive.

As indicated by the Premier, Frank Field's educational achievements included conducting drives to recruit more teachers. He worked very hard to raise the school leaving age and to lower the age for pupil entry. He worked to reduce the size of classes and to revise the curricula to meet the needs of post-war Australia. He worked extremely hard again on behalf of returning servicemen and servicewomen for retraining, particularly retraining for educational purposes.

Frank Field has contributed to at least three Acts of Parliament; the Council of Adult Education Act and the Acts that led to the establishment of the Teachers Tribunal and free library services and, I believe, he helped as well in the establishment of the State Film Centre. Frank had the esteem of everyone who worked in education, not only the professional officers within the Department of Education but also the clerical officers. No one was more sought after throughout the department because of his manner and his wide understanding of people, their needs and their issues. When he addressed the Twentieth Annual Conference of the Victorian Teachers Union on 20 February 1946, he said:

I would like to see the departmental inspectors have a little more time to spare in acting as guides, philosophers and friends of the teachers.

Frank Field was a guide, a philosopher and a friend to everyone who knew him. I express my sympathy to his remaining family.
Deaths of the Hon. F. Field and F. L. Edmunds 2 July 1985 ASSEMBLY

The SPEAKER—I wish to pay my tribute to Frank Field. He had an extremely distinguished public career and was a member of this place for ten years during an important part of the State’s history. It is with deepest sympathy that I express these condolences to the family of Frank Field.

Mr CAIN (Premier)—I move:

That this House expresses its sincere sorrow at the death of Frederick Lewis Edmunds, Esquire, and places on record its acknowledgment of the valuable services rendered by him to the Parliament and the people of Victoria as a member of the Legislative Assembly for the electoral district of Hawthorn from 1945 to 1950.

Frederick Lewis Edmunds represented the seat of Hawthorn on behalf of the Liberal Party, as it was in those turbulent years from 1945 to 1950. He died on 23 June 1985 aged 84, having been born in 1901. His service in the House saw him involved as Temporary Chairman of Committees from 1945 to 1947, a member of the Library Committee from 1945 to 1949 and a member of the Standing Orders Committee from 1945 to 1947.

As I understand it, Frederick Lewis Edmunds was a great individualist for his contributions, as those who were here at the time will recall. He was a professional amateur debater, if one can be called that; he was a man who took great care with words and used them very well. He was seen as one of the characters of the place during those years when there were a few characters around. He was certainly one of them.

Frederick Lewis Edmunds was educated in Hawthorn, the district he was later to represent. He went on to university and, after leaving university, taught in a number of schools. Before that he was an orchardist in Ringwood—the honourable member for Ringwood would be interested to know that. There were many orchards in Ringwood at the time. He held positions in a number of schools—a Fijian high school, Ballarat College and Scotch College. During the war he served as a major in the Southern Command from 1940 to 1943.

Like Frank Field, Frederick Edmunds did not leave public life after he was defeated in Parliament. He was active in the temperance movement in Queensland and New South Wales before his retirement when he returned to Melbourne. Perhaps he will be recalled by some as being one who was critical of the Liberal Party in 1950, which was the time of the Hollway Government. That resulted in his being expelled from the party and it may account for his subsequent failure to maintain his seat.

Maybe, as somebody remarked, there is a lesson in that for all of us. They were turbulent times and perhaps his judgment was justified in the event. He was involved at a time when Parliament was a vital place with rampant changes in government and party-related allegiances for short periods. On behalf of the Government, I extend sincere sympathy to his family and desire that these expressions be placed on the record.

Mr KENNETT (Leader of the Opposition)—On behalf of the Liberal Party, I join with the Premier in expressing our sympathy at the passing of Frederick Lewis Edmunds. The Premier was quite correct when he indicated that Mr Edmunds was a character. There is no question about that. He possessed tremendous debating skills and took great pride, not only in his performances in this House, as have been related to me, but also throughout his adult life in being prepared to become involved in debates. He was a debater well worth listening to.

Mr Edmunds was born in Launceston in 1901 and came to Victoria as a young man. As the Premier said, he was educated at West Hawthorn State School and then Scotch College. He later returned to Scotch College as a teacher. Having established his orchard he embarked on a substantial teaching career which, as the Premier said, took in Fiji as well as Ballarat College and Scotch College. It was while teaching at Ballarat that he founded his interest in politics.

I think it is correct to say that he contested both State and Federal seats in Ballarat unsuccessfully. He demonstrated his breadth of experience, and not being successful in Ballarat, he became a member of the Young Nationals of that time and returned to...
Melbourne to contest many State and Federal elections, including a by-election in Nunawading in 1943, which is worth noting, given current events. I shall not refer to the result of that by-election.

He was elected to the Legislative Assembly seat of Hawthorn in 1945. As the Premier said, he experienced that turbulent period with the Liberal Party at that time and was expelled for the beliefs that he held. He lost the subsequent election in May 1950 and went on to serve the public in a whole range of activities. He returned to Scotch College and became a teacher of writing. I do not know whether he instructed the Premier at any stage during the Premier's short time at Scotch College. However, he did instruct Mr Haddon Storey in another place.

Fond memories are held by the students of Mr Frederick Edmunds. They referred to him as F. L. Edmunds, as schoolboys tend to put some sort of tag on their teachers. He had tremendous devotion to the art of writing and the utilization of words. As we remember his service today, we in the Liberal Party would like our condolences to be passed on to his wife, Nell, and her two daughters.

Mr ROSS-EDWARDS (Leader of the National Party)—On behalf of the National Party and Parliament, I extend condolences to the family of the late Frederick Lewis Edmunds. As has been said, he represented the Assembly seat of Hawthorn from 1945 to 1950. He was a remarkable man who held strong beliefs on many issues. Unfortunately, I did not know Mr Edmunds, but I contacted the former honourable member for Hawthorn, the Honourable Walter Jona, who knew him well. He tells me that Mr Edmunds was a man of extremely high principles and intense courage. He held strong views about liquor, being very much against it. As the Leader of the Opposition said, he was a handwriting teacher at many schools, including Scotch College.

It is a pity that we do not have more writing teachers in the education system today. He had a very distinguished career at Scotch College and his father had been a teacher at that college before him.

Perhaps one of the most interesting facts about the late Mr Edmunds is that in his retirement, and during that difficult period that the Education Department went through which was referred to when we paid tribute to the late Francis Field, it so happened that Mr Edmunds returned to teaching at the Auburn Primary School. There was a shortage of teachers, he was asked to teach at that school, and he did so.

Mr Edmunds was a very interesting character who lived until he was 84 years of age. He played his part in the political life of this State not only as the member for Hawthorn but he also stood for many seats, apart from the State and Federal seats of Ballarat. He put himself on the line when principles were involved and was prepared to pay the price that had to be paid. We extend our deepest sympathy to his family.

Mr GUDE (Hawthorn)—I join with other honourable members in paying tribute to the late Frederick Lewis Edmunds. I had no occasion to meet Mr Edmunds, so I have no personal knowledge of him. Like the Leader of the National Party, I contacted the former member for Hawthorn who relayed to me the same type of tributes previously passed on.

Mr Edmunds was a man of integrity, a man of commitment, a man of determination, a person who was prepared, on all occasions, to put his ideals before himself. As already stated, he was involved in politics during a very turbulent period but, none the less, he was prepared to stand up for his principles. It is important on a day such as this to recognize those characteristics in individuals. He was a product of his own community and had the pleasure of representing it—many of us have that opportunity, but others do not.

It is important that as a man gains experience in life, experience in education in teaching young people and the experiences of war—the comradeship, the difficulties, the horrors and the losses—he becomes a more rounded and understanding individual. Mr Edmunds brought those experiences to this Parliament.
On behalf of the citizens of the electorate of Hawthorn and myself I express condolences to the family of the late Frederick Lewis Edmunds.

Mr RAMSAY (Balwyn)—As possibly the only member of the House to have known Mr Edmunds personally, I join in the condolences expressed to his family.

I first met Mr Edmunds when he was the writing master at Scotch College when I attended that school in the latter years of the war. Even at that stage, before he entered Parliament, he was a great enthusiast for his cause. His cause then was the "Curse of Copperplate". It occurred to me, as I saw changes being made to writing styles in the State education system, which were reported last year, that the work Mr Edmunds was doing in the 1940s was along very similar lines. He took the young students of that age who had perhaps been trained in the primary school system of the 1930s, even as I had, to write some type of bastardization of copperplate, and taught them to write in a more simple and dignified manner. One of Mr Edmunds great failures was his inability to teach me to write well! Not his fault but mine.

There is no doubt that one of the extraordinary characteristics of Mr Edmunds—Flea, as we called him—was enthusiasm for a cause. I recall his devotion to a cause and the part he played in the temperance movement in the 1940s. He was an unusual figure. Undoubtedly that is why he found it difficult, in the context of the party political system, to remain within the confines of one party. I suggest that whatever party "Flea" Edmunds had joined he would probably have finished up becoming an independent in one way or another.

The qualities he brought to this place of the rugged individual were, I am sure, the qualities we miss today. We could all learn a lesson from his preparedness to stand and speak up for what he believed to be right in the way he saw it. I join in offering my condolences to his family.

The SPEAKER—I wish to add my tribute to the late Frederick Lewis Edmunds, Esquire. Although he had only a brief tenure in this place he brought special skills to the community, as we have heard, that will be of lasting benefit. I extend my sympathy to the family of Mr Edmunds.

The motions were agreed to in silence, honourable members signifying their unanimous agreement by standing in their places.

ADJOURNMENT

Mr CAIN (Premier)—I move:

That, as a further mark of respect to the memories of the late Honourable Francis Field and the late Frederick Lewis Edmunds, Esquire, the House do now adjourn until a quarter to five o'clock this day.

The motion was agreed to.

The House adjourned at 2.43 p.m.

The SPEAKER took the chair at 4.48 p.m.

ABSENCE OF MINISTER

The SPEAKER—I advise the House that the Deputy Premier will be absent during questions without notice.
Mr KENNETT (Leader of the Opposition)—I refer the Premier to the fact that the submission made to the tax summit yesterday by the Victorian Government failed categorically to reject or accept the proposed consumption tax suggested in the Federal Government's preferred package.

Will the Premier now tell Parliament whether either he or his Government supports the principle of the consumption tax? In the interests of clarity, I ask for a yes or no answer.

Mr CAIN (Premier)—Yesterday the Government made a submission, all of which was not contained in the speech that I made to the summit. We believe the current system of taxation is in dire need of reform and that the public has lost confidence in the present system.

We made a number of points in the context of the summit—which was then expected to last over the next four and a half days. There is a prescribed agenda which the Leader of the Opposition, in the usual way he handles things, has not bothered to examine. There is a structure for the agenda. Today, there is discussion about tax evasion and avoidance. Yesterday, the Prime Minister sought general comments from the participants on the issues at large. Tomorrow, the summit is to be devoted to the consumption tax issue.

It should be clear to everyone, including the Leader of the Opposition, that the Victorian Government has expressed its views about a wide range of matters thus far. The Honourable David White, who is in Canberra today, already will have expressed other views on the question of tax avoidance and evasion. The Treasurer is returning to Canberra tonight. I shall be going tomorrow. The Leader of the Opposition can look forward to an ongoing contribution by the Victorian Government on the issue.

Mr Kennett—What about a yes or no answer?

Mr CAIN—For someone who conducted his election campaign like an ad man, I suppose one line is what the Leader of the Opposition is all about. His simplistic approach pays no regard to the fact that tax is a complex issue, not to put too fine a point on it. The Leader of the Opposition may not understand that.

A wide range of views is being put at the summit. It might profit the education of the Leader of the Opposition if he were to examine them. If he is not aware of this Government's position on the consumption tax, amongst other things, even after reading this morning's newspapers, he is even less intelligent and less perceptive than I had thought, and that is saying something. If he does not know what the position is, I cannot help him further.

It has been made perfectly evident what the Victorian Government's views are; the reservations we have had on a wide range of issues have been made evident even to the point that the Leader of the Opposition should understand, but, apparently, he does not. We are concerned about a whole range of possible consequences of a consumption tax, which is not a matter of saying, yes or no.

Mr Kennett—Come on!

Mr CAIN—The Leader of the Opposition may not understand it—it is a question of the Government responding in the whole context of taxation. No doubt some of the consequences of that tax would be devastating on ordinary taxpayers.

It is interesting to observe how little the Opposition has responded on the matters that really are the cause of a loss of confidence on this issue. Tax cheating has been made an
art form. It prospered when the Liberal Party was in government in Victoria and when the Fraser Government was in government in Canberra. That is the time when it all developed and the whole tax system was undermined; as a result, public confidence was lost. We shall continue to make a positive and worth-while contribution to the summit over the next four days.

LEGALIZATION OF MARIJUANA

Mr ROSS-EDWARDS (Leader of the National Party)—Can the Minister for Transport, who represents the Minister for Health in this place, advise the House whether it is the Government’s intention to legalize the use of marijuana in Victoria?

Mr ROPER (Minister for Transport)—At the week-end the Minister for Health said he would consider propositions that were put forward to him. Honourable members will be aware that the year before last Parliament passed legislation relating to marijuana that got rid of the huge penalties that had applied under the previous Government's legislation, which would have put every person who was found in possession of even a small amount of marijuana in gaol for up to two years.

The penalties in Victoria are now lower than those that apply in other States. However, the Minister stated that he would examine the situation, and I am sure he will do so.

ALCOA OF AUSTRALIA LTD

Mr SEITZ (Keilor)—Can the Premier provide the House with details of the progress of the Portland smelter project?

Mr CAIN (Premier)—I am pleased to inform the House that the progress has been considerable. The project is breathing new life back into this State and, in particular, into Portland. It is time the Opposition ceased its campaign, which is aimed at seeking to undermine public confidence in the project.

Honourable members interjecting.

Mr CAIN—It is time the Leader of the Opposition and the honourable member for Portland said where they stand in regard to this issue instead of being half-hearted about it. In the past four months I have not heard a single remark in support of the project from the honourable member for Portland.

Honourable members interjecting.

Mr CAIN—Let him say now whether he and the Leader of the Opposition support the project.

Mr Kennett—Yes!

Mr CAIN—The Leader of the Opposition says that he supports the project. Let him come out and say so publicly and stop trying to undermine public confidence.

Considerable progress has been made. The total commitments that have been let by Bechtel Pacific Corporation Ltd, the constructing authority, amount to some $208 million. When one adds that amount to the cost of the work that had already been completed by Alcoa of Australia Ltd, before the project was suspended, one notes that some $538 million has been either spent or committed. That is already half-way to the total of $1·1 billion, which is the total cost of the project. I believe it is time there was overt evidence that the Opposition is backing the project.

Mr Kennett—I have always backed it.

Mr CAIN—If that is the case, the support of the Leader of the Opposition is half-hearted, because, while purporting to support the project, he has been doing his best to undermine confidence in it, and that is particularly true among the people of Portland.
Some 1200 people are employed on the site at Portland, and many hundreds more are employed on contracts off the site.

I call on the Leader of the Opposition and the honourable member for Portland, among others, to indicate that they support the project and believe it is a good thing.

Honourable members interjecting.

Mr CAIN—Honourable members opposite shout and say that they support the project. That is not the message that has been conveyed outside, and it is not the message the Leader of the Opposition has conveyed, either. The Opposition never got over the fact that it took a Labor Government to get the project restarted. Honourable members opposite do not like that. They made a mess of it, and they resent the fact that, despite the mess they made of it, this Government was able to get the project restarted.

The project is the best commercial venture that this State has ever undertaken, and it is time for it to be supported right across the political spectrum.

STATE TAXES AND CHARGES

Mr PERRIN (Bulleen)—Does the Premier still stand by the commitment he made before the last election that rates and taxes would not increase by an amount higher than the increase in the consumer price index, and, if so, will he guarantee that that commitment will apply throughout the life of this Parliament?

The SPEAKER—Order! I ask the honourable member for Bulleen to repeat the question.

Mr PERRIN (Bulleen)—I ask the Premier whether he stands by the commitment he made during the last State election campaign that the Government would not increase taxes and charges by more than the consumer price index; if so, will the honourable gentleman guarantee that the commitment will be applied throughout the life of the Government?

Mr CAIN (Premier)—During the election campaign, I took a responsible approach to this issue, unlike the Leader of the Opposition who was going to freeze charges for twelve months, among other simplistic responses such as selling the gaols.

Mr KENNETT (Leader of the Opposition)—On a point of order, Mr Speaker, the Premier was asked a simple question and he is now debating the issue. If question time is to have any relevance, I ask that the Premier and Ministers be directed to answer the questions. If they will not answer them, they may as well sit down.

The SPEAKER—Order! I uphold the point of order, however, I cannot direct the Premier or Ministers regarding the manner in which they answer questions.

Mr CAIN (Premier)—Prior to the last election, the Government indicated that it would not increase real tax rates during its term in office and that any growth in over-all tax would come only through movements in the consumer price index and increases in economic growth. That is the position.

POLICE POWERS

Mr McNAMARA (Benalla)—I direct the attention of the Minister for Police and Emergency Services to recent comments made by the Chief Commissioner of Police, Mr Miller, when he indicated that members of the Police Force were handicapped in carrying out their duties effectively because they do not have certain powers.

The SPEAKER—Order! The honourable member for Benalla should ask the question.

Mr McNAMARA—I ask the Minister whether he is aware of one of the suggestions made by the Chief Commissioner that police should be able to stop a suspect and ask him to identify himself and produce his name and address. Has the Minister considered that
proposal and does he intend to grant that power which is so vital for effective policing in Victoria?

Mr MATHEWS (Minister for Police and Emergency Services)—I am aware of that suggestion by the Chief Commissioner of Police. The matter of police powers is currently under review by a working party established under the authority of the Director of Public Prosecutions. It includes police representation in the person of Assistant Commissioner Glare, and I look forward to an early outcome in the work of that committee.

**STATE BUDGET**

Mr MICALLEF (Springvale)—Will the Treasurer inform the House of the progress the Government has made in its consultations with major community organizations regarding the next State Budget?

Mr JOLLY (Treasurer)—As honourable members will be aware, the Government involves itself in detailed consultation before preparing the economic strategy underlying the State Budget. Over the past few years that approach has been taken and it has been extremely successful. It has assisted the Government in reaching views about the Budget strategy and is one of the major reasons why the Government has been able to develop both short and long-term strategies which have generated substantial employment growth and is why Victoria has the lowest unemployment rate of any State in Australia.

Honourable members will be pleased to note that that gap is widening. Victoria is improving its relative performance and, since the bottom of the economic recession was reached in April 1983, Victoria's employment growth has outstripped that of the rest of Australia.

I have consulted with major private sector groups on the preparation of the 1985 Budget. I have had detailed discussions with the Victorian Employers Federation; the Australian Chamber of Manufactures; the Victorian Chamber of Commerce and Industry; the Housing Industry Association and the Federation of Construction Contractors; all of which are major groups in the private sector which have made worth-while submissions to the Government on the Budget strategy. Those groups have welcomed the improvement in information that has flowed from the Budget process, which the Government will endeavour to improve, even though it has by far the best set of Budget Papers in the land.

I have also had consultations with the Victorian Council of Social Service, which was concerned to ensure that it made representations so that the Government, in developing its social justice strategy, will consider those issues which, in the eyes of the Victorian Council of Social Service, are high priorities in this year's Budget.

In addition to having discussions with the private sector employers, I shall be having consultations with the Trades Hall Council because in the past it has also made a most valuable input to the Budget process. The consultation process has occurred in relation to the major private sector organizations and the Victorian Council of Social Service. As a consequence, I believe the Government's Budget strategy in 1985, like its previous Budgets, will have the strong support of the Victorian community.

**STATE TAXES AND CHARGES**

Mr AUSTIN (Ripon)—I ask a question of the Premier similar to that asked by the honourable member for Bulleen: Why have all sawmillers’ charges been increased by three times the consumer price index and why have dairy licence fees been increased by up to 1200 per cent since the election? Will the Premier now reverse these decisions to bring them into line with his promise?

Mr CAIN (Premier)—I shall look at the matters to which the honourable member for Ripon has referred and determine what the position is in respect of those.
KARMEL REPORT

Dr VAUGHAN (Clayton)—Can the Minister for Education indicate whether he has had the opportunity of studying the recent Karmel report on the quality of education and, if so, can he inform the House of the Government's response?

Mr CATHIE (Minister for Education)—The Karmel report was a national report on the quality of education in Australia. It was not a report about teacher bashing as appeared in the daily media with 1 inch headlines such as, "Teachers get a bad report".

I regret that people have either misunderstood or misinterpreted the Karmel report because the majority of teachers are professional, dedicated, sincere and hard-working. I am glad to note that even the Opposition these days agrees on that point.

The Karmel report focused on the need to set national goals in education; greater equality of opportunity and increased educational outcomes; in so doing, it directed attention to the needs of disadvantaged groups in society, especially those social economic groups, women, migrants, youth and Aborigines.

The Karmel report was concerned about the need to maintain standards of literacy and numeracy. It is because the Government has been most concerned about those standards and the need to return to the basics and the three Rs that we have indicated to the Federal Government our preparedness to enter into negotiations with that Government over resource agreements for additional Commonwealth recurrent grants which are aimed at achieving the national objectives set out in the Karmel report.

That can be a co-operative approach by the Commonwealth and State Governments and I believe the goals that are expressed nationally are already held by the Victorian Government.

METROPOLITAN WATER RATES

Mr DELZOPPO (Narracan)—I refer the Minister for Water Resources to his claim today "that the over-all increase for water, sewerage, drainage and metropolitan rates will not be more than 6·6 per cent" and ask: Why did the Minister make this misleading statement when the truth is that hundreds of thousands of residential properties in the metropolitan area will attract substantially higher increases—up to 24 per cent—in the first year?

In light of that fact, how does the Minister propose to implement the Government's commitment to keep any increases in taxes and charges below the movements in the consumer price index?

Mr McCUTCHEON (Minister for Water Resources)—The Government's commitment was to the increase in the rate revenue generated by the Board of Works, and that has been increased by 6·6 per cent, which is below the projected consumer price index increase for the coming year.

The honourable member for Narracan should examine closely the impact of that on residential rates. Because of the revaluation on 1982 figures, which is used for the first time in assessing the Board of Works rates, 70 per cent of domestic property owners will incur rises that are either equivalent to the consumer price index or less for the first year and, because of market valuation changes, 30 per cent of domestic property owners' rates will increase by more than the consumer price index.

The board has used powers conferred by the 1982 Act to restrict the increases in rates paid by those 30 per cent of property holders; there is now a 60 per cent limit on the increase that applies to those properties. That means that the highest rate increase will be 24 per cent.

Honourable members know that last year local government rates increased by more than that on the same valuation system, so the board has made a significant move to
prevent individual property rates from rising beyond that point. That capping on the rates will be phased in over three years, and it is the policy of the Government to reduce the impact of rate increases due to four-yearly revaluations.

**HOUSE BUILDERS' LIABILITY**

Mr JASPER (Murray Valley)—I refer the Minister for Local Government to the report of the committee investigating house builders’ liability as set out in section 918 of the Local Government Act. Can the Minister indicate whether that report is available, and will he make it publicly available with any minority report? Can the Minister indicate what action the Government will take to implement the recommendations of the report to protect builders and home owners alike?

Mr SIMMONDS (Minister for Local Government)—The report was made available to the previous Minister for Local Government. I shall investigate the details of the report and advise the honourable member.

**TITLES OFFICE**

Mrs HILL (Frankston North)—What action has the Minister for Property and Services taken to reduce the level of unregistered dealings at the Titles Office?

Mr McCUTCHEON (Minister for Property and Services)—I thank the honourable member for her question and for her continued interest in the Titles Office. Honourable members will be aware that the Titles Office had a very high backlog of unregistered dealings. This was partly a reflection of the increased activity in the property market, which is an indication to this State of the improved economic activity due to the policies of the Government.

The level of unregistered dealings in April was some 193 000. Since that time we have commenced a program to reduce the backlog, and a target was set to reduce it to 100 000 by September of this year. Weekly targets are being set in order that the target will be reached. By the end of June, the figure was down to 147 000, which was 16 000 ahead of the target.

I congratulate the people working on the backlog in the Titles Office. It is a creditable result and the people working in the office under considerable difficulties need to be commended.

I should also point out that early in June additional computer facilities were placed in the Titles Office and they will assist in the improvement of the performance of the Titles Office so that eventually when Landata—the automated land data system—is introduced it will incorporate Titles Office information, and the services offered to the public will be as good as those anywhere in Australia.

**TAX SUMMIT**

Mr BROWN (Gippsland West)—Did the Treasurer consult the Minister for Water Resources about that section of the Government’s submission to the taxation summit which proposed the extension of indirect taxes on services generally? If so, did the Minister agree to this new increase in household gas and electricity charges?

Mr JOLLY (Treasurer)—There is obviously a total misunderstanding by the Opposition on this issue. There was never any advocacy on behalf of the Government in respect of imposing an indirect tax on gas or electricity in the State. Therefore, the honourable member opposite is totally ill-informed on the issue.

Both the Premier and I consulted in full with Cabinet members with respect to the submission to the taxation summit. We made it clear that the Victorian Government has as its major objective the reduction of the over-all tax burden on Victorians. We believe
that is the approach that should be adopted. We have already been successful in ensuring that there has been a redistribution of taxation away from the smaller States to Victoria by way of the implementation of the Grants Commission formula at the Premiers Conference. The former Liberal Government could not achieve that; this Government has achieved it and that certainly improves the position relative to other areas.

We shall continue to ensure that we present views that are concerned with improving the position for Victorian taxpayers. The proposition submitted to the taxation summit is designed to ensure that tax avoidance schemes that have been artificially created to minimize tax payments should be outlawed in the future. It has meant that other people who have not had access to those schemes have had to pay more taxation. We also believe there should be a strong attack on tax evasion. We have done it at the State level and we encourage the Federal Government to do it federally. In those circumstances it is possible to achieve a significant reduction in personal income tax rates. That is a proposition that is widely held in the community.

We also indicated that consideration should be given to rationalizing indirect taxes and imposing an indirect tax on certain services. At no stage did we specify gas and electricity. The Premier drew attention to the fact that there was a danger that the 12.5 per cent consumption tax could be imposed on electricity and gas charges in Victoria.

For that reason the Premier expressed grave reservations about the consumption tax. The honourable member is totally misinformed, again demonstrating that all members of the Opposition's front bench suffer from "foot in mouth" disease.

**METROPOLITAN TRANSIT AUTHORITY BUS FLEET**

Mr CULPIN (Broadmeadows)—Will the Minister for Transport inform the House what steps have been taken to modernize Melbourne's bus fleet?

Mr ROPER (Minister for Transport)—It is interesting that the Leader of the Opposition shows his normal level of interest in public transport, the level demonstrated when he was a member of the Government party, which totally ignored the problems of the bus and train system.

The Government has called tenders for up to 100 modern buses for the Metropolitan Transit Authority bus fleet. The tender will be in the order of $10 million, and will create a significant number of jobs. This is the first tender for the supply of new buses since the authority was set up in 1983.

New buses are needed, firstly, because a number of Leyland National buses are more than ten years old and no longer adequate for modern transport purposes. With the takeover of the Melbourne-Brighton bus service, people living in that area will benefit from a modern bus fleet and at least 40 additional buses will be required. The remainder will be used to bolster services throughout the metropolitan area.

It is expected that the first of these 100 buses will be in service next year. I am sure honourable members will appreciate the better service they will obtain as a result of that, just as our constituents will benefit from the huge upgrading of railway rolling-stock in both the metropolitan area and the country.

**DARYL JOHN COOKE**

Mr CROZIER (Portland)—I ask the Minister for Police and Emergency Services whether it is a fact that Daryl John Cooke, who escaped from Dhurringile minimum security prison on Saturday, 22 June, while serving a life sentence for murder, has made several attempts to escape since his conviction; further, is the Minister aware of the comment made by the Secretary of the Victoria Police Association that it is ridiculous that a convicted murderer is let out to play football every week?
The SPEAKER—Order! I ask the honourable member to get to the question. Questions are to be brief.

Mr CROZIER—Is the Minister aware of the final comment made by the Secretary of the Victoria Police Association that “It is quite preposterous that he should be in Dhurringile anyway”?

Mr MATHEWS (Minister for Police and Emergency Services)—I am aware of the comments made by the Secretary of the Victoria Police Association, and I am also aware that an examination of the whole matter is being conducted by the Attorney-General.

PROPOSED TENNIS CENTRE

Mr W. D. McGrath (Lowan)—I ask the Minister for Sport and Recreation whether, following the announcement made last week by the Premier about the proposed new tennis centre, he is able to outline the financial arrangements for the project and whether the Government will be providing a guarantee for whatever loan funds are required?

Mr TREZISE (Minister for Sport and Recreation)—The matter will be fully canvassed in Parliament at a later stage. The estimated cost is approximately $53 million as at March 1985 prices, but the ultimate cost to the State will be little, if any, because of the loan to be set up when the project commences.

FINANCIAL ASSISTANCE TO ATHLETES

Mr Kirkwood (Preston)—I ask the Minister for Sport and Recreation what he is doing to provide financial assistance to potential top Victorian athletes in their spheres of sport?

Mr TREZISE (Minister for Sport and Recreation)—The Government has endeavoured to boost and develop sport right across the board and particularly to help those sections with lesser sporting ability. The Government has increased sporting programs for the disabled. It has also increased the programs for junior athletes, particularly in country areas where people are sometimes deprived of facilities and need to come to Melbourne for coaching purposes.

However, in the past twelve months the Government has employed eleven former Australian Olympic athletes to travel around the State and to coach schoolchildren in their respective fields of sport. It was pleasing, therefore, today to launch what the Government has termed the select squad which is a program for assisting selected athletes at the top of the tree in their respective sports and is aimed at helping such athletes to reach their maximum potential in their sport. The program is backed by various sponsors: The Sun newspaper will assist in promotions and printing; Trans Australia Airlines will provide airfares; the City Baths and the Sports Federation of Victoria Inc. will provide their facilities at Swanston Street for the selected athletes to train as much as possible; the Statewide Building Society will provide financial support for the athletes; and the Footscray Institute of Technology will also provide its facilities for the athletes.

During the first six months, up to five athletes will be selected and over twelve months ten athletes will be selected. Application forms for interested athletes will be forwarded to the parent sporting bodies of the sports of each individual athlete and those bodies will make recommendations to the selection committee, which will make the final choice of the initial five athletes. The Government believes this program will encourage its selected top athletes to train as much as possible and to realize their full potential in both national and international competitions.

When the athletes are standing on the Olympic dais to receive their gold medals, the Government and the sponsors will be proud that they have played a part. The athletes will not only be a credit to themselves and to their sports but also, more than that, they will encourage youngsters participating in a particular sport to follow their sporting idols. The
recent Australia Games, as an example, resulted in a tremendous increase in the number of juniors taking up a particular sport after watching champions in action.

REGISTRATION OF BEAUTY THERAPISTS

Mr GUDE (Hawthorn)—Is the Minister for Employment and Industrial Affairs considering legislation to register beauty therapists? If so, what consultation has he enjoyed with the industry?

Mr CRABB (Minister for Employment and Industrial Affairs)—I could not hear the honourable member for Hawthorn. Can he repeat which variety of therapists he is referring to?

Mr GUDE (Hawthorn)—The question is: Is the Minister for Employment and Industrial Affairs considering legislation to register beauty therapists? If so, what consultation has he enjoyed with the industry?

Mr CRABB (Minister for Employment and Industrial Affairs)—Thank you. I thought the honourable member said beauty therapists the first time. The answer is, “No.”

PRIVATE SECTOR INVESTMENT

Mr ROWE (Essendon)—Can the Treasurer inform the House of the latest statistics on private sector investment growth in Victoria?

Mr JOLLY (Treasurer)—The private investment figures must be seen in the context of the Victorian Government’s economic strategy. When the Labor Party first came into government it was well known that the Victorian economy was on the slide and private investment was falling in Victoria. That is how disturbing the situation was. As a consequence the Government decided to do two things in its first Budget: Firstly, to boost the housing industry in the State; and, secondly, to increase public sector capital expenditure to provide the necessary economic infrastructure for private sector development in Victoria.

The next stage of the Government’s economic policy approach to get Victoria moving was the announcement of a long-term economic strategy for the State. The prime objective of that strategy is to maximize economic growth in Victoria so that economic growth over the next decade will be significantly higher than it otherwise would be if the Government took a passive or non-existent approach towards long-term economic policies. That was the order of the day before we came into government.

As part of our economic strategy, we also placed emphasis on Melbourne as the commercial centre of Melbourne. We made representations to the Federal Government to further strengthen the position of Melbourne as a commercial centre. Both the Premier and I have gone to the major financial centres of the world in order to attract investment to this State. Those policies are starting to pay off. Although Opposition members do not like considering available information, they should be proud that Victoria has substantial private investment growth. They do not like to look at the facts. They should be forced to examine the private sector growth performance in this State.

For 1984–85 the Australian Statistician is estimating that the growth in private sector investment in this State will be in the order of 19 per cent. That is well above the inflation rate and represents significant real growth. I point out also that, in comparison with the rest of Australia, Victoria is far ahead. The expected rate of growth for the nation, excluding Victoria, is approximately 9 per cent. In other words, the highest rates are in Victoria with 19 per cent, which is about twice the rate of increase in investment in the rest of Australia.

The Australian Statistician also provides information about expected increases in private sector investment in the year ahead. The Australian Statistician, through the publication put out by the Australian Bureau of Statistics, estimates that in 1985–86 the growth rate in private sector investment in Australia will be in the order of 35 per cent, and could be
even higher. On the other hand, the growth rate for the rest of Australia is expected to be only about 18 per cent. Although significant growth is expected for the rest of Australia, Victoria's rate of growth in private sector investment is expected to be about twice that of the rest of Australia. By anybody's standards, that is an outstanding performance.

One must also examine the major growth areas in this State. I have already demonstrated that those areas have been in the private sector, both in 1983–84 and 1984–85. One of these areas where growth is occurring at a rapid rate in Victoria is in the financial services area. This matter has been promoted by the Government as an integral part of the long-term economic strategy. As honourable members will be aware, Victoria was successful in achieving agreement for five foreign banks to be headquartered here in Melbourne.

All of those banks are prestigious organizations that will certainly strengthen Melbourne as the commercial centre of Australia. They include the Hong Kong and Shanghai Banking Corporation and the Hong Kong Bank. The Hong Kong Bank has substantial connections with the South-East Asian market and the Pacific Basin and has access to China. That is an important coup for Victoria. The J. P. Morgan & Co. Bank is the most prestigious bank in the United States of America. In fact, it is the only bank in the United States of America with a triple-A credit rating. Another major bank in Singapore, the Overseas Chinese Banking Corporation, will be headquartered in Melbourne. The Deutschebank, recognized as the most significant bank in Europe, will be headquartered in Melbourne as well. Those organizations are extremely important to the future economic development of this State. Every week members of the international banking community speak to me and indicate how they are intending to expand their operations in Melbourne.

There is clear evidence that the long-term economic strategy is working. There is growth in the private sector, not only in the financial sector but also in secondary industry because the aggregate increase in private investment in manufacturing has been much higher in this State than in the rest of Australia.

The private sector is expressing confidence in our future through private investment growth and there will be tremendous employment opportunities in the year to come.

PERSONAL EXPLANATIONS

Mr CATHIE (Minister for Education)—I wish to make a personal explanation in relation to the annual report of the Education Department for 1983–84 which was tabled in this House on 24 April 1985.

The tabled document carries a financial section which excludes TAFE transactions. This was the position adopted by the Education Department prior to the examination of the financial report by the Auditor-General. Following discussions with the representatives of the Auditor-General and later advice from the Treasurer, the Education Department amended the section by including the TAFE financial information. The amended over-all financial section was signed by the Auditor-General on 30 November 1984 and was conveyed, together with the descriptive sections, to the Government Printer. These changes were not reflected in the version of the report tabled on 24 April 1985.

I seek leave to have the amended report tabled as the official annual report of the Education Department for 1983–84 and to withdraw the document tabled on 24 April 1985.

The amended report also incorporates several minor editorial changes which do not affect the substance of the report.

Mr WALSH (Minister for Public Works)—I wish to make a personal explanation. During the debate on the motion for the adjournment of the sitting on 29 May, I made reference, in response to a matter raised by the honourable member for Bendigo about the involvement of my department in proposals for a Bendigo Chinese Dragon museum, to a draft "offer of services" having been provided by the Public Works Department to the Bendigo City Council.
I am advised that my department has prepared an offer of services for consideration by the council but that the submission of this proposal to the Bendigo City Council is pending discussions between the city council and the Victorian Tourism Commission.

PETITION

The Clerk—I have received the following petition for presentation to Parliament:

"R" and "X" rated video cassettes

To the Honourable the Speaker and Members of the Legislative Assembly of State Parliament assembled:

The humble petition of the undersigned citizens of Australia, Victoria respectfully showeth that:

Whereas we appreciate the governments efforts to legislate for the control of video films in Victoria through the Films (Amendment) Act 1983, we are deeply concerned that the "A" and "X" classification is doing immeasurable harm to our children and teenagers in the home, contrary to the United Nations Declaration of the Rights of the child which states:

The child shall enjoy special protection, and shall be given opportunities and facilities, by law and other means, to enable him to develop physically, mentally, morally, spiritually and socially in a healthy and normal manner and in conditions of freedom and dignity. In the enactment of laws for this purpose the best interests of the child shall be the paramount consideration.

Your petitioners therefore humbly pray that the Parliament assembled will: Legislate to ban "A" and "X" video cassettes from the home, leaving adults who wish to do so to see them in licenced cinemas. Your petitioners as is duty bound, will ever pray.

By Mr Crozier (28 signatures)

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

ADMINISTRATIVE ARRANGEMENTS ORDERS

Mr CAIN (Premier)—By leave, I move:

That there be presented to this House copies of Administrative Arrangements Orders (Nos 24 to 29) 1985 pursuant to the Administrative Arrangements Act 1983.

The motion was agreed to.

Mr CAIN (Premier) presented the orders in compliance with the foregoing order.

It was ordered that they be laid on the table.

LEGAL AND CONSTITUTIONAL COMMITTEE

Proposal for a Statute Law (Miscellaneous Provisions) Bill

Mr WHITING (Mildura) presented a report from the Legal and Constitutional Committee upon a proposal for a Statute Law (Miscellaneous Provisions) Bill, together with minutes of evidence.

It was ordered that they be laid on the table, and that the report be printed.

The Australian Constitutional Convention Reference

Mr WHITING (Mildura) presented a report from the Legal and Constitutional Committee upon issues before the 1985 plenary session of the Australian Constitutional Convention reference, together with appendices, extract from the proceedings of the Committee and minutes of evidence.

It was ordered that they be laid on the table, and that the report, together with appendices, the extract from the proceedings of the Committee and minutes of evidence be printed.
PAPERS

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

Chiropodists Registration Board—Report and statement of accounts for the year ended 31 December 1984.
County Fire Authority—Report for the year 1983–84.
Education Act 1958—Resumption of land at Bittern and Ocean Grove—Certificates of the Minister for Education.
Education Department—Report for the year 1983–84—In lieu of report tabled on 24 April 1985—Ordered to be printed.
Film Victoria—Report for the year 1983–84.
Parliamentary Officers Act 1975—
  Statement of appointments and alterations of classifications—
    Department of the Legislative Council and Legislative Assembly Joint House Committee.
    Department of the reporting staff of the Victorian Parliamentary Debates.
Statement of persons temporarily employed—
    Department of the Legislative Council and Legislative Assembly Joint House Committees.
    Department of the reporting staff of the Victorian Parliamentary Debates.
Police Regulation Act 1958—Determination No. 428 of the Police Service Board.
Statutory Rules under the following Acts:
  Alpine Resorts Act 1983—Nos 204, 205.
  Chiropodists Act 1968—No. 120.
  Chiropractors and Osteopaths Act 1978—No. 224.
  Coal Mines Act 1958—No. 196.
  County Court Act 1958 and Commercial Arbitration Act 1984—No. 211.
  Credit Act 1984—No. 60—in lieu of statutory rule No. 60 tabled on 3 April 1985.
  Dental Technicians Act 1972—No. 223.
  Health Act 1958—Nos 169, 217, 221.
  Hospital Superannuation Act 1965—No. 197.
  Housing Act 1983—No. 191.
  Industrial Safety, Health and Welfare Act 1981:
    No. 230 (together with documents required by section 32 of the Interpretation of Legislation Act 1984 to accompany the statutory rule—
      A.S. 2106:1980—Determination of the Flashpoint of Flammable Liquids (Closed Cup);
National Parks Act 1975—No. 189.
Penalties and Sentences Act 1981—Nos 177, 179.
Public Service Act 1974—Nos 192, 193.
Stock Medicines Act 1958—No. 175.
Supreme Court Act 1958—No. 183.
Supreme Court Act 1958 and Administration and Probate Act 1958—No. 185.
Town and Country Planning Act 1961—
Melbourne Metropolitan Planning Scheme—Amendment Nos 278, Part 4; 281, Part 1; 282, Part 1; 297; 332.

The following proclamations fixing operative dates for various Acts, were laid on the table by the Clerk, pursuant to an Order of the House dated 3 April 1985.
Liquor Control (Amendment) Act 1985—Section 8—26 June 1985 (Government Gazette No. 66, 26 June 1985).
Motor Car (Amendment) Act 1985—Sections 1 to 4 and 6 to 9 inclusive—1 July 1985 (Government Gazette No. 65, 19 June 1985).
Planning (Brothels) Act 1984—Sections 5, 6 and 8; and sections 49c, 49r and 49o inclusive, inserted by section 7 (1) of the Planning (Brothels) Act 1984 in the Town and Country Planning Act 1961—1 July 1985 (Government Gazette No. 65, 19 June 1985).
Water and Sewerage Authorities (Financial) Act 1985—Sections 1 to 13 inclusive and sections 15 to 22 inclusive (except section 20 (1) (b))—1 July 1985 (Government Gazette No. 65, 19 June 1985).

TOWN AND COUNTRY PLANNING (TRANSFER OF FUNCTIONS) BILL

This Bill was returned from the Council with a message relating to amendments.
It was ordered that the message be taken into consideration later this day.

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TRUSTEE (SECONDARY MORTGAGE MARKET AMENDMENT) BILL

This Bill was received from the Council and, on the motion of Mr Mathews (Minister for the Arts), was read a first time.

APPROPRIATION MESSAGES

The SPEAKER announced that he had received messages from His Excellency the Governor recommending that appropriations be made from the Consolidated Fund for the purposes of the following Bills:

- Dangerous Goods Bill
- Occupational Health and Safety Bill
- Mental Health Bill
- Intellectually Disabled Persons' Services Bill
- Guardianship and Administration Board Bill

The SPEAKER announced the presentation of a message from the Lieutenant-Governor, as Deputy for His Excellency the Governor, recommending that an appropriation be made from the Consolidated Fund for the purposes of the Motor Car (Photographic Detection Devices) Bill.

ACCIDENT COMPENSATION BILL

Mr JOLLY (Treasurer)—I move:

That this Bill be now read a second time.

The internal contradictions in the present workers compensation system have brought it to the brink of collapse.

The iniquitous system of compensation payments, coupled with the disturbingly long delays and the explosion of premium costs has led to universal recognition that the system is in need of a fundamental overhaul.

The days of tinkering with the system have long passed. The challenge for the Government was to resist the forces of vested interest groups and to create a solution which will bring lasting social and economic benefits to the State.

The Government has faced this challenge squarely and I believe the introduction of the Accident Compensation Bill is a matter of great moment for this Parliament and the people of Victoria.

The Bill forms a major part of the workcare package. The other legislative measures required for this reform—the Occupational Health and Safety Bill and the Dangerous Goods Bill—are now before this House.

The Government believes the workcare package represents the most significant economic and social reform introduced to the Parliament in a quarter of a century. It is with considerable personal pride that I commend the Accident Compensation Bill to the House as a major part of this package.

Dramatic, albeit radical, change does not come easily to our community. As a general rule, change comes at the margin, through the politics of gradualism.

This Accident Compensation Bill falls outside that conventional stricture inherent to the process of public policy making. It had to be that way for the community clearly demanded dramatic and courageous action. It must be clearly understood that the proposed legislation is not a “quick fix”. It comes before Parliament after a most exhaustive and deliberative process of conceptual thought, analysis and negotiation.
It should also be understood that it comes before Parliament backed by a solid underlay of goodwill among the major parties to the workers compensation system—Government, employers and trade unions. It is true that along the way there have been selfish noises from vested interests, determined to protect their financial stake in the system. That is to be expected within a climate of change. Nevertheless, Parliament must clearly understand that the Government's workers compensation reforms—the end result of a most comprehensive and detailed exercise in negotiation and consultation—carry the broad support of the major parties to the scheme, that is, the employers, who meet the cost, the trade unions, who properly represent the work force, and the Government, which is ultimately responsible to the community for the social and economic consequences of systems of this kind. That represents an unusual and powerful broad consensus.

With change of this magnitude it would be folly to expect all interested parties to agree to all parts of this Bill. The issue here is broad support, and it is the broad support which the Government has sought through an exhaustive process.

The Cooney committee of inquiry identified the problems of the existing system from the written and oral submissions put before it and the report posed the conceptual framework within which problem-solving could occur. After further analysis and policy development within my department, extensive negotiations with the peak councils of employer groups on the one hand and the Victorian Trades Hall Council, on the other hand, produced this Bill.

Well before the Government came to power in 1982, there were constant demands for the workers compensation system. The concerns were both social and economic in context. The social concerns can be listed as:

(i) The absence of a coherent preventative strategy for occupational health and safety and, consequently, an unacceptable level of work-related injury and disease believed to be the highest in the country. In the past decade one Victorian was killed at work each working week due to dangerous machinery, falling objects, falls and other causes.

(ii) An equal absence of an emphasis on restoring injured and ill workers to the workplace, compounded by a lack of proper facilities, resources and staff.

(iii) A highly litigious system of settling claims that encourages hostility, excessive delays and professional over-servicing, and provides benefits that do not adequately meet the needs of the severely injured worker.

The dramatic escalation of premiums has manifested itself through inhibiting the growth of long-term employment opportunities. Both employers and trade unions have recognized the impact of these oncosts on business activity, and therefore job creation. The cost determinants can be listed as:

(i) An increase in the claims rate of 3·6 per cent per annum through the five years to 1981–82.

(ii) An increase in the average claims amount of a real 10 per cent per annum for the same period.

(iii) Medical legal expenses comprising more than 25 per cent of total claims payments, and growing in excess of wage inflation.

(iv) A multi-insurer system that fails to generate economies of scale, with claims administration expenses comprising 15 per cent.

(v) Widespread premium evasion, estimated at between 5 and 10 per cent of the true wages total.

(vi) Inequitable stamp duty, adding 7 per cent to premiums.

(vii) Unwarranted brokerage fees comprising 4 per cent of premiums.
The Government has been prepared to take up the challenge, and seek a solution that will travel well in time. Like all lasting and comprehensive solutions, this scheme speaks to common sense, clarity and simplicity.

We have tackled the cost determinants that drove the economic concerns and met the social concerns. The result is social and economic reform of historic significance. The critical attributes that demonstrate the gains to the Victorian community are:

(i) A new emphasis on accident prevention, with a modest minimum target of cutting the accident rate by 10 per cent within ten years, but with a desired target of 20 per cent reduction.

(ii) Provision to finance the cost of establishing a vocational rehabilitation scheme for injured and diseased workers.

(iii) Guaranteed income maintenance for long-term severely injured workers.

(iv) A five-year guaranteed maximum level of premiums.

(v) An increase in total benefits of more than $100 million, with a level of periodical payments which are on average 20 per cent more generous than the existing system.

(vi) A no-fault weekly benefits system for injured workers based on equity.

(vii) Continued access at common law for non-pecuniary loss.

(viii) Maintenance of an independent tribunal to decide disputed claims.

(ix) Elimination of brokerage.

(x) Elimination of stamp duty.

(xi) A target to reduce the 18,000 case backlog at the Workers Compensation Board within eighteen months.

(xii) Speedier delivery of benefits through reduced legalism and the appointment of conciliators to hear cases.

(xiii) Control of premium evasion through pay-roll tax office collection.

(xiv) Opportunities to self-insure for a small number of the most financially strong companies who must conform to specific criteria, with additional safeguards protecting the rights of injured workers.

These are the fundamentals of the package that the Government is calling workcare. It has pulled apart the present workers compensation system and rebuilt it from the ground up. It has rebuilt it as the workcare package, but it is a package of some fragility. It relies on goodwill and common sense—not the most certain of human qualities.

I might say that the Opposition's role in the development of this reform package has been socially, economically and intellectually deficient.

This is not a debate about ideology. There are clear social and economic reasons why a single commission is required. These are:

(i) To generate economies of scale and improved return on investment.

(ii) To ensure that a single statistical data base is available to properly assess trends in the system.

(iii) To ensure a standardized approach to claims handling, and, therefore, a speedier system of delivering benefits.

(iv) To ensure a target-orientated measurement and management of the reforms.
It should be noted that:

- The scheme will be fully funded over ten years;
- The Accident Compensation Commission will be free of the Public Service Act, and report direct to the Parliament;
- Premiums will not pass through the State Budget public accounts, and investment will stay with the private sector capital market;
- There will be a continuing role for insurers as agents of the commission.

The other myth that needs to be put away is that the Government's sums do not add up. The reform package has been financially assessed by the top actuaries outside of government.

As a positive step, to allay any fears drummed up by those who have acted irresponsibly during the public debate on this issue, I have made sure that premium levels applying for the first five years of the scheme will be set at a maximum in the proposed legislation.

As a proportion of an employer's wage and salary bill, these premium levels will be 0.57, 1.045, 1.52, 2.09, 2.66, 3.23 and 3.8 per cent. The Bill provides for industry specific rates above the top level of 3.8 per cent for a few extremely high risk industries.

The listing of the seven premium categories demonstrates not only the Government's great confidence in the sums adding up, but also that the Government is prepared and will continue to be prepared to provide leadership through goodwill in this reform.

The Accident Compensation Bill provides the framework for three new institutions to be established—The Accident Compensation Commission, the Accident Compensation Tribunal and the Victorian Accident Rehabilitation Council.

Each body will have tripartite representation, and it must. The users of the scheme, employers and employees, should be involved in all aspects of its operation.

The Accident Compensation Commission will arrange the collection of premiums, assess claims and pay benefits to injured workers.

The Victorian Accident Rehabilitation Council will develop and oversee a new system of public and private sector rehabilitation facilities, and the Accident Compensation Tribunal will decide on disputes arising in the new scheme.

These bodies will not be big, faceless bureaucracies. They will be managers, ensuring that the objectives of this Bill are met.

I should like to provide general assurances on behalf of the Government.

Firstly, the Government will continue discussions with the users of the system on a number of matters. Importantly, it will seek to implement the broad agreement reached with the trade unions and major employers to extend the table of maims and restrict access to common law for non-pecuniary loss. The Government will also convene a working party on the form and delivery of compensation for the death of a worker. The new streamlined claims procedures will be kept under constant review.

Secondly, as I have made clear in public statements, a number of the issues involved relate to the Commonwealth. One of these involves partial integration of the accident compensation and social security systems for long-term injured workers. I give the assurance that negotiations with the Commonwealth will be continued to this end, on the basis that workers on benefits will receive one cheque for both the social security and compensation elements of their benefits.

Thirdly, the Government is seeking further legal advice on technical aspects of the restrictions of common law on pecuniary loss. In particular, the Government will pursue
the question of how the restrictions will apply to product liability. These assurances have arisen from the consultations which have occurred.

The cost of inaction is virtually incalculable, but inaction and delay is the call from the other side of this House. To do nothing would mean sentencing Victoria to economic stagnation and sentencing all employees in this State to a system which was designed to meet the needs of early industrialization.

A vote against the Bill is a vote against preparing Victoria for the 21st century. It is a vote against an equitable, just and humane society. It is a vote in favour of the personal trauma that the present workers compensation system enforces.

It is the Government's wish that the new system of accident compensation should apply from 1 September 1985 in Victoria, as part of the workcare package. To some this may appear a tight deadline. In reality, it is as long as the Victorian community can afford to wait. I commend the Bill to the House.

On the motion of Mr STOCKDALE (Brighton), the debate was adjourned.

Mr JOLLY (Treasurer)—I move:

That the debate be adjourned until Tuesday, July 16.

Mr STOCKDALE (Brighton)—The Bill has been described by a series of Government spokesmen as a matter of great moment and a major social and economic reform, perhaps the most significant to have come before Parliament in many years—it has been said.

The SPEAKER—Order! I do not intend to entertain a debate on the subject-matter of the Bill. The debate relates to the question of time, which is a narrow issue.

Mr STOCKDALE—I appreciate that, Mr Speaker, and I was addressing myself to that issue. Long and continuing controversy has surrounded the Government's proposals in this area. It is not fitting that a Bill of such magnitude should be handled by the Government in the way in which it has been handled to date and is now proposed to be handled both in this Chamber and in the other place.

The SPEAKER—Order! The honourable member for Brighton assured the Chair that he would respect the narrow scope of the debate relating to the question of time. The honourable member does not have the opportunity of canvassing the issues contained either in the Bill or in the lead-up to the Bill.

Mr STOCKDALE—Thank you for your guidance, Mr Speaker.

The SPEAKER—Order! The honourable member for Brighton assured the Chair that he would respect the narrow scope of the debate relating to the question of time. The honourable member does not have the opportunity of canvassing the issues contained either in the Bill or in the lead-up to the Bill.

Mr STOCKDALE—Thank you for your guidance, Mr Speaker.

The SPEAKER—Order! It is not guidance; it is an instruction from the Chair. The debate is on the question of time.

Mr STOCKDALE—I appreciate that, Mr Speaker, and I am pointing to the need for adequate consideration of a matter that has attracted so much public controversy. In the face of that controversy, the Government proposes to ram the Bill through Parliament in the period when it has a majority in the Upper House.

For nearly two years controversy has raged on the Government's proposals. That controversy has been marked hitherto by, firstly, the Government constantly changing the format of its proposals; that is, from a set of proposed provisions released last month to the provisions released this month in the Bill in a different form. Secondly, the much vaunted consultative process, of which the Treasurer has spoken, has been conducted outside the Parliament and in secret without the results being adequately disclosed for proper consideration by the Parliament, the Opposition and other interested parties.

The Government has been nothing less than a handmaiden of the union movement, engaged in secret negotiations.

The SPEAKER—Order! I shall not hear the honourable member if he continues on his present tack. The motion before the Chair is purely and simply one of time.
Mr STOCKDALE—Surely the Parliament is entitled to the same time to consider the substance of the Government's reform proposals as its allies in the union movement. There has been and continues to be public concern at central features outlined in the draft proposals and no doubt contained in the Bill that has been released to the Parliament for the first time tonight.

Every day members of the Opposition are receiving representations from concerned members of the community who have not had an opportunity of considering the final form of the Government's proposals. Those persons now face a mere ten days in which to consider the proposition announced by the Government. The Treasurer has simply dismissed their claims for adequate time in which to consider the matters and berated them as the voices of vested interests.

However, in this case the Government has a vested interest in taking advantage of a situation that will arise two weeks from now, which is the deadline that has been imposed upon the Parliament to consider the Bill.

Indeed, the Bill has been deferred throughout 1985 to the point where it has arrived today fresh from the printer with the printing ink still wet. Copies of the Bill have been carted into the Chamber in boxes from the Government Printer. Today is the first opportunity anybody has had to consider the form of the Bill. However, those who have been the partners of the Government in the secret negotiations have been aware of the constant changes as they have occurred. The Parliament, the Opposition and the Victorian community have not had that opportunity of considering the final form in which the Government has introduced the Bill.

The only deadline that has been imposed on this proposed reform is the indecent haste of the Government to rush the Bill through the House and to depart it off to another place within two weeks when it will have a majority of numbers with which to pass the Bill. It bodes ill for Victorians if the Government continues to have a majority in another place where its numbers will be ruthlessly used. The Government has indulged in secret negotiations with its friends and presented the results of those negotiations to the Parliament on a time scale which prevents any proper democratic consideration of a Bill that has been described as a major social and economic reform.

The actions of the Government are disgraceful. The Government has shown an utter contempt for the Parliamentary process. The Government is allowing inadequate time not only for the Opposition to consider the Bill but also, more importantly, for those who are the Government's critics, its opponents and the general community to consider this matter. The Government should allow proper opportunity for the Bill to be examined, as was undertaken when the Treasurer introduced the Bill for the first time.

The Treasurer then stated that, if changes were made between the time of those proposals and the introduction of the present Bill, adequate time would be given for consideration. No such time has been given, and Victorians now know the contempt in which they are held by the Government because it seeks to rush the Bill through Parliament while it claims a majority in the other place.

Mr ROSS-EDWARDS (Leader of the National Party)—On the question of time, Mr Speaker, I accept that this is a Government measure and should not be unnecessarily delayed. However, honourable members must keep in mind that, over recent months, the Government has been involved in prolonged negotiations, particularly with the union movement. The Government has been patient with the union movement and has given it months of consultation.

In recent weeks the National Party and the Liberal Party have received more representations about the proposed legislation than about any other measure that I can recall during my time in Parliament. Perhaps that should be the case because, as the Treasurer said, it is an historic and vital Bill. I received a deputation this afternoon and