Tuesday, 9 August 1988

The SPEAKER (the Hon. C. T. Edmunds) took the chair at 2.5 p.m. and read the prayer.

TELEVISING OF PROCEEDINGS

The SPEAKER—Order! I advise the House that I have given permission to Channel ABV2 to film and record the Treasurer's delivery of the Budget speech today and also the responses of the Opposition and the National Party on a later date.

I have also given permission for still photographs of the Treasurer to be taken. Under the usual guidelines, no additional lighting or flashlights will be used.

QUESTIONS WITHOUT NOTICE

VICTORIAN ECONOMIC DEVELOPMENT CORPORATION

Mr BROWN (Gippsland West)—I ask the Minister for Industry, Technology and Resources whether it is a fact that at the Victorian Economic Development Corporation Board meeting last Friday, 5 August, after considerable discussion and legal advice, it was agreed that the Minister's letter of 4 November 1987 constituted—

Mr Simpson—Whose letter?

Mr BROWN—I shall start again if honourable members cannot hear. Is it a fact that at the Victorian Economic Development Corporation Board meeting last Friday, 5 August, after considerable discussion and legal advice, it was agreed that the Minister's letter of 4 November 1987 constituted agreement to fully sub-underwrite the Wallace International Ltd float?

Mr FORDHAM (Minister for Industry, Technology and Resources)—To the best of my knowledge that is not the case. That certainly has not been conveyed to me by any representative of the Board of the Victorian Economic Development Corporation.

Mr ROSS-EDWARDS (Leader of the National Party)—I ask the Treasurer: on what day did he recommend that the Governor in Council should approve the sub-underwriting by the Victorian Economic Development Corporation of the float of Wallace International Ltd?

Mr JOLLY (Treasurer)—As I understand it, all matters relating to the Governor in Council are published in the Government Gazette and it is up to the honourable member to check that out for himself.

“VICTORIA TRADING ON ACHIEVEMENT”

Mr SHELL (Geelong)—Will the Premier provide to the House details of the reaction of the business community to the proposals contained in Victoria Trading on Achievement and what effect this response will have on future employment in Victoria?

The SPEAKER—Order! The latter part of the question is hypothetical and will be difficult for the Premier to answer.
Mr CAIN (Premier)—The launch of *Victoria Trading on Achievement* last week was an outstanding success. It was clear that the business people who attended the launch recognised it as a continuation of the government’s commitment to long-term social and economic planning. Business people were obviously impressed by what was proposed. They told me so. They acknowledge that the government’s economic strategy has been an outstanding success and they accept—as do all organisations—that the government must continue to monitor and finetune the strategy to ensure that it gives the best possible results.

Those in the business community who make investment decisions do not complain like the Liberal Party when the government adopts an interventionist approach. They do not find anything wrong with that approach and they welcome it. That is the difference between the business community and the Liberal Party. I am astonished that the so-called party of business adopts such a Neanderthal attitude to government intervention and involvement.

The business community supports what is proposed because it has seen this approach working and has seen that it and the State benefit from it. Private investment in Victoria has risen by 46 per cent during the past five years compared with 25 per cent for the nation in the same growth period. The gap is considerable and is due, to a large extent, to the climate that has been created. Another important figure is gross non-farm product, which increased by 4.3 per cent in Victoria compared with 3.9 per cent for the rest of the country. Honourable members have heard many times that for 61 consecutive months Victoria has enjoyed by far the lowest unemployment figure.

Those who attended on Friday and others recognise how devoid the Opposition is of any real policies. It has no idea where it is heading; it does not plan for the future. It would not be so bad if the Liberal Party were a vacuum, but it is worse, because its destructive actions and comments mark members of the Liberal Party as economic vandals. They are like corporate raiders who strip all the assets and leave the skeleton behind. That is what the Liberal Party would do and what it is recognised as doing. Its horizon spreads no further than the next press release, headline or election. That is how far ahead it thinks! The Liberal Party does not have a clue about what it will do in the next five or ten years. It has no idea where it is heading, and the business community recognises that fact.

Mr DELZOPPO (Narracan)—On a point of order, Mr Speaker, I direct to your attention Standing Order No. 127. The Premier is obviously debating the question, and I ask you to bring him back to order.

The SPEAKER—Order! I uphold the point of order. I was attempting to bring the Premier back to order before the honourable member for Narracan raised his point.

Mr CAIN (Premier)—Mr Speaker, the government is recognised as having a vision and a view of and concern about the long-term future of the State. That is accepted by the business community, where the view of the government is in marked contrast to its view of the Liberal Party. One has only to read the 22 July issue of the *Business Review Weekly* to see its views about the Federal Opposition, its Leader and the Liberal Party. It thinks the Liberal Party is hopeless and, so long as it continues its negative carping attitude, that view will remain. The publication considers the performance of the Honourable John Howard as woeful; I cannot start to express what that publication thinks about the State Opposition—it thinks it is worse!

If the Liberal Party were only a vacuum, I would not worry, but it desires to talk down Victoria because it thinks it will be to the Liberal Party’s short-term political benefit. It is time the Liberal Party recognised that it has been talking down the State.
Mr DELZOPPO (Narracan)—On a further point of order, Mr Speaker, I again direct to your attention Standing Order No. 127. The Premier has ignored the instruction of the Chair and is still debating the question. I ask you, Sir, to bring him back to order.

The SPEAKER—Order! I uphold the point of order and ask the Premier to cease debating the question and to respond to it.

Mr CAIN (Premier)—I re-emphasise that the government is determined to plan for the future so that those who make business decisions will be aware of where the State is heading and can make their decisions accordingly. Their investment decisions for the city and the State show that they back the government's approach.

VICTORIAN ECONOMIC DEVELOPMENT CORPORATION

Mr MACLELLAN (Berwick)—I direct a question without notice to the Minister for Industry, Technology and Resources: given that the sub-underwriting agreement between the Victorian Economic Development Corporation and Bain and Co. for the float of Wallace International Ltd was signed and sealed on 6 November 1987, on what date did the Minister or the Victorian Economic Development Corporation seek a recommendation from the Treasurer for the approval of the Governor in Council to the agreement?

Mr FORDHAM (Minister for Industry, Technology and Resources)—I am not familiar with the dates referred to by the honourable member for Berwick in terms of the Governor in Council. I shall make inquiries and advise him accordingly.

Mr HANN (Rodney)—I ask the Minister for Industry, Technology and Resources whether a demand was made on the Victorian Economic Development Corporation to perform under its sub-underwriting agreement with Bain and Co. in respect of the Wallace International Ltd float prior to the Victorian Economic Development Corporation Board meeting on 19 February.

Mr FORDHAM (Minister for Industry, Technology and Resources)—I am not quite sure what the honourable member for Rodney means, and I doubt that he knows what he means by "a demand". Following the flotation, the Victorian Economic Development Corporation was informed of the result of the flotation and was asked to honour the sub-underwriting agreement.

VICTORIAN ECONOMY

Mrs GLEESON (Thomastown)—Can the Treasurer advise the House whether he has examined the results of the recent survey of the Victorian economy by the Australian Chamber of Manufactures? If so, can he advise the House of the implications of the results of that survey?

Mr JOLLY (Treasurer)—I thank the honourable member for Thomastown for her question. She obviously reads the results of the Australian Chamber of Manufactures' surveys and understands what the tables mean, unlike members of the Opposition who have great difficulty in interpreting basic tables, as was highlighted yesterday.

I refer to the figures published by the Australian Chamber of Manufactures because they highlight once again how well the Victorian economy is doing. In its political desperation the Opposition has deliberately distorted the figures because they show a far more significant improvement in the performance of the Victorian economy than the Opposition likes to admit.
The Opposition cannot get even the basics right. I refer to the basic comparison between what has increased and what has decreased. The Opposition has confused an unchanged figure with an increase.

Mr Roper—It is hardly a surprise!

Mr JOLLY—It is hardly a surprise, given the level of illiteracy and incompetence of members of the Opposition. When one looks at the figures published by the Australian Chamber of Manufactures for the three months to 31 May 1988, one sees that production returns were up 23.9 per cent.

Mr Brown interjected.

Mr JOLLY—The Deputy Leader of the Opposition should listen because he will learn something. If he read only the Opposition press release, he would get a completely convoluted view of what is going on in this State.

The survey conducted by the Australian Chamber of Manufactures recorded an increase in production returns of 23.9 per cent, compared with those reporting a downward adjustment of 17.1 per cent. The Opposition said that the downward production returns were 41.9 per cent, which was the unchanged figure. Opposition members could not read the table. I thought they were economically illiterate, but now I realise that they do not understand basic tables.

I turn to the second point, which relates to sales. The percentage of firms reporting an increase in sales was 30.7 per cent, and those reporting a downward figure totalled 14.6 per cent. The Opposition said that the percentage of firms reporting downward trends was 37.1 per cent. The Opposition was wrong again.

In respect of exports, Victorian companies reporting increases totalled 12.2 per cent, and companies reporting downward movements totalled 8.3 per cent. The Opposition said the downward movement was 22.9 per cent, when it was 8.3 per cent. On three out of three occasions, the Opposition was wrong!

The fourth figure to which I refer concerns capital expenditure. This is where the worst distortion on the part of the Opposition occurred, because, as the Premier said today, the Victorian performance is extremely strong. Companies reporting increased capital expenditure in the past three months are up 18 per cent, and companies reporting downward adjustments total 7.3 per cent. What did the Opposition say? It said the downward adjustment was 49.8 per cent compared with the correct figure of 7.3 per cent. The Opposition is completely obliterated by its illiteracy.

The report of the Australian Chamber of Manufactures clearly shows that in production, sales, exports, and capital expenditure more firms are reporting increases than decreases. This clearly shows that Victoria is on a sustained economic growth path.

VICTORIAN ECONOMIC DEVELOPMENT CORPORATION

Mrs WADE (Kew)—I direct a question to the Minister for Industry, Technology and Resources. In relation to the Wallace International Ltd float, on what date did the Governor in Council approve the sub-underwriting agreement between the Victorian Economic Development Corporation and Bain and Co.?

Mr FORDHAM (Minister for Industry, Technology and Resources)—I understand this question was asked of me earlier by the honourable member for Berwick. I undertook to find the information, and I shall convey it to him. If the detail of the
question is different, I shall still obtain the information required for the honourable member for Kew.

TIMBER INDUSTRY STRATEGY

Mr McDONALD (Whittlesea)—Will the Premier tell the House what recent advice he has received on the impact of the timber industry strategy incentives aimed at encouraging investment in the industry, while ensuring the proper management of Victorian forests?

Mr CAIN (Premier)—I thank the honourable member for his question on this important issue. The timber industry strategy clearly details the government’s principles on forest management and the framework within which the timber industry is expected to operate. It is firmly anchored in the conservation and economic strategies of the government, unlike the recently announced forest policy of the Liberal Party, which is anchored to nothing.

Parts of the so-called policy of the Liberal Party are a pale imitation of the strategy that the government has enunciated through the office of the Minister for Conservation, Forests and Lands. Some of the best parts of that policy were swiped, as one would expect, by the Liberals, but the Liberal Party seems to have great difficulty, after all these years, in putting together any cohesive forest policy.

The timber and conservation communities have welcomed the clarity of the Labor Party strategy and see it as setting out clearly enunciated criteria.

Honourable members interjecting.

Mr CAIN—I know the National Party does not agree with the Liberal Party on the issue, and I shall come back to that point. The timber and conservation communities welcome the criteria laid down. The strategy has principles that the Liberal Party policy does not. Those communities have welcomed the granting of fifteen-year licences to guarantee long-term access to sawlog resources; the provision of legislative agreements for large, long-term allocations of timber; increased supply of softwood timber; the creation of a timber industry council; the encouragement of the use of sawmill residues; the encouragement of the value-added process on all log materials, and so on.

I believe the attraction is that those communities consider the government has found a way of having regard to the need for conservation and the careful husbanding of our resources and, at the same time, recognising that there is a resource to be utilised.

Honourable members interjecting.

Mr CAIN—I hear the noisy interjections from the honourable members for Murray Valley and Gippsland East. I know that the owners of those noisy voices would figuratively and literally tear up the Liberal Party policy if they could get near it. The Leader of the National Party has made it clear that the National Party in any coalition—about which he now speaks in guarded language—would want the conservation, forests and lands portfolio. That is what the National Party wants—nothing short of that! They made it clear that that is theirs, among a few others.

There is no doubt that this State would have a policy in this area, and it would not be the Liberal Party policy but the National Party policy. This is one example of what we could expect.
The Minister for Conservation, Forests and Lands and the Minister for Planning and Environment have enunciated the way in which Victoria is proceeding with the strategy, and that direction is seen by all those interested in the area as being appropriately the middle ground on which to develop.

Mr Evans interjected.

Mr CAIN—The honourable member for Gippsland East scoffs because the National Party policy is entirely different from the government's policy and it is entirely different from that of the Liberal Party. The National Party has a policy which bears no relationship to the policies of the other two parties. That is the reality, and that is what the people of this State ought to know.

VICTORIAN ECONOMIC DEVELOPMENT CORPORATION

Mr MACLELLAN (Berwick)—When the Minister for Industry, Technology and Resources approved the sub-underwriting agreement for the Wallace International Ltd float, was Mr Jack Walker the Acting Chairman of the Victorian Economic Development Corporation; at the time, as a member of the board of the company, was Mr Walker the holder of 30,000 share options in that company? Did the Minister consult with Mr Walker—he being the acting chairman of the corporation—regarding the sub-underwriting agreement which eventually meant that Mr Walker's options were still alive because the float went ahead?

Mr FORDHAM (Minister for Industry, Technology and Resources)—The date of the approval of the sub-underwriting agreement was 6 November. The Chairman of the Victorian Economic Development Corporation returned to Victoria on 2 November; hence, Mr Walker was not the acting chairman of the corporation at the time concerned.

It is true that all Wallace International Ltd directors at that time had available to them the options referred to. I understand that Mr Walker did not avail himself of that option opportunity.

The government sees through this exercise that the Opposition is undertaking. The Opposition is behaving appallingly on this issue because it is attempting, through invective and half-truths, to attack not just the government—which is fair play at question time—but also the VEDC.

I have attempted to outline the positive role that the corporation has performed in Victorian life over many years. The approach of the Opposition rightly will cause it to be ridiculed, not only by the business community but also by the wider community in Victoria.

LIQUOR CONTROL ACT

Mr JASPER (Murray Valley)—What action has the Minister for Industry, Technology and Resources taken to instruct the Liquor Licensing Commission to provide complete clarification on the operation of the new Liquor Control Act to overcome the confusion and misinformation that has been caused through the interpretation of the new Act?

Mr FORDHAM (Minister for Industry, Technology and Resources)—I do not accept the premise upon which the question was put.

Mr Jasper—Well, you should!
Mr FORDHAM—Again I make the point that I made to honourable members last week. The response I have received from industry leaders about the introduction and implementation of the new liquor licensing laws has been positive.

Discussions with the industry leaders concerned have been comprehensive, not only in regard to the legislation, but also the way in which officers of the authority have gone about what clearly is a difficult task in implementing a new Act. The officers deserve the praise of the House and the industry for the work they have undertaken.

If the honourable member has an individual instance that he wishes to bring to my attention, I assure him that it will be dealt with expeditiously.

CAPITAL WORKS INVESTMENT

Mr CUNNINGHAM (Derrimut)—Has the Minister for Planning and Environment received recent advice concerning non-residential capital works investment in Victoria and, if so, will he provide details of the advice, especially of its employment implications to the House?

Mr ROPER (Minister for Planning and Environment)—I thank the honourable member for his question because of his significant and continuing interest in both planning and employment issues.

I am pleased to inform the House that I have just received the most recent report of the Commonwealth Construction Forecast Committee, which highlights the performance in Victoria of the past year and, more importantly, predicts excellent results for Victoria in the current financial year.

The committee, which advises the Commonwealth government, comprises representatives of the Master Builders Association of Victoria, the Builders Owners Managers Association, the Metal Trades Industry Association of Australia, consulting engineers, the major contractors, and Federal government officers.

The committee's report suggests that in the coming twelve months, while activity is expected to peak or decline in most States, construction projects in both Victoria and Queensland will increase. This increase is based on an increase in non-residential building expenditure of 20 per cent in the past year, making a total of $2.7 billion. That compares with a national increase of approximately 13 per cent; yet another indicator of the State doing significantly better than the rest of Australia.

Approximately five or six years ago office construction comprised 250,000 square metres a year. That construction work has doubled in the past six years and Melbourne, significantly, has increased its share of national building completions by approximately 20 per cent.

The forecast committee suggests that there will be a further 15 per cent increase in non-residential building construction in Victoria in the next twelve months. When one thinks that the housing and construction industry employs more than 120,000 people, that continued improvement in that industry is particularly important for the State economically. The continued activity in that industry has meant that unemployment in that area is less than 3 per cent. Further work is being undertaken with the assistance of my colleague, the Minister for Labour, to ensure that we can train the additional people required to do the increased work output that Victoria is creating.
Mr MACLELLAN (Berwick)—Is the Treasurer aware that there is no reference of Governor in Council approval in the Government Gazette of the Wallace International Ltd sub-underwriting float? Did the Minister recommend approval of the sub-underwriting agreement as required by the Borrowing and Investment Powers Act, which the Minister introduced in Parliament and which was passed as a result of his introducing it?

Mr JOLLY (Treasurer)—I do not recall all the dates with respect to particular matters. As the honourable member for Berwick will appreciate, a whole range of matters are dealt with by me and the Department of Management and Budget over a long period. I shall examine the matter and advise the honourable member accordingly.

Mr STOCKDALE (Brighton)—Since, on the admission of the Minister for Industry, Technology and Resources, the Victorian Economic Development Corporation Board did not consider the Wallace International Ltd sub-underwriting agreement until 19 February 1988, does the Minister agree that Mr Beattie acted on the Minister's authority when he signed and sealed the agreement on 6 November 1987?

Mr FORDHAM (Minister for Industry, Technology and Resources)—I have already outlined to the House the circumstances leading to the sub-underwriting agreement.
However, if the honourable member for Brighton is a slow learner I shall go through the situation again in summary form. Despite that, I refer to the honourable member previous answers I have given to the House.

As I indicated, I was approached in the first week of November by Mr Beattie, the then General Manager of the Victorian Economic Development Corporation, seeking my approval for the corporation to sub-underwrite the public float to the extent of some $12·5 million. I have outlined the circumstances regarding the crash and why there was a tight time schedule within which the company and the corporation had to make a decision. As I have already said in the House, I responded to that approach and gave my approval for the corporation to proceed. However, the decision was to be that of the corporation; it had to decide whether it would proceed. The Minister is not in a position to sign documents; the decision has to be made by the corporation.

I understand that, with that approval, through its general manager, the Victorian Economic Development Corporation entered into an agreement with the underwriter, Bain and Co., on 6 November.

Honourable members interjecting.

Mr FORDHAM—I have already explained that issue in the previous answers. The agreement obligated the corporation to sub-underwrite the Wallace International Ltd share issue up to 12·5 million shares, which amounted to $12·5 million. I have explained that situation three times in the House previously.

In February, following the lack of public subscriptions, the underwriting arrangements were invoked by Wallace International Ltd. The Victorian Economic Development Corporation Board meeting on 19 February 1988 reviewed the arrangement that had been entered into previously by its general manager, confirmed Mr Beattie’s decision, and agreed to proceed with the sub-underwriting of the float.

As I have explained repeatedly in the House, the Victorian Economic Development Corporation Board decision on 19 February gave effect to the agreement and the corporation proceeded to take up the shares. That has been said time and again, and the continual reiterating of the questions by the Opposition will in no way change that circumstance.

The timetable was made clear at the time. Because of the circumstances regarding the October stock market crash, the decision had to be made in that week, as I have already outlined to the House. I have now reiterated the sequence of the events both in November and February.

MINISTRY OF HOUSING AND CONSTRUCTION RENT COLLECTIONS

Mr J. F. McGrath (Warrnambool)—Given that the Minister for Housing and Construction is contemplating transferring the collection of Ministry of Housing and Construction rent arrears from estate agents to financial institutions, particularly in country Victoria, will he explain to the House what safeguards he has put in place to prevent an escalation in rent arrears, the level of which was previously monitored by Ministry agents?

Mr Walsh (Minister for Housing and Construction)—A pilot program is already under way in the south-eastern region and has been operating for almost two weeks very successfully. Under the pilot scheme there are more opportunities for people to pay their rents than existed before.
For example, previously in the south-eastern area there were only three offices at which people could pay their rents on Thursdays and Fridays. There are now 104 offices where they can pay their rents over the counter. That provides a better opportunity for the Ministry's clients to make sure their rent is not in arrears by allowing them to pay at any time, five days a week, during the agencies' business hours.

It will be a better way for people to pay their rents. The first report, which I received this morning, suggests an increase in the amount of money collected by the agencies in that area. The scheme will be very successful throughout Victoria. There are now three ways in which Ministry clients can pay their rents: they can pay over the counter at agencies selected by the Ministry as the successful tenderers; they can post a cheque to the Ministry; or they can have the amount directly debited—that is not compulsory, but it affords an opportunity for those people to pay their rents properly.

The scheme will provide a better service for Ministry clients than existed before. We have considered the clients to ensure they have a better opportunity to pay their rents on time. Rent will be collected fairly expediently through this scheme and information can be obtained quickly because the successful tenderer will be able to provide the Ministry with cash register tapes within 24 hours of people paying their rents. In that way, the Ministry can check which people are behind in their rent payments and its officers will be able to chase up those people. The scheme provides a better opportunity for the Ministry's clients.

**CALOOLA CENTRE, SUNBURY**

Mrs RAY (Box Hill)—Has the Minister for Community Services examined reports that he has received recently on the Caloola centre, an institution for people with intellectual disabilities at Sunbury; if so, will he advise the House what action he is taking on the matter?

Mr MATHEWS (Minister for Community Services)—At present, the government has under consideration the future of the Caloola centre for intellectually disabled people at Sunbury. It is giving consideration to the future of the centre in light of a report brought forward by community visitors, who the government has appointed to investigate from time to time matters bearing on the well-being of people with intellectual disabilities, as well as a report from the Public Advocate on violence at Caloola.

The reports give rise to serious concern on behalf of the intellectually disabled people who live at Sunbury, on behalf of the families whose love and support is so important to those intellectually disabled people and, not least, to the professional staff who experience extreme difficulty in delivering to those intellectually disabled people the level of service that the staff desire, under the conditions which prevail.

In those circumstances, I am delighted that the government has accepted my recommendation that a Sunbury task force should be established with responsibility to report by 30 November on three matters: firstly, the task force is asked to report on matters associated with the moving out of residents from the Caloola centre, to other training centres and community-based forms of accommodation for the intellectually disabled; secondly, the task force is asked to report by 30 November on staffing and other issues associated with a closure of the Sunbury centre; and, thirdly, the task force is asked to report by 30 November on a strategy by which closure of the Sunbury centre could be achieved over a three-year period.
In the course of its work the task force will be required to widely consult with the intellectually disabled people resident at Sunbury, with the Caloola parents association, with staff at the Caloola centre, with trade unions and other relevant interest groups.

The model to be adopted by the task force in its work is that which was used so successfully for the decommissioning of the Willsmere Hospital. I emphasise that the government's concern both for the intellectually disabled people at Sunbury and in other institutions, and also for the large number of intellectually disabled people at present living with their families under conditions which in many instances are equally intolerable, is indicated by the fact that expenditure for intellectual disability services over the past six years in Victoria has been increased from $62 million a year to $147 million a year. It was against that background that last week I announced a further $11.3 million package of measures for the accommodation and support of intellectually disabled people; that will enable a further 200 people, either living at Sunbury and in other training centres, or with their families, to be re-housed.

In addition, the $11.3 million package for intellectual disability services will make it possible for service teams to be established; they will provide support for intellectually disabled people irrespective of whether they are being accommodated in facilities with a community basis, in training centres or with their families.

The proper place for a decision to be reached about the future of the Caloola centre is in the context of the report that the task force will bring forward by 30 November and also in the context of the ten-year plan for intellectual disability services redevelopment, which I expect to be put before the government in the near future.

**VICTORIAN ECONOMIC DEVELOPMENT CORPORATION**

Mr STOCKDALE (Brighton)—I address a further question to the Minister for Industry, Technology and Resources: is it not a fact that when Mr Beattie signed and sealed the Wallace International Ltd agreement on 6 November 1987, he improperly affixed the Victorian Economic Development Corporation seal without any legal authorisation from the Victorian Economic Development Board, but acted on the Minister's authority alone?

Mr FORDHAM (Minister for Industry, Technology and Resources)—I have already outlined, more than once, the sequence of events and the situation relating to the actions by Mr Beattie, myself and the board, and I have nothing else to add.

**ILLEGAL GAMING MACHINES**

Mr NORRIS (Dandenong)—Will the Minister for Sport and Recreation advise the House of any action he is taking to counter the menace of illegal gaming machines in this State?

Mr TREZISE (Minister for Sport and Recreation)—I am sure all honourable members will be aware of the problem of illegal gaming machines, particularly in recent years. It has now reached the stage where, with the cooperation and consultation of the Licensing, Gaming and Vice Squad, the government has more than once initiated legislation to overcome what appears to be a growing menace in the community.

I am pleased to report that in the past twelve months much progress has been made in combating illegal gaming machines; in fact, 200 illegal gaming machines have been seized in the past twelve months. In addition, 37 prosecution briefs have been listed for court action; of the eleven cases that have come before the courts already, every
case has resulted in the offenders being found guilty, and the penalties have ranged from a $1000 fine to three months' imprisonment. The remaining 26 prosecutions will, in most cases, result in further action being taken to reduce the number of offenders.

I have also been informed by the police that in the past twelve months, since the enactment of the legislation, there appears to have been a reduction in the number of illegal machines operating around Victoria. In other words, at long last Victorians are seeing a pleasing result in this area, and I can assure the House that the government is encouraging the police to continue their efforts to reduce the problem of illegal gaming machines.

**PETITION**

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

**Gas and Fuel Corporation subagency**

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

The humble petition of the undersigned citizens of Victoria:

That a Gas and Fuel Corporation subagency be permitted in North Blackburn Square shopping centre.

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

*By Mrs Ray (4850 signatures)*

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

**PAPERS**

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


Planning and Environment Act 1987—Notices of Approval of amendments to the following planning schemes:

- Bairnsdale (Town) Planning Scheme—Amendment No. L2.
- Beechworth Planning Scheme—Amendment No. L3.
- Huntly Planning Scheme—Amendment No. L5.
- Knox Planning Scheme—Amendment No. L4.
- Melton Planning Scheme—Amendment No. L2.
- Minhamite Planning Scheme—Amendment No. L2.
- Narracan Planning Scheme—Amendment No. L5.
- Ripon Planning Scheme—Amendment No. L1.
- Rodney Planning Scheme—Amendment No. L1.
- Shepparton (City) Planning Scheme—Amendment Nos L7, L9.
- Tambo Planning Scheme—Amendment No. L5.
- Traralgon (City) Planning Scheme—Amendment Nos L11, L17.
- Winchelsea Planning Scheme—Amendment No. L1.
The SPEAKER announced the presentation of a message from His Excellency the Governor recommending that an appropriation be made from the Consolidated Fund for the purposes of the Children and Young Persons Bill (No. 2).

APPROPRIATION (1988–89, No. 1) BILL

The SPEAKER announced the presentation of a message from His Excellency the Governor recommending that an appropriation be made from the Consolidated Fund for the purposes of the Appropriation (1988–89, No. 1) Bill, and transmitting Estimates of Revenue and Expenditure for the year 1988–89.

Mr JOLLY (Treasurer), pursuant to Standing Order No. 169, moved for leave to bring in a Bill to appropriate certain sums out of the Consolidated Fund for recurrent services and for certain works and purposes for the financial year 1988–89 and to appropriate the supplies granted in this session of Parliament and for other purposes.

The motion was agreed to.

The Bill was brought in and read a first time.

Mr JOLLY (Treasurer)—I move:

That this Bill be now read a second time.

The 1988 Budget focuses on the families of Victoria. The range and quality of services delivered to families in this Budget sets the standard for the nation.

- Education opportunities reach new heights.
- There is a record boost in Community Services.
- The active strength of the police force is increased to an all time high.
- Health agencies provide more and better services than ever before.
- There is a dramatic increase in resources to improve Victoria’s environment.

The level of financial support given to families has never been matched before. All this has been possible only because of the sustained resurgence of the Victorian economy.

The Budget builds on last year’s family initiatives and provides new opportunities to all Victorians.

The tight control over spending and the strength of the Victorian economy mean that this is achieved without any new taxes and without increasing tax rates. In fact there are further tax cuts in this Budget. The cost placed on future generations through...
new borrowing is further reduced, making six consecutive years in which borrowing declines in real terms.

The educational opportunities created in this Budget are an integral part of the Government's Economic and Social Justice programs. Everyone should be given the chance to participate in education and training.

- At least 2400 additional places in higher education courses will be available in 1989 as a result of funding in this Budget.
- Together with support from industry and the Commonwealth, up to 8000 new places in TAFE will be funded in 1989.
- Grants to government schools will increase by $6 million. There will also be an increase in grants to non-government schools.
- $1.25 million will be provided to extend further education programs in Neighbourhood Houses and Community Learning Centres.
- An extra $2.5 million will be allocated to adult literacy and basic education programs to assist disadvantaged groups in the community.
- Some $1.5 million will be made available to provide additional ancillary staff in schools and to strengthen the integration program.

The major increase in Community Services includes the injection of $10.6 million into the expansion of child protection and care services. This will allow for investigation of all suspected cases of child abuse and neglect. The Budget also provides for the most significant increase in levels of support to children in foster care and residential care in almost 15 years. A major additional commitment of $7.4 million in 1988–89 and $11.3 million in a full year is made for services to the intellectually disabled.

The Cain government's commitment to personal security is highlighted by the increase in the number of Victoria Police in service throughout the State. The 1988 Budget provides for a further 350 increase in the number of police in this State, as well as additional protective service officers.

Also, the transfer of warrant serving responsibility to the Sheriff's Office will release police for operational duties, as will the provision of a further 100 public servants.

The combined impact of these measures will be a major increase in the effective police strength of around 600.

Health and related services are again a top priority in the Budget.

- Resources will be allocated to public hospitals to build upon the record of 586,000 patients treated in 1987–88.
- An extra $12 million is allocated to establish new public hospital facilities in Frankston, Maribyrnong, Box Hill and Maroondah.
- The $20 million increase in the Home and Community Care Program will enable more of our senior citizens to remain in their own homes. Victoria's contribution to the increase will be $7.9 million. An extra $2.5 million is made available for the start of a $17.5 million construction program of new nursing home beds for those unable to live at home.
- Some $13 million will be spent on new initiatives in the health area other than hospitals. This includes an expansion of community-based psychiatric services, including a number of projects to take over from the outdated Willsmere Hospital which is being closed down. A major expansion of public dental
health programs will particularly benefit older people on low incomes and children in poverty. There is also an expansion of community health services, including 7 new community health centres, and increased funds for women's health services, and services related to alcohol and drug abuse.

Victoria's pre-eminent position on the environment is reinforced by this Budget.

- The Flora and Fauna guarantee is backed by the provision of an additional $1 million on a full year basis.
- Victoria will benefit from new National Parks and World Heritage listing in East Gippsland.
- The new Point Nepean Park will open in 1988.
- The Urban Conservation Program is boosted by $3.8 million in 1988–89.

Mr Speaker, the direct financial support provided to families in the 1987–88 Budget and in this Budget is unprecedented for any State in Australia. It results from a cut in the real level of charges for essential services, from tax reductions and from a large increase in the Education Expense Allowance.

Private motor registration fees are being abolished and public transport fares are frozen.

The single most important family initiative in the Budget is the increased value and coverage of Victoria's unique Education Expense Allowance.

This direct payment to families increases from $60 per child to $100 per child, an increase of 67 per cent.

The Budget also extends the allowance to children aged from 4 years to 16 years, instead of its previous coverage of children aged from 5 years to 15 years.

Families qualifying for the Federal Government's First Home Owners Scheme will be directly assisted in this Budget.

All first home buyers in this group who have dependent children and who purchase a house costing up to $100,000 will benefit in full. They will receive a full exemption from stamp duty on the property transfer and on the associated mortgage duty. The maximum benefit will be about $2500.

This will provide financial support to eligible families at a critical time and assist families to move from rental accommodation to home ownership.

Many other families will be given the opportunity to move from rental accommodation.

Some 4000 new home loans should be provided directly through the Ministry of Housing and Construction and the Home Opportunity Loan Scheme. The loan scheme will provide affordable loans for 3000 low to moderate income families.

In addition, the Government is on target to achieve 12,000 public housing handovers in the four years ended 30 June 1989. The works and services allocation for housing from State funds will increase by over 17 per cent in 1988–89 partly to ensure that this target is met and to assist in the delivery of housing Social Justice Strategy projects.

Mr Speaker, the financial year just completed was one of great strength for Victoria. Strict control over expenditure, coupled with the growth of the Victorian economy, enabled $141 million to be deposited in the Cash Management Account.
Continued control over costs and continued economic growth have made possible the $240 million package of current account budget initiatives in 1988–89.

While part of the sum deposited in the CMA in 1987–88 has helped finance new initiatives in 1988–89, more than half of it, $77.5 million, is being used in 1988–89 to abolish completely the remaining debt of the Victorian Arts Centre. This means that this magnificent Centre will be totally free of any debt.

As a result of this decision and a further reduction in the real level of borrowings, this year will see another substantial fall in the relative levels of public sector borrowing and debt. Over the six years to 1988–89, net borrowings will fall from 4.2 per cent to 1.7 per cent of non farm GDP, while net public sector debt will fall from 29.9 per cent to 27.9 per cent of non farm GDP.

Mr Speaker, Victoria’s strong economic base will expand further in 1988–89.

Our economic growth rate has outstripped the nation as a whole over the past five years and our State has recorded the lowest unemployment rate for 61 months in a row.

The partnership forged by Government, business and employees has enabled Victoria to set the economic pace.

Economic initiatives in this Budget will ensure that the Victorian economy maintains its pace in 1988–89.

The major Government Statement, Victoria: Trading on Achievement, outlined 16 initiatives to give further momentum to the dynamic restructuring of the Victorian economy.

These initiatives include the establishment of a Strategic Research Fund to stimulate the expansion of key strategic research, the establishment of a Venture Capital Fund, major new measures to help exporters and important new steps in many areas of education and training.

The economic approach being adopted strengthens the competitive position of our great State and creates new employment opportunities for the next generation of Victorians.

Mr Speaker, the 1988–89 Budget is both generous and responsible. It provides new services and support for families and a sound financial base for the future.

BUDGET OUTCOME 1987–88

Mr Speaker, the Consolidated Fund ended the 1987–88 year in balance, after allowing for the deposit in the Cash Management Account. This deposit was not included in the budget estimates. It reflected the greater than expected strength of the Victorian economy which resulted in a surplus of recurrent receipts over recurrent payments.

State sources of recurrent receipts were $263 million higher than budgeted.

Stamp duty on land transfers exceeded budget by $168 million. This reflected strong property market conditions in a buoyant economy. The strength of the economy also resulted in receipts above budget in payroll tax and stamp duty on share transactions.

Recurrent payments were $136 million above the budget estimates before allowing for the deposit in the Cash Management Account.

Payments in respect of service delivery costs exceeded budget estimates for a number of reasons.
Achievement of full cost offsets associated with the Second Tier National Wage decision has required a longer phase-in period than expected at budget time.

In addition, the total salary bill for teachers increased because of higher than anticipated student retention rates, and the increase in payments to hospitals was associated in part with record public hospital throughput.

Pensions exceeded the budget estimate by $13 million as a result of the larger than expected number of early retirements. Debt service payments exceeded the budget estimates by $19 million because savings from efficiencies in the centralised management of budget sector debt were less than expected.

Works and services payments were $104 million below the budget estimates.

This was the result of a lower than budgeted level of borrowing from the State Development Account. The budgeted asset sales estimate of $200 million was achieved.

Works and services payments were $124 million less than budgeted reflecting lower than anticipated spending, mainly in major projects.

Consistent with the Government’s commitment to prudent financial management, the surplus of recurrent receipts over recurrent payments was deposited in the Cash Management Account.

ECONOMIC CONTEXT


Despite these influences, the Australian and Victorian economies continued to grow strongly in 1987-88.

New figures on household income by State show that household income per capita has grown faster in Victoria since 1981-82 than in any other State. Victorian per capita household income is now about 8 per cent above that for the rest of Australia. The number of new jobs created in Victoria since the trough of the national recession in 1983 has been 272 000.

In addition, the Government charges component of the CPI for Melbourne has increased by 44-2 per cent since March 1982. This is well below the 59-4 per cent increase in the index for the eight capital cities.

The national economic outlook is for growth in activity to be more subdued than last year. However, unless Commonwealth fiscal or monetary policies tighten further, the economy should maintain modest growth with declining inflation in 1988-89.

National economic growth for 1988-89 is forecast at 2-8 per cent. However, Victoria can expect higher growth, associated with strong business investment and exports.

Business investment in Victoria is forecast to grow by nearly 13 per cent in 1988-89, faster than in any other State. Victoria’s share in total Australian business investment is likely to increase from less than 23 per cent in 1982-83 to nearly 30 per cent in 1988-89.

The Consumer Price Index is expected to rise by 6-4 per cent for Australia as a whole in 1988-89 and by a marginally lesser amount for Victoria. This represents a significant fall from the 1987-88 inflation rate.

The number of jobs is expected to increase by about 2-8 per cent in 1988-89. Victoria should retain its long standing record under this Government as the State with the lowest unemployment rate.
BUDGET ESTIMATES 1988–89

Mr Speaker, there will be balance in the current account of the Consolidated Fund for 1988–89.

Total funds available are projected to grow by 8·1 per cent to $10·2 billion. Receipts from continuing State sources are projected to increase by 7·9 per cent and from continuing Commonwealth sources by 2·1 per cent. An additional $47 million will be received as a result of the Commonwealth Government’s decision to make certain authorities liable for pay-roll tax.

Total recurrent expenditure is estimated to grow by 8·1 per cent. Continuing expenditure is projected to grow by 8·8 per cent, but service delivery costs, the largest component of recurrent payments, are budgeted to increase by 7·9 per cent.

The other components, debt charges and pensions, are projected to grow at 13·3 per cent and 13·2 per cent respectively.

Works and services receipts are projected to rise by 8·2 per cent and works and services payments by a slightly lower 8·1 per cent.

BUDGET INITIATIVES

Mr Speaker, I turn to consider some of the key recurrent initiatives in more detail.

Family Support

As I indicated at the outset, this Budget provides very substantial assistance to families.

The Education Expense Allowance is increased from $60 per child to $100 per child and its coverage extended to include children aged 4 and aged 16 years.

The cost to the Budget of the extension of the scheme is $34·7 million.

By the end of 1988–89, all motor registration renewal fees for Private A class vehicles and pensioner categories registration will be abolished. Phase-in arrangements began from 1 July 1988.

For a “typical” family with two children in the 4–16 years age group and two cars of different vintages, the total value of the Allowance and the abolition of private motor registration will be about $300 per annum. For many larger families, the value of the initiatives will be $500–600 per annum and it is often these larger families which are in greatest need of support.

First home buyers meeting the income test of the Commonwealth Government’s first home owners scheme will be eligible for full exemption of both transfer duty and mortgage duty on the purchase of a home costing up to $100 000.

The assistance will phase out for properties valued between $100 000 and $111 000.

The exemptions for first home buyers provide once-off assistance on the purchase of a first home up to a maximum value of about $2500.

Taken together, these three significant family support measures in this Budget involve a cost of $81·1 million in 1988–89 and $113·3 million in a full year.

When the cost of the 1987–88 Motor Registration and Education Expense Allowance initiatives is taken into account, the full year cost rises to just under $200 million.

Mr Speaker, these measures will clearly provide substantial assistance for the vast majority of Victorian families with children.
Social Justice

This Budget is another major step in giving effect to the Government's Social Justice Strategy. The priority areas identified are assistance to older people, children in poverty and the long term unemployed, the protection of basic rights, people with disabilities and Aborigines.

Older People

In the case of older people, $7.9 million has been provided as the State's share of an expanded Commonwealth/State Home and Community Care Program. This expansion, which includes increased home nursing and home help services, will ensure that older people can remain in their own homes. A further $2.5 million will be provided for new nursing home beds and $1.5 million for improved dental health.

More than $1 million in a full year has been included for geriatric assessment and allied health services.

Child Poverty and Long Term Unemployment

To assist children in poverty and the long term unemployed, $1.25 million has been provided for further education programs in Neighbourhood Houses and Community Learning Centres and an additional $1 million has been allocated to establish 15 new Neighbourhood houses and to extend support to existing houses.

Child care receives a further $1 million in 1988–89, and $3.4 million in a full year.

An Adult Literacy strategy is being implemented at a cost of $2.5 million and $1.4 million is being provided for TAFE access and pre-employment programs.

New rural enterprise initiatives to expand employment opportunities in rural Victoria will cost an additional $300 000.

A further $1.6 million of State funds is being provided for expansion of the Commonwealth/State Supported Accommodation Program to assist homeless individuals and families.

The Protection of Basic Rights

In order to assist with the protection of people's rights, the Government is significantly expanding the funds directed to Child Protection and to foster care and residential care. The total allocation of $10.6 million in 1988–89 comprises $4.2 million for the Government sector and $6.4 million for the non Government sector. The full year cost of the measures taken together is over $13 million.

Other social initiatives which support people's rights include a range of measures to reduce family violence and to support those affected. The Budget provides for a targeted Language Services program and an extension of regional Legal Aid programs. There is also a significant extension of regional Consumer Affairs services.

People with Disabilities

The Government has already announced a large increase in resources to improve services for people with intellectual disabilities. These initiatives will have a recurrent cost of $4.2 million in 1988–89 and $11.3 million in a full year.

An additional $7.2 million in a full year is being provided for Psychiatric Services. An amount of $1.0 million is to be provided for the multi-purpose taxi program, supplementing the $1.5 million extension to the program announced in last year's Budget.
Aborigines

Several Ministries will be involved in delivering a program of initiatives for Aborigines, at a cost of $1.2 million in 1988-89.

The program covers health, education and training and cultural heritage services. Funding for new Aboriginal community justice panels to support Aborigines in the criminal justice system is also in the Budget.

Other Social Expenditures

A wide range of additional social policy measures is being put in place in the 1988-89 Budget.

In public hospitals, for instance, an additional $10 million is to be provided for patient throughput initiatives, and a further $12 million to establish new public hospital facilities at Frankston, Maribyrnong, Box Hill and Maroondah hospitals.

Community health services are to be improved as a result of a budget provision of $6.5 million in 1988-89 and $11.6 million in a full year.

Budget allocations include $1 million for Alcohol and Drug Services, $900 000 for Child and Family Health and $800 000 each for Ambulance Services and Community Health Centres. Nursing receives an extra $500 000 and District Health Councils and AIDS services $400 000 each.

In Education, grants for both Government and non-Government schools have been increased at a cost to the Budget of $7 million in 1988-89 and $10 million in a full year. In the case of non Government schools, larger increases in per capita grants are to be paid to schools in greater need, as measured on the Commonwealth scale.

An additional $1 million is to be provided for ancillary school staff in support of teachers and the integration program receives an extra $500 000.

As announced in Victoria: Trading on Achievement the Government has decided to make available $6-10 million, in 1989 only, to attract and retain high quality teachers. The final level and the allocation of these funds will be determined in the context of continuing negotiations on career restructure within the Post-Primary Teaching Service.

Law and order initiatives also form a very important component of this year's Budget.

In addition to the 350 extra Police referred to earlier, the freeing up of Police for operational duties and the provision of more protective service officers, additional funds of $4 million will be provided for a number of special projects aimed at improving community protection.

The Government recognises the importance of the National Gallery, the State Library and the Museum to the people of Victoria. Additional funds have been provided to improve public access and to conserve collections in each of these institutions.

The Budget provides additional subsidies for Municipal Libraries.

An extra $850 000 is provided for Occupational Health and Safety measures.

An amount of $165 000 is allocated to improve the employment prospects of women through mathematics and science awards, technical work experience, and counselling and promotional services in respect of non-traditional careers for girls.
Economic Initiatives

As I indicated earlier, Mr Speaker, the Government wishes to ensure that the economic framework for the longer term development of the State is enhanced.

Additional funds will be provided for new targeted export and business assistance initiatives. The initiatives will be directed to the development of exports to China, Japan, the European Economic Community and the newly industrialising countries of Asia and the Pacific Basin.

These specific export assistance measures will be complemented by enhancement of the payroll tax concessions to exporters, at a cost of $1 million in 1988–89 and $2.9 million in a full year.

The payroll tax scale is again to be indexed. The tax-free wages threshold of $300,000 will be increased by 6.7 per cent to $320,000 and the upper wages limit to which this tax free allowance applies will be extended by 9 per cent from $1.43 million to $1.56 million. This will provide relief to between 6000 and 7000 firms at a cost of $3.9 million in 1988–89 and $9.4 million in a full year.

Expenditure on industry and energy development initiatives totals $11.1 million, including $9 million for a Strategic Firm Development Program, $500,000 for development of products at the leading edge of technology, $600,000 for assistance to selected indigenous Victorian communications, computer and software companies, and $1.0 million additional funding for the State’s Energy Intensive Industries Unit.

Melbourne’s position as a financial and commercial centre will be aided by the abolition of stamp duty on arbitrage trading by futures brokers and the abolition of stamp duty on secured debenture issues of over $10 million.

Two measures directed at reduction of regulatory activity and removal of minor taxes and charges are the abolition of stamp duty on counterpart documents and the abolition of stamp duty on secured debenture issues of over $10 million.

Other Revenue Initiatives

For 1989, the Government proposes a large concession to land tax payers. This will cost $15.2 million in 1988–89 and $25.4 million in a full year. The effect is to release a further 7000 taxpayers from land tax and provide an absolute reduction in land tax for the overwhelming majority of taxpayers. Despite the large increase in land values, the average increase in land tax for 1989 will be held to 6.2 per cent.

It is also proposed to remove some minor duties imposed on bookmakers—the duty on the issue of betting tickets and charges made for certificates issued to bookmakers and bookmakers’ clerks.

WORKS AND SERVICES, BORROWING AND DEBT

Mr Speaker, works and services receipts are budgeted to increase by 8.2 per cent in 1988–89.

Sales of assets are projected to rise to $235 million in 1988–89. This follows full achievement of the budgeted $200 million receipts in 1987–88. State Development Account borrowings are expected to rise from $83 million in 1987–88 to $106 million in 1988–89. In addition, the balance in the Works and Services Account of $83 million will be drawn down.

The budget sector share of the State’s global limit borrowing allocation is estimated at $880.6 million in 1988–89. This is slightly lower than in 1987–88.

Works and services payments are projected to rise by 8.1 per cent. This needs to be seen in the light of the significant fall in works and services expenditure relative to
budget in 1987–88. The shortfall in expenditure in 1987–88 has led to a significant carry forward of expenditure in 1988–89.

Some important projects to be funded in the 1988–89 Budget through works and services allocations include:

- The new State Museum/Library, including commencement of a new Science and Technology Museum at Spotswood.
- Stage 2 of the Monash Medical Centre.
- A special cyclic maintenance program in Education in addition to new schools expenditure.
- New police stations to be commenced at Knox, Geelong and Mornington, together with completion of 24 hour stations at Werribee and Rosebud.
- Upgrading of the Food Research Institute at Werribee.
- Fit out of 3 criminal courts and 3 practice courts at the County Court.
- Purchase of 10 Community Residential Units.
- Improved services for the intellectually disabled and the provision of new nursing home beds.
- Development of the Land Register in the Department of Conservation, Forests and Lands.
- A range of measures associated with parks and the Flora and Fauna Guarantee.
- An Urban Conservation Access Program including increased expenditure in the Dandenong Ranges.
- Establishment of a Strategic Research Fund as part of the economic initiatives package.
- A range of CBD and urban development works to be carried out through the Ministry of Planning and Environment.
- An additional $5 million to enable the Government to maintain its target of at least a 50 per cent transition of students to higher education places.
- The enhancement of telecommunications and audio recording equipment for Police and the purchase of an additional helicopter.
- Improvements to the Melton Dam outlet and spillway.
- An additional $7 million allocation for the Timber Industry Strategy.
- A Salinity Control works and services program of $8·6 million, which supplements the recurrent budget allocation of $13·7 million.
- Provision for new trams, trains and locomotives, continued work on the Epping Depot which forms part of the Jolimont decentralisation project, and further development of the South Eastern Freeway/Mulgrave Freeway link.

CONCLUSION

This Budget continues and reinforces the initiatives taken in the 1987–88 Budget. The family support measures announced today build on the decisions made last year. Taken together, these two Budgets have added some $200 million to total family income in Victoria.
The 1988 Budget maintains the momentum of the Government's key economic and social policies. It responds to the most pressing needs of the community.

The increased emphasis on access and quality in education and training will equip our future workforce to meet the emerging international challenges. The increased retention rates in our secondary schools and the expansion of adult literacy programs will increase the job opportunities of the disadvantaged in our community.

The large increases in expenditure on Health and Community Services provide new and better services to the aged, the disabled, and the disadvantaged.

The increase in the size of the police force, additional Court Judges, and our new prisons will advance the standard of Law and Order in Victoria. The improvement in public transport, in national parks and the urban environment will make Victoria an even greater place in which to live.

Mr Speaker, this Budget delivers the services demanded by the Victorian community. It is a Budget for Victorian families and their future.

I commend the Budget to the House.

On the motion of Mr STOCKDALE (Brighton), the debate was adjourned.

It was ordered that the debate be adjourned until Tuesday, August 30.

WORKS AND SERVICES (ANCILLARY PROVISIONS, 1988–89, No. 2) BILL

Mr JOLLY (Treasurer)—I move:

That this Bill be now read a second time.

The Works and Services (Ancillary Provisions, 1988–89, No. 2) Bill provides for non-specific appropriation matters, mainly related to works and services expenditure in the Department of Water Resources and the Rural Water Commission, but also includes one section related to education.

The clauses in the Bill have the same function as those included in the Works and Services (Ancillary Provisions, No. 1) Act.

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 Tuesday, August 30.

TRUSTEE COMPANIES (AMENDMENT) BILL

The debate (adjourned from August 4) on the motion of Mr McCutcheon (Attorney-General) for the second reading of this Bill was resumed.

Mr ROSS-EDWARDS (Leader of the National Party)—The National Party supports the Bill; and I understand that the Bill has the broad support of the trustee industry.

The Bill amends the Trustee Companies Act. Honourable members will recall that the Trustee Companies Bill was introduced in 1984 in response to the collapse of the Trustees Executors and Agency Co. Ltd some five years ago.

The first I knew of the collapse of that company five years ago was when I attended a conference that took place between the Premier, who was the Attorney-General at
the time, the Leader of the Opposition and two receivers. The Premier has changed his attitude to the portfolio since then; but that was the first shock he received as Attorney-General.

At that meeting concern was expressed about the effect the collapse of that company would have on the trustee industry. Fortunately, apart from the people in the company in question, the collapse of the Trustees Executors and Agency Co. Ltd did not have the detrimental effect on other trustee companies that might have been expected. The other trustee companies are still held in the same high regard in which they have been held for over 100 years.

The report on the conduct of the Trustees Executors and Agency Co. Ltd is yet to be released, five years after that company collapsed. Some charges relating to the matter have been resolved and sentences have been passed.

One reason that the government has given for not publishing that report is that it did not want to prejudice the hearing of those charges. It does not give one confidence in the legal system to realise that five years after a major disaster the matter has not been cleared up and honourable members do not know the result of the inquiry.

I understand that some of the charges have not been finally resolved. I leave it to the Deputy Premier, who is leading the debate on the Bill, to pass on to the Attorney-General my feeling that the time has come to resolve these matters. The opposition parties have shown a great deal of patience and understanding in not pushing this matter harder than they have.

I shall refer briefly to the five specific changes which the Bill makes to the existing legislation. Firstly, the Bill allows for differing rates of contribution to the reserve fund by trustee estates and various types of common funds administered by trustee companies.

Before I outline the other four changes, I should make the point that the biggest change that has come about in the operations of trustee companies in the past four years is that, although the traditional role of administering estates of deceased persons has largely remained the same, and although the amount of money that they administer is perhaps slightly less than it was four years ago, the common fund handled by the trustee companies has increased eightfold during the past four years. The main purpose of the Bill is to address the administration of those common funds, which amount to huge sums and which are controlled by trustee companies in Victoria.

The second change proposed by the Bill concerns the use of a subordinated loan from a parent company for the purpose of meeting the reserve fund requirements. The third change is that the Bill relaxes the prohibition against estate moneys being invested in a company related to the trustee company. From now on, regulations can prescribe the appropriate circumstances in which an investment can be made.

The fourth change is that the Bill gives the Attorney-General a discretion as to what conditions he imposes on new trustee companies which are about to enter the trustee industry. The wording of the Bill will give the Attorney-General a greater degree of flexibility.

The fifth change is that the Bill clears up a point about which there has been some argument in recent years. The Bill clarifies the rates of commission that a trustee company can charge on the estates of deceased persons. The Bill makes clear that the commission is to be calculated on the gross value of the estate at the time of the distribution. I understand that there had been some doubt as to the sum on which the commission should be calculated, but that provision clarifies the matter.
I wish to pay tribute to the trustee companies that are operating in Victoria. They have a very high reputation and they give a high degree of service to the community.

The government must tackle the problem of the need for uniform legislation throughout Australia in this area. Some trustee companies operate branches in other States. The trustee industry is a small industry so far as the numbers of companies are concerned. The differing rules and regulations prescribed by differing State legislation often make it confusing for companies which have to comply with such legislation.

I should not have thought it would be difficult to achieve uniformity in legislation. Such uniformity has been achieved in many other fields. I should imagine that with a little effort from the Attorney-General agreement could be reached and all States could adopt uniform legislation.

I conclude by leaving the Deputy Premier with a message that I should like him to take to the Attorney-General: the Attorney-General should use his best endeavours to ensure that uniform proposed legislation is drafted at an early date. If it is not introduced, unnecessary work and misunderstandings will result. Uniform legislation would be in the best interests not only of the trustee companies but also of the people who use their services.

Mr FORDHAM (Minister for Industry, Technology and Resources)—I thank the honourable member for Bendigo East and the Leader of the National Party for their contributions to this important debate. The proposed legislation makes a number of minor changes to the principal Act that will help the community and trustee companies operating in Victoria.

I support the remarks made by the Leader of the National Party regarding the history and significance of trustee companies. The government stands ready to assist in any way it can to ensure that that form of assistance continues in future. The Leader of the National Party also referred to the need for uniform legislation. That is a fine principle but often it is difficult to achieve, for all sorts of historical reasons. In principle, I support his remarks. I hope we can move towards such an arrangement.

The Leader of the National Party spoke about the delay concerning the Trustees Executors and Agency Co. Ltd issue. He said that it is a sad commentary on the legal process that approximately five years down the track the matter is not resolved. I share his concern. I am aware that the issue has been addressed by both the present and the former Attorneys-General to ensure that those circumstances are not repeated; it is often difficult, given the legal processes that function not only in Victoria but also throughout Australia. When the community reflects on the situation five years after the event and realises the legal processes are still in train, it makes one think there must be a better way.

The motion was agreed to.

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

LIBRARIES BILL

The debate (adjourned from April 14) on the motion of Mr Cathie (Minister for the Arts) for the second reading of this Bill was resumed.

Mr COOPER (Mornington)—The Bill has two major purposes and one ancillary purpose: firstly, it repeals the Libraries Act 1958 and the Library Council of Victoria Act 1965; secondly, it establishes a Libraries Board of Victoria and a Council of the State Library of Victoria; and, thirdly, it provides for the transfer of ownership to local
municipalities of old and unused mechanics institutes and similar buildings that are dotted around Victoria.

The government proposes to establish a dual management structure for libraries to replace the present Library Council of Victoria. This follows recommendations made in the *State Library Development Study 1987*, which is better known as the Hancock report, and the *Libraries Review Report*, which is better known as the Geddes report. The Opposition will not oppose the overall change in management. However, the Bill raises some important questions that need answers. The Minister for the Arts has said that they will not be ignored, and I am glad he has given that assurance.

If the Opposition does not receive adequate responses to the queries I shall raise, it may have to review its stance on the Bill with a view to amending the proposed legislation in another place. The Opposition would prefer to avoid that happening. The questions I shall raise may cause the government to propose amendments to the measure while the Bill is between here and another place. The suggestions will be helpful and it is important that the government recognises the reasons behind the queries.

These questions arise from concerns expressed by the Opposition, many councils, library committees, supporting organisations and interested individuals about the government's well-known failure to keep its promises to the library community. The government has repeated the promises since 1981. They have been blatantly broken and that is one of the main reasons for concern. People do not trust the government.

Those involved in library management have good reason to be suspicious of the government. It has ducked and weaved on the issues regarding rebuilding and relocation of the State Library and the Museum of Victoria. The decisions made by the government in recent days regarding relocation of the museum show that the government does not know what it is doing. Its failure to be honest with the people of the State in its dealings in this area have caused the people to show outright hostility towards it.

Last Sunday the government announced that it had decided to abandon its plans to relocate the Museum of Victoria to the site of the former Queen Victoria Medical Centre. Apparently the museum will be shifted to the south bank of the Yarra River.

Mr Cathie interjected.

Mr COOPER—I understand the aggravation of the Minister because he does not like to be pinned down on promises the government has broken. However, he will be pinned down because of the government's lack of action. In abandoning the proposal which has been reinforced in promises that have been made since 1981, the Minister has thrown away $5.3 million in planning, survey, design and architectural competition costs. The initial decision to abandon the proposal to relocate the State Library of Victoria to the former Queen Victoria Medical Centre site was made in February, and the decision to relocate the museum was abandoned earlier this week. One can understand the hostility and suspicion of people involved in libraries throughout the State when one considers the government's lack of performance on library issues.

These promises have been reiterated year in, year out and never kept. The Bill raises a number of questions and queries, and it is up to the government to satisfy every one. If it does not, it will not satisfy the Opposition, and it will certainly not satisfy the community, which has enormous interest in libraries both at the State and municipal levels. Those interested organisations want answers to those questions.

The Opposition—and I assume the government—received a large number of submissions from various organisations and individuals, including the Library Council
of Victoria, the Survival of Libraries of Victoria, the Eastern Regional Libraries Group—which covers the municipalities of Croydon, Knox, Ringwood, Healesville, Sherbrooke, and Upper Yarra—the Shire of Mornington, the Metropolitan Municipal Association, the Municipal Association of Victoria, the Peninsula Regional Library Service—covering the municipalities of Hastings, Flinders and Mornington—the Country Public Libraries Action Group, and the Shire of Melton, as well as individual submissions from librarians and library users.

This is not a Bill that has been put on the table and ignored by the community. Right around the State there has been a recognition of the Bill, a recognition that has raised queries.

Mr Cathie—It is generally supported.

Mr COOPER—The Bill is generally supported by the Opposition, too. However, the government needs to respond to the queries raised.

Many of the submissions have a common theme. They are all concerned about what they perceive, in certain parts of the Bill, to be an attack on the library system. The submission of the Library Council of Victoria states:

The council is extremely concerned that at no time is the State Library defined as is the museum in the Museum’s Act. The lack of any definition and the consequent inability to refer to the State Library creates an unfortunate impression that the collections rather than the user oriented activities of the library are of central importance, a view which is completely counter to the recommendations of the Hancock report. It also leads to significant problems in the wording of certain clauses such as 17(b) “through the services and collection of the State collection” and 17(c) where the council is “to oversee cooperation in programs with other libraries”, yet the State Library itself is not referred to.

The council believes that clause 3 should contain a definition of the State Library of Victoria such as “the State Library of Victoria means the services, collection, resources and premises under the control of the council”.

Referring to clause 36 and transfers to the Consolidated Fund, the council submission states:

Council is deeply disturbed by the insertion of this clause, which apparently gives the right to the Treasurer, without any appeal process, to require the council to make payments to the Consolidated Fund to offset previous capital costs met from that fund. Such payments could only come from the funds available to council from bequests and donations which have been made over the years. Although council recognises that if significant profits were made from entrepreneurial activities some portion of these might be paid to the Consolidated Fund in recognition of the provision of the buildings in which these enterprises took place, it believes that the clause in its present form would mean that no individuals would make donations or bequests to the library as they would see the possibility that at least some part of these would be demanded by the Treasurer “as a contribution towards the capital costs previously provided from the Consolidated Fund”.

The council is also concerned about the lack of recognition of the role of the State Library in the provision of information services and about the definition of “publication” and its effect on legal deposit. It states:

The inclusion of microform and other forms of publication needs to be considered. It may be held that the present definition includes these, but council believes that the definition should be extended.

The council also directs attention to the definition of the State collection:

The council believes that in sub-clauses (a) and (c) of this definition the words “library materials” rather than “publications” should be used. If this is not done the State collection would presumably not include films, sound recordings, and other materials currently vested in the council or acquired by the council.

The council is also concerned about the membership of the Libraries Board of Victoria. It believes strongly that provision should be made for country representation on the
board and also that the State Librarian or the Director of the State Library should be a member of the board.

With respect to the funding of public libraries, the council states that it has always seen the advice given to the Minister on the funding of public libraries to have been of critical importance. It deeply regrets that there is no legislative provision for such advice to be given to the Minister by any representative body in the future.

The comments I have referred to are some—it is by no means an exhaustive list—of those submitted by the Library Council of Victoria. The submission is revealing in two aspects: firstly, it shows real concerns on behalf of the council—a responsible body—which have been overlooked by the government; and, secondly, the most revealing element is that the council was apparently not consulted by the government prior to the drawing up of the Bill or certainly before its presentation to Parliament. I find that extraordinary.

I turn now to the submission of the Survival of Libraries of Victoria, also known as SOLV, which has a wide membership of municipal libraries and represents a significant body of opinion on library matters in Victoria.

The submission, again, points to the lack of definition of the State Library, along the same lines as the submission of the Library Council of Victoria. It also directs attention to the inadequacies with respect to legal deposits. The organisation mentions that the Bill contains no reference to microform and makes the point that there is no confirmation in the Bill of the principle of the free library service. This principle, the organisation says, was referred to in the previous Act and is of such importance that it should be reaffirmed in the new Act.

The organisation also comments on the membership of the board and points out that there is no public librarian represented on the board, which would mean a lack of practical knowledge on a body that has significant responsibility for Victoria's public library system.

SOLV also makes reference in its submission to library funding and states that the recommendations on funding are not clearly dealt with. The organisation says that on the surface it appears that the board will not make recommendations on funding, but clause 7 (a) and (e) of the Bill could be interpreted to mean broad funding recommendations. The organisation finalises its comments on that point by stating:

The Bill does not address the area of funding satisfactorily.

Submissions I have received from the Peninsula Regional Library Service, the Shire of Melton and the Eastern Regional Libraries Group also direct attention to the shortcomings of the Bill and its lack of definition of "free public library service" and the lack of definition of the role of a public library service.

The Opposition believes the failure of the government to commit itself in the Bill to the free public library concept is of concern and should be viewed with suspicion by those interest groups that have perused the Bill. It is obvious that the Bill is already viewed with suspicion by those groups. Library committees and municipalities are now asking whether this lack of commitment signals some sort of further walking away from State government funding of public libraries. The record of the government on library funding is proof positive of the reasons why these concerns are held by so many people around the State.

In 1981, the Labor Party, then in opposition, committed itself totally, without any equivocation, to 50-50 funding of public libraries in association with local government. I believe I am correct in saying that when the commitment was made the present
Minister for the Arts was the shadow Minister for the Arts. At that time 46 per cent of public library funding was provided by the then Liberal government.

Mr Cathie interjected.

Mr COOPER—The Minister interjects that times have changed. Unfortunately, past promises always come back to haunt one and one should be careful in making promises that cannot be kept. The Liberal Party has learnt that lesson but it is quite apparent that the government has not learnt that lesson.

It is shameful and disgraceful that the then shadow Minister made that firm and unequivocal commitment, but that the commitment was repeated year after year until early 1986 by the then Minister for the Arts, now the Minister for Community Services. In 1986 the then Minister for the Arts began to back away from his earlier promises and started to question what 50 per cent really meant. The Minister was in reverse gear in 1986 and in 1987.

The former Minister for the Arts has left that mess to his successor, and it is fitting that the person who first created the mess is back in the hot seat and has to respond to the people of Victoria for the earlier commitment he made.

Victorians should be aware of two things: that a commitment was made that 50–50 funding was a firm plank of Labor government policy when it came to power in 1982; and that 46 per cent of the funding of municipal libraries throughout the State was provided by the government of the day, a Liberal government.

Since 1982 the sorry slide of government funding has progressed to a miserable 30 per cent in the past financial year. The news given to the people of Victoria earlier this afternoon by the Treasurer in his Budget speech is that the percentage figure will not be increased and that the public financial commitment by the government to support the public library system is still at an all-time record low. Many Victorians will be disappointed at that news.

Registered public library users represent 50 per cent of the population of Victoria and those people have been disappointed by the government once again. Victorians have been made aware that there is no surety that government promises will be kept. In fact, the only surety is that government promises are most unlikely to be kept!

The people of Victoria voiced their disapproval at the performance level of promises by the government at the last State election in 1985. In the coming election, no doubt to be held in the near future—probably before Christmas—the government will be thrown out because of its record of not keeping promises. Public library facilities are one area that will impact upon the government’s performance at the coming election. The government will not be re-elected because it has shown over and again that it cannot be trusted. The government makes promises very easily, but breaks those promises more easily. The pork-barrelling by the government is a lasting disgrace and will be a blot on its escutcheon forever. It is one reason why the government will not be re-elected.

While the government was reducing its financial commitment progressively each year to the public library system, the then Minister for the Arts, now the Minister for Community Services, had the hide and the gall to repeat constantly in the House that the government was fully and unequivocally committed to the 50–50 funding of the public library system. As I indicated, the Minister then retreated from those earlier promises in 1986 and 1987. Even the thickest of the back-bench members of the government realised that the promise of 50–50 funding would not be honoured by the Cain government. Members of the government party had to go back to their communities and explain to them that the government would not keep its promise.
The concerns of library groups and the users of libraries reflects growing concern about the government's inability to keep its promises. That concern has been expressed in the nicest possible way, much nicer than I am prepared to express it, in the submission of the Municipal Association of Victoria which was sent to the Opposition and, I assume, to the government. On page 4 of the submission, under the heading "The Funding Issues", the Municipal Association of Victoria states:

The Bill does not address the issues of funding. The question to ask then is, who is to be responsible for funding of libraries?

Without detail of funding in the legislation, it is difficult for councils to ascertain their position in relation to this matter.

This lack of detail in the Bill fails to recognise the role of local government in funding and organising public library services. Moreover, this results in a lack of certainty and security as regards the detail of funding. It would appear that there ought to be another stage of the legislation relating to funding issues.

The detail of the funding indicated by the Municipal Association of Victoria refers not only to some guarantee and quantum of money, but also to the nervousness surrounding the removal of funding advice provided by the Library Council of Victoria. That is a matter of concern to all people who provided submissions to the Opposition.

The advice previously provided by the Library Council of Victoria will be transferred to the successor body, and will become the sole preserve of the Ministry for the Arts. That matter requires attention by the government because the library community throughout Victoria wants to know whether it will have an input into this vital issue through a fully representative body; as the implementation of the Bill will remove that current input.

The Opposition welcomes and supports the proposals in the Bill that will enable disused facilities such as mechanics institutes, trade halls, and similar buildings or sites to be transferred to local municipalities. There is no doubt that many of the old disused sites dotted around the State have fallen into disrepair. Some of the old buildings are worthy of restoration and it is hoped that when they are transferred to local councils, work will be carried out to restore them. It would be a disgrace if any of the transferred buildings, many of which are fine examples of early Victorian architecture, were bulldozed. I urge the government to ensure that that does not occur. I frequently pass an old mechanics institute in a small town north of Shepparton which is a fine example of early Victorian architecture. It is the sort of building that I hope could be restored to its former glory, because it is an attractive old building.

I hope it can be turned into a very fine restoration job. The provision will enable these sorts of things to occur through municipalities. I hope the government will ensure that the provisions of the Bill guarantee that that does happen wherever possible. I am sure the Minister for the Arts shares my views because this is an initiative that is worthy of support. I congratulate the government on putting such a provision into proposed legislation.

The Opposition does not oppose the Bill, but it has some significant queries which it earnestly requests the government to address before the measure is dealt with in another place. The Opposition expects that the answers and solutions to its queries will be supplied by the government prior to the Bill being dealt with in the other place. If that does not occur, the Opposition will be reluctant to allow the Bill to proceed until the answers to the queries are supplied. If the Opposition does not receive a response from the government, it will move a range of significant amendments to the Bill. I hope that will not be necessary and that the government will take that initiative. The Opposition looks forward to receiving the government's response.

Mr HANN (Rodney)—The National Party supports the Bill, which comes to Parliament after an extensive period of discussion, a number of inquiries and reports
on library funding and quite a lively debate throughout Victoria. I well recall attending a meeting at the State Film Centre of Victoria in November 1986 when the previous Minister for the Arts, the present Minister for Community Services, first announced that there would be a significant cutback in funding for regional libraries because of the desperate need to invest a greater amount of money—to the tune of some $2 million—in the State Library of Victoria.

At that public meeting, which was attended by regional library representatives from around the State, the then Minister said that regional libraries would have to mark time. He made that statement in 1986, at a time when Victorians were facing high inflation and the Australian dollar was devalued. Therefore, the cost of books, particularly imported books, was very high and the cost of replacing books and providing new stock within libraries was causing a great deal of concern to many municipalities and regional library services.

Libraries have been through a difficult period over the past 30 years or so, since television was first introduced into Australia and, more particularly, Victoria. In those early years of television there was a lesser use of library services. However, I believe the situation has turned around in more recent years and there is now a greater recognition in the community of the importance of reading and the need to use library services.

I should like to read to the House an extract from the Australian Library News, which was inserted in volume 17, No. 2. It quotes an editorial in the Hobart Mercury—but it is relevant to the debate on the whole question of library services—of 20 August 1987. Under the heading, “In Defence of Public Libraries”, the article states:

Many people believe that there is a correlation between the increase in violence and the diminishing importance of the printed word as the primary source of relaxation, entertainment and information.

TV programs which depict lifestyles of self-gratification, of taking instead of earning, and the even more violent and sexually explicit videos, are often blamed for some of the horrific crimes which shock communities in many Western nations.

Too many TV and video shows are one-dimensional; they lack the intellectual sustenance of the printed word, the profundity of thought found in literature. An action on TV needs little justification. The same action in a book would need a reason, an explanation, and it must be substantial, capable of convincing the reader. Many of the concerns about the standard of literacy being achieved by today’s education system are based on fears of what will happen to a community which is perceived to be better equipped to watch rather than read.

At such a time, every opportunity must be taken to provide easy access to the printed word. Public libraries are in the front line of the battle to turn people from the often mindless activity of watching an electronic screen to the world of imagination contained in the printed word.

For this reason, it would be a tragedy if . . .

In this instance, the editorial quotes the Tasmanian State government—

. . . the (Tasmanian) State Government’s proposal to force local government to take a greater share of the financial burden of libraries led to any diminution of the available services.

Libraries are the quiet achievers in our community. Apart from lending books, they provide a huge range of services from the massive storehouse of knowledge that they represent. Yet, and this is their misfortune, they make no profit, nor would they be likely to should any government attempt to introduce a user pays principle to the operation of a library. Those who use libraries range across the socio-economic spectrum; their ages range from primary school to senior citizen. Libraries often serve as the focal point for community activities.

Yet because the work of libraries is unobtrusive, they can be ready targets for those seeking to reduce public expenditure. For example, at least one Victorian municipality, stretched for funds, has opened a public appeal for books to keep its library functioning.
The article then refers to the *Heidelberger* article contained in that edition of the *Australian Library News*:

The day any Tasmanian library is forced to follow such a course because of government action at any level will be a sad one indeed for the State.

That really directs attention to the importance of libraries and the need to encourage our population to read.

This need was certainly highlighted to me a few months ago when I listened to an American motivation expert who made the point that mankind goes to a great deal of trouble to meet the physical needs of the body but there is a lesser emphasis upon feeding the mind, particularly in feeding the mind with written material that will develop one's knowledge and skills, develop the philosophy of the individual, and generally provide a broader range of life experiences. The motivation expert, who speaks to thousands of people across the world, gives examples of books that he believes people should be reading. He refers to *Reader's Digest* as one of the good examples of books to be read by busy people, but he recommends a range of other books as well.

That really drew to my attention the need that we all have and, in a busy world, there is less and less time to read—to read particular material beyond that which relates to the occupation in which one is involved. I suppose politicians are probably the worst, because they tend constantly to read material relating to their political activities and seldom read a range of other material that would broaden their minds and perhaps bring them back to the real world. I recently had an interesting discussion with a chap in business who said that he reads only material that relates to his business activity and nothing beyond that. Yet, we all need to broaden our minds in many ways.

Of course, there are library services for the young—for the students and children—in our community. As a father of three young children, I might add that my family has joined the local library and my wife regularly borrows books for the children. As the Minister for the Arts says by interjection, it is an excellent service. A wide range of books is available for children, but the library opens up the possibilities to a much greater extent. It is a delight to see the children's reactions when they bring home new books, which they do generally each month. They delight in reading the books or having them read to them. That is something that ought to be encouraged.

The whole question of library funding is difficult to resolve because of the high capital cost of purchasing books and the recurrent expenditure involved in providing a library service in many of the more remote areas of Victoria. Some communities are served by mobile libraries, which have provided an excellent service, particularly to the smaller towns. There have also been examples of joint use of library services, where schools and public libraries combine. There are some practical difficulties associated with such a joint use of library services, particularly in regard to the hours of operation. It is difficult, for example, for the elderly to use the services because they would generally wish to borrow books during the daytime, when the library is generally used by schools. However, it is a good and wise use of public resources and should be encouraged.

A number of municipalities have expressed concern in recent years at the government's failure to honour a commitment that it made prior to coming into office: that it would attempt to fund libraries on a 50-50 basis with local government. The dilemma in that respect is that some municipalities contribute larger sums to library funding than others. Those points were raised with the former Minister for the Arts in this place some time ago.

It comes back to the priority given to library services within individual municipalities. One of the concerns expressed about the Bill relates to the Libraries
Board of Victoria, which is to be established along with the Council of the State Library of Victoria to replace the Library Council of Victoria. It is appropriate that there be a country representative on both of those bodies and the National Party will be seeking the support of the Opposition to provide for a country representative of local government and also of rural areas on those two bodies. It is desirable that those bodies include a representative from outside the metropolitan area; and I understand that the Minister for the Arts is receptive to that proposal, which will be discussed in more detail during the Committee stage of the Bill.

In late 1986 the Country Public Libraries Action Group was formed to represent country libraries and it made a submission to the inquiry into the library system in Victoria. The group directed attention to some of the practical difficulties of the distances involved, particularly in the larger municipalities such as Mildura where the regional library service covers an area of approximately 21,000 square kilometres, it has a population density of 1.87 persons per square kilometre and is 550 kilometres from Melbourne, which is an added problem.

The area of east Gippsland covers 21,056 square kilometres; it has a population density of 1.49 persons per square kilometre and is approximately 300 kilometres from Melbourne. The Wimmera Regional Library covers 20,416 square kilometres; it has a population density of 1.83 persons per square kilometre and is approximately 300 kilometres from Melbourne.

Geographic isolation presents a problem in servicing the needs of borrowers but an additional problem is the distance from Melbourne to the library service. Freight is an added cost—arranging to buy material from the metropolitan area, which has to be transported to the country—and communications cost is another factor that needs to be taken into consideration.

The Country Public Libraries Action Group argues that funding should be allocated on a needs basis. I am pleased to note that, in the Budget which has just been presented to Parliament, funding is to be considered on the basis of need and one hopes that some of these problems in the larger areas involved—the distances and the freight components—will be taken into consideration.

I am aware of particular problems associated with suburban regional libraries in areas involving lower socio-economic groups and where there are different racial groups. This adds an additional burden to those municipalities, so these problems also need to be noted by the government.

The whole question of library funding has been raised as a major issue. The funding of these services is a Budget matter rather than a problem to be encompassed by the Bill, and a marginal increase in funding can be seen in the Budget for 1988-89, just handed down by the Treasurer. It relates in part to the government being committed to rebuilding the State Library of Victoria. A high cost is involved in that venture and also in storing and preserving the books and materials held by that Library; but one would certainly hope that, in the future, higher priority will be given to the whole question of library funding.

Mr Cathie—The government has maintained the allocation in real terms!

Mr HANN—The Minister is quite correct; but the government has only just maintained the allocation. Last year it was $18.79 million and this year it has been increased to $19.13 million.

Mr Cathie—They are financial year figures.

Mr HANN—The exact figures are $18,790,145 compared with this year's figure of $19,135,000; it is a marginal increase, so the Minister can correctly argue that it has
been maintained in real terms. I suppose the Minister himself would like to see a significant increase, but it is an extensive area.

The National Party strongly supports the regional library system and the State Library of Victoria and the proposals related to it. The provision in the Bill to transfer ownership of a number of buildings dotted around Victoria known as free libraries, reading rooms, mechanics institutes and trades halls, is certainly of interest because as the honourable member for Mornington mentioned, a number of those buildings around the State appear to be in a bad state of disrepair.

From my experience of being involved with a local hall committee, I am aware of the difficulties that can arise where trustees have passed on; and I am aware of the complicated legal procedures associated with determining ownership of buildings and arranging for the transfer of ownership. The Bill will facilitate this procedure and the National Party welcomes that move, but the debate has been long and protracted.

During debate on the Bill I have received numerous letters from all over Victoria—and I am sure the same applies to the Liberal Party spokesman and the Minister. The letters highlight the strong public support for our library system and for the people who are regular borrowers. People are anxious to see a strong regional library service provided, and the Minister indicates that he believes the Bill will improve library services and provide a more effective mechanism for doing that. The National Party hopes the Minister is correct in that belief.

Of course, the initiative will have to be backed up by government finance in the long run and the government must continue the joint funding arrangement with local government. The government should really aspire to that 50-50 funding promised prior to the 1982 elections. Local government is looking for that promise to be honoured, and the Municipal Association of Victoria is looking for that financial support; one hopes that it will be forthcoming.

The National Party supports the Bill but will be moving amendments to provide for country representation on both the Libraries Board of Victoria and the Council of the State Library of Victoria. It certainly will be seeking support from the Minister and from the Liberal Party on that issue.

Mr SHELL (Geelong)—At this stage it may be appropriate to cast our minds back to the late 1950s and early 1960s when libraries were a topic of intense local concern because, at that stage, the old mechanics institute libraries were on the way out. They were fragmented and were not kept up to date with modern volumes, and the community was concerned about their future.

That was one of the reasons why the State government, at that time, decided to try to restore libraries. From the foundation of Victoria, mechanics institutes were instrumental in keeping workers, ordinary people and professional people informed about the latest developments around the world.

References are made to mechanics institutes in many historical mining records. I went to the local mechanics institute to obtain the latest copy of a journal and recalled Edward Snell, the engineer on the Geelong–Melbourne railway line who often visited the mechanics institutes in Geelong, Ballarat or Melbourne to obtain the latest editions of journals on engineering.

In the early days of the colony, the mechanics institutes provided an excellent library service. In the late 1950s or early 1960s the State government recognised that the system was falling into disrepair and that something had to be done. Mr Ken McIntyre, a councillor for the City of Box Hill and a solicitor by profession, was asked by the Premier of the day to help set up a new system of libraries. Initially grants were
made on a per capita basis so that municipalities could establish libraries if they did not already have them. They were allocated per capita grants for three years and were allowed to put them aside each year until they had sufficient funds to build the facility to provide a library.

The government of the day also promised 50–50 funding for the ongoing costs of those libraries. Unfortunately, that situation lasted for only one or two years. I understand why that funding did not continue. I was a member of the Geelong West City Council library committee at one time. The committee found that some books had to be imported and that changes in foreign currencies often occurred between the time the book was ordered and when it arrived, so that additional expenses were incurred. The municipality was concerned because libraries were constantly overspending their allocations, not directly through their own fault but because of currency fluctuations.

I understand why governments offer funding on a 50–50 basis; it means they have some control over the costs library services incur, which could blow out of all proportion, especially with the wildly fluctuating international currency market. It is important that the government ensures that, irrespective of the funding criteria, some controls are exercised over expenses while assisting the municipalities.

The State government does not want to be in debt, nor do municipalities. The Geelong West City Council municipal library provides similar services to those provided by other library services throughout Victoria. It provides large print books and speaking books for those who are visually impaired. The long debate that has occurred on the proposed legislation is part of the overall consultation process the government usually adopts. One usually receives letters and petitions in that process, but it is the best device for solving problem areas. All honourable members recognise that library services is a problem area. The government is doing its best to try to solve that problem.

I shall briefly mention some of the objectives of the Libraries Board of Victoria. Those objectives include: to provide advice and information to the Minister; to identify and develop opportunities to use resources provided by libraries; to identify and promote opportunities for the government to achieve coordination and cost efficiency—something all honourable members are conscious of; to promote better awareness and use of libraries; to identify opportunities for central planning; and to facilitate consultancy activities and cooperation among libraries.

Despite the advent of television, books are still being read, and read widely. As a previous speaker mentioned, the library service is a facility the community needs. It is a facility which must be maintained and which the government supports.

**Mr WILLIAMS** (Doncaster)—Although, with my colleagues, I am not opposed to the Bill, I express my deep concern at the deterioration that has occurred in library facilities in recent years. Without a shadow of doubt the State Library of Victoria and the Parliamentary Library were the best in Australia a century ago; I do not think one can say that today. I am particularly concerned at the deterioration in the considerable network of municipal libraries that has spread throughout Victoria.

Since 1985–86 the allocation to municipal libraries has been cut by approximately $2 million. We should all be grateful for the small increase in the grant to municipal libraries in the Budget that has just been brought down. However, when one makes allowance for inflation—the cost of books and salaries has probably increased by 10 per cent in the Budget year—one realises that the allocation this year is lower in real terms than it was last year.
I am considerably concerned that this $2 million reduction means that funding is being redistributed away from libraries such as the Box Hill–Doncaster Regional Library to those that the State government regards as socially disadvantaged, with no guarantee that the library dollar will be better used to inform and educate Victorians as a whole. The Cain government has been reducing municipal library funding both in real terms and as a proportion of total library expenditure every year since it took office in 1982.

Mr Cathie—Not true!

Mr WILLIAMS—I am not worried about money figures; I am worried about real figures. No valid reason has been produced by anyone on the government side of the House as to why funding for municipal libraries should be reduced in total, and in the nature of services provided to ratepayers.

I agree that the problems of the State Library have been worthy of urgent attention for decades and that these problems have not been caused by government funding to municipal libraries. The problems relate to the failure of State Budgets under both Liberal and Labor governments to recognise the importance of the State Library.

I completely refute the logic that municipal councils should pay for the long-term neglect of the State Library. In the main, the demands of municipal library readers for recreational reading are different from the needs of those who use the State Library for heavy reference works, including students and people of my age. Ever since I came to Melbourne more than 40 years ago many other people and I have flocked to the State Library. It is an enormous reservoir of heavy and valuable reference works.

I repeat: municipal library funding is relatively insignificant in the total context of the State Budget, but in the context of municipal budgets library funding has become a major burden on ratepayers. Unless it is reversed, the impact of the government’s phasing out of capital subsidies with the introduction of a new system of grants to municipal libraries will be almost catastrophic for the Box Hill–Doncaster Regional Library. The City of Doncaster and Templestowe scores highly in library performance and usage level; under the new formula 64 per cent of its grants are based on that category.

However, the City of Doncaster and Templestowe will miss out on the needs and disability allowance which is designated at 21 per cent and will also miss out, I believe, on special purpose funds designated at 15 per cent.

Because of this formula, the allocation to City of Doncaster and Templestowe ratepayers—who are also taxpayers—from State government library funding could be halved in real terms. I do not dispute that residents of underprivileged areas benefit by having better access to books and a better class of magazine. However, I emphasise that the people at Doncaster and Templestowe, many of whom come from overseas and desire to better themselves in the world by reference to overseas literature, should not, because of their incomes and background, be so drastically penalised, nor should their children have their literacy sacrificed because of this formula.

Needs based grants for socioeconomic or distance factors need to be tempered for municipalities such as the City of Doncaster and Templestowe. This municipality has a high level of students and pensioners on fixed incomes as well as a higher user rate than other municipalities. I defy the Minister for the Arts to justify the severe reduction in the allocation of funds to the City of Doncaster and Templestowe after he has considered the true facts.

Libraries with a high recreational content in the less well educated suburbs will not have to charge for reading. The policy of the government seems to be to restrict the
so-called free library service to a few basic light novels and then charge voters in the electorate I represent for heavy reference works, for video tapes and, most importantly, for the essential works needed these days for people to better themselves.

The City of Doncaster and Templestowe has many young families and mothers want to read books on health, welfare, parenting and other important subjects. Why should they have to pay for those sorts of books? Why should they have to pay to learn more about art, culture and self-improvement? It is all very well to talk about the user-pays system.

Mr Cathie—We have just opened a new branch library in the City of Doncaster and Templestowe.

Mr WILLIAMS—Yes, and we will pay for it!

Mr Cooper interjected.

The ACTING SPEAKER (Mr Kirkwood)—Order! Honourable members on both sides of the table are disorderly. The House wishes to hear from the honourable member for Doncaster.

Mr WILLIAMS—I am pointing out what will happen if the Cain government is returned to office. That is when the balloon will go up. That is when the voters from Warrandyte and Box Hill who come to the Doncaster branch library will find out that they must pay to read books.

The proposition that the Box Hill-Doncaster Regional Library should be more subject to user fees because its information base is not produced in book form is naive. A difference in format or media should not mean that the people who use it must pay. Modern technology via the computer is a much better system of providing information to people than some books that lie around, are rarely used and are costly to retrieve. It is much easier to retrieve specialist material on computers and even better to be able to borrow video tapes that one can take home and watch on one's own television.

It is to be deplored that the standard of municipal library service in this State is being reduced to that of the lowest common denominator. Performance-usage level grants must encourage librarians to increase purchases of high circulation best-sellers. That is all very well, but what happens? The Australian Broadcasting Corporation or the commercial stations bring in from overseas drama series that last for five or six episodes. That builds up a demand for the books of the series by the people who come to libraries. If that demand is to be met, library moneys will be spent on relatively unimportant books with their circulation boosted because of television programs.

In the long run, government money should be devoted to serious, continuing, long-term reference books, to classics and to books that young people should read and that older people such as myself should be able to read. I am fortunate because I have the resources of the wonderful Parliamentary Library. However, many of my age group in the City of Doncaster and Templestowe in their retiring days should have access to the best books of the world.

I am extremely concerned that under this new formula the City of Doncaster and Templestowe could lose more than $750 000 in library subsidy this year. A funding reduction of this magnitude would seriously erode the ability of libraries such as in the City of Doncaster and Templestowe to purchase books. Even worse, it is likely to mean that library staff will have to be cut back.

A big uproar was caused in the City of Doncaster and Templestowe in the past twelve months because of a 15 per cent rate increase. Part of that increase was created by the pleas of the chief librarian of the Box Hill-Doncaster Regional Library that
with the cutback in the State Library grant the library service would need to charge its 60,000 active borrowers, many of whom are penniless students or pensioners. The council was not prepared to do that so it increased the rates for everybody. That sort of activity should be the responsibility of the Victorian taxpayers as a whole, not the ratepayers of specific municipalities who should be paying for roads, garbage collection and basic services.

The funding of the education of the community from the cradle to the grave should be the responsibility of the Federal government, not the State government. Most of the tax money comes from the Federal government. If this nation is to keep pace with the rest of the world, our people must have access to the best available information. I have no doubt in my mind that knowledge is power.

The present downward spiral of government funding for municipal libraries is the road to disaster. I hope the voters in the electorate I represent, especially in marginal seats, will remember on polling day that if they do not vote Liberal they will be likely to be forced to pay for their library books.

Mr LEA (Sandringham)—The Bill sets the guidelines for future funding and organisation of libraries in Victoria. It is a significant Bill. It will establish two new bodies: the Libraries Board of Victoria and the Council of the State Library of Victoria. It will repeal the Library Council of Victoria Act 1965 and the Libraries Act 1958.

With the organisation of the Libraries Board, the Bill will seek to coordinate libraries throughout Victoria. At some stage I should like to explore the definition of a public library. The objectives of the board are not clearly stated in the Bill, and I think the board is meant to advise the Minister, to promote and to improve libraries in Victoria.

One of the concerns I have relates to the appointment of the eleven members of the Libraries Board of Victoria by the Minister for the Arts on his recommendation, as provided by clause 9. It would seem appropriate for local government representatives—from the Municipal Association of Victoria—to have nominations to the board, as libraries are administered in local areas.

Clause 13 provides that the Libraries Board of Victoria, may establish and dissolve advisory groups, ostensibly when the advice they give to the board and the Minister is not welcome.

The Council of the State Library of Victoria has three major functions, as provided under clause 18: the management of the State Library of Victoria, the promotion of material in the collection and the preservation of certain public records.

Concern has been expressed by the public at large about the preservation of public records and documents in the State Library of Victoria. Priceless historical records are in danger of being lost unless the present government and any succeeding government takes into account the need for hasty evaluation and restoration of significant documents.

Clause 22 (1) provides for the Council of the State Library of Victoria to consist of nine members appointed on the recommendation of the Minister. Clause 27 (1) provides that the council may form committees. Once again, I question the Minister's having total control. I accept that the Minister must have the responsibility and the authority to carry out the intention of the proposed legislation, but there should be representation on the Council of the State Library of Victoria from local government and library organisations. That matter might be considered while the Bill is between here and another place.

Reference has been made to library purposes trusts, including reference to significant old buildings such as mechanics institutes and free libraries around the State. Mention
has been made of the historical significance of some of the buildings. It would be a shame if they were bulldozed merely for the land value they are able to realise for the government.

In his second-reading speech, the Minister for the Arts traced the history and development of libraries in Victoria. However, he overlooked the contribution of mechanics institutes. In the 1850s, 1860s, 1870s and 1880s, schools of mines were closely associated with mechanics institutes. They provided the only opportunity for the working man to continue his education—if he had had any at all. There was not a significant education Act in Victoria until 1872 and, as honourable members will know, there was no significant secondary or technical education in Victoria until the 1920s or 1930s. The only way the working man or woman could further his or her education after leaving primary school was by going to the mechanics institutes.

I make this point because today we are at the crossroads in the provision of library services in Victoria. As the honourable member for Rodney pointed out, the written word is being phased out in favour of television and passive learning. If government funding to local government is cut, the community will be sent staggering back into another dark age such as that experienced in the tenth and eleventh centuries.

While that comment may seem alarmist to some honourable members, the loss of the will and power to read good books and acquire information will result in a severe regression in human development in Victoria. It is the responsibility not only of the State government but also of the Federal government to ensure that funding for libraries does not work against local councils which have difficulty in raising rates. If the present funding at the ratio of 30 per cent to 70 per cent is maintained, it will hurt the people in areas where councils have no capacity to raise extra rates, such as the western or northern suburbs. It could impact on other areas, but they might have more capacity to raise the necessary revenue. I draw the attention of honourable members to the government’s policy which prejudices the very groups of people it wants to help.

As the Municipal Association of Victoria has pointed out, the Libraries Bill contains no clear guideline for funding. The honourable member for Mornington, who is the lead speaker for the Opposition, indicated clearly that when the previous Liberal government lost power 46 per cent of funding for libraries came from the government; today it has gone down to approximately 30 per cent in real terms.

In the three municipalities that I serve—Moorabbin, Sandringham and Mordialloc—disquiet has been expressed at the capacity of the councils to continue funding libraries and maintaining library standards. They are at risk. The Minister for the Arts has said that there has not been a reduction in funding in real terms. One of the problems of the government is that its perception of reality is often far from the perception of reality in the community.

The government should confound the Opposition by looking at the situation again so that a greater proportion of funding for libraries comes from the government. Any future government would maintain that commitment, which should be a 50–50 arrangement.

The Libraries Bill does not provide for a local government advisory group to advise the Minister for the Arts on libraries. It seems wrong to make no provision for such an advisory group, as local government administers libraries.

As I said, the Bill contains no adequate definition of a public library. Does “public library” mean a university, a college of advanced education, or a technical and further education college? What does the term mean? Does it mean a library run as a business?
There are some free enterprise libraries in Victoria. The Libraries Bill should address the problem of defining a public library.

I refer to another key issue—the guidelines for funding. They should be clearly set out so that the people of Victoria, and particularly local government representatives, can understand exactly what the government's intention is in introducing the Bill.

There are other problems. The Minister has wide discretionary powers. As I said, the Minister must take responsibility for and have authority in this area. However, I express concern about the lack of representation from local government. Why is there not a librarian on the Libraries Board of Victoria? There may be a librarian, but it is not clear in the Libraries Bill that there has been provision for representation by people with a library background. Surely it is an important matter.

It is to be hoped that the Libraries Bill will take libraries in Victoria into the future. Libraries provide the only opportunity for people beyond school age who are not studying at universities or other tertiary institutions to advance their knowledge and read widely from books for which they might not be able to pay. How much can one buy for $30? It is hard to find a book of note on a particular subject for that sum. Many books are much dearer than that and their prices sometimes go into three figures.

If the Libraries Bill is to take Victoria into the 21st century, the people of Victoria must be allowed and encouraged to read on a broad range of issues, rather than being encouraged to watch television and take part in passive learning situations.

Libraries today are in a markedly different environment with the technological revolution. When one compares libraries of today with what they were in the 1950s one notes that libraries are much advanced and will advance further.

Libraries should be cost efficient. The Minister made an excellent point about that. However, the Bill causes concern because of its omissions and the wide discretionary powers that it gives the Minister.

Clear guidelines should be given on the funding base so that it is known what the government is promoting. The services offered by libraries appear to be under threat. Certainly, the libraries and councils in my area believe that is the case. The government may suggest that there is nothing to fear because the funding base is sound and that progress will be made, but it is up to the government to communicate that to the community and local government authorities so that they understand the argument because they are worried about the situation.

Dr WELLS (Dromana)—The Libraries Bill is important, as previous speakers have said. I welcome any progressive step in library development in Victoria. If the government wishes to rearrange the organisation of libraries in Victoria it is acceptable if it leads to desirable progress; however, it is not just the organisation but also the funding to implement those developments that is crucial to the proposal.

I urge the government to consider seriously the comments of Opposition speakers as they have not been rabble-rousing speeches or excessively critical of the government; they have not been speeches made off the top of honourable members' heads, just to fill in time. They were speeches backed by material that has come in from across Victoria.

The government must remember that, although three Victorians out of four live close to Melbourne, one in four does not. It is important that all Victorians are provided for when changes are made to these crucial facilities of learning.
I do not take exception to the proposed organisational changes, but it is important that the government examines the present arrangements to ensure that those that are beneficial are maintained in the new arrangements. The government should ensure that the services of skilled people employed in this area are not lost. Librarians are the quiet achievers, and damage can be done to the library system if their abilities and capacities are overlooked in any changes made by bureaucrats or legislators.

The Bill ignores the question of funding. It may well be that that matter will be dealt with elsewhere.

**Mr Cathie**—It is a Budget matter.

**Dr Wells**—One cannot adequately judge what is proposed in the Bill without knowing how the government proposes to fund it. The evidence honourable members have received is, to put it mildly, less than reassuring. Many organisations have made submissions to the government and the Opposition on this matter. Those organisations that have come to the Opposition express two broad areas of concern: firstly, that the government ensures adequate involvement of Victorians in organising library services so that at the coalface the real and practical needs of Victorians will be known. It has been suggested that the government has not adequately dealt with this consideration.

Secondly, the funding of library services is of concern. The Library Council of Victoria, the Metropolitan Municipal Association Inc., the Municipal Association of Victoria, the Peninsula Regional Library and the Eastern Municipal Library Group have all made submissions with similar comment, namely, that the government should examine the adequacy of the Bill.

Libraries are important to Victoria. We prove that with our feet, as 50 per cent of Victorians are members of their local public libraries. I doubt whether any other voluntary organisation in Victoria commands such an expression of loyalty and satisfaction. I should have thought that the government—if in its private moments it is endeavouring to garner votes—would consider this a key matter to be examined.

There could not be a cheaper method of obtaining votes than by ensuring that libraries are improved, as 50 per cent of Victorians use them. Does that mean that the other 50 per cent will not be influenced by such a program? Of course not! If the government is thinking in political terms—which it is entitled to do and I hope it will not pretend that it does not do so, it will be on the wrong tram if it deprives the library system of fair and adequate funding.

The library service should continue to be free. Some people can afford to pay to borrow books; many honourable members buy as many books as they can. I do not mind paying to borrow books from public libraries, but it is a matter of providing a service for those who cannot pay for it. At times we may have to suffer a little inefficiency because the service is totally free.

Many Victorians may borrow freely even though they can afford to pay for the service; but once a process is put in place to gather relatively small amounts of money, the cost of providing the service often makes it not worthwhile. That undoubtedly would be the case if this occurred with the library service because the valuable time of librarians would be taken up collecting money rather than assisting people to borrow the books they wanted and helping them to discover new ideas in the world of knowledge, which is what libraries are about. Librarians are about providing that service. I hope every honourable member understands and gives more than lip service to the concept of a free library service. I am put off by any form of user-pays system in libraries. Librarians’ time should be spent in such things as helping youngsters to find their books.
There is another principle involved in the funding of public libraries. To date we have had a bipartisan policy with State government providing 50 per cent of the funding and local government providing the other 50 per cent from rates and so forth.

In 1982 the then Liberal government managed only 46 per cent funding for libraries. That was not 50 per cent funding; however, it was not far short. The Labor Party unequivocally supported 50-50 funding for public libraries and rode on its white charger to the 1982 State election claiming that it would provide 50–50 funding for public libraries. That claim was in black and white and was trundled all over Victoria. I do not like to rubbish the government but, on this occasion, nothing else can be done.

Honourable members are talking about a small amount of money when compared with the State Budget; honourable members are talking about $19 million in 1988 in terms of a $12 billion Budget. The government has walked away from this issue. Other than maintaining life itself, I cannot imagine a more important issue for the government to walk away from than its commitment to the children, adults and aged people in Victoria who use public libraries. The elderly gain comfort through entertainment from libraries; families learn things together for their daily living; and, most importantly, young children yet to learn, dream, formulate ideas and make their contributions to society at large are assisted by the use of libraries. That is the process from which the government walked away when it broke its promise for 50–50 funding.

I am not interested in hearing excuses from the Minister for the Arts; honourable members are talking about a paltry sum of money relative to the money the government allocates to other areas. The government waltzed out $66 million to reduce the cost of car registration. That might be good, but if the government wants to get its priorities right, it would do well to think about public library funding and the health area instead of making a reduction that will be of no major benefit to many Victorians. That reduction will be clearly identified by many Victorians and the government will be able to claim, in an election year, that it cut a tax or a government charge. I would like to know the government's reasoning, because the reduction in registration fees does not justify the cutting of funding for libraries.

The current situation is that the government provides 30 per cent of the funding and local government must provide the other 70 per cent of funding for public libraries. Local government is forced to find the necessary money or cut services. The government's performance is disgraceful and is in line with what it is doing in so many other areas involving the delivery of services. In many cases, the State government has provided funding for certain services and, bit by bit, has walked away from them, leaving local government to take the pressure and pick up after the State government. This socialist Labor government is supposed to be committed to social equity. This is an exquisitely sensitive measure of the government’s commitment to social equity, which it fails to deliver.

As I said earlier, the amount involved is small. The recurrent expenditure this year adjusted for inflation is $19 million. In 1986 the government announced that the State Library of Victoria was in abysmal physical condition and needed major repairs costing millions of dollars. All past governments are responsible for that, but to allow for the repairs, the government decided that recurrent funding for library services throughout Victoria would have to be cut. I support an effective, useful State Library; I support proper care of the priceless collection of books in Victoria, some of which sit in undesirable conditions west of Melbourne. However, that is not an adequate excuse for the government to chop funding for books read by Victoria's children and adults. It is inadequate for two reasons: firstly, it will not provide enough money to make up the gap; and, secondly, the cost is far in excess of what is bearable in terms of cutting current library services. As a legislator, my greatest responsibility is to consider
those who are working and learning today. The future is important, as is the past, but those who are living and doing today are the ones for whom we carry our greatest responsibility.

I said earlier that librarians are quiet achievers. What would happen if the deal being dished up to the people of Victoria and the librarians had been dished up to the Builders Labourers Federation, the Australian Metal Workers Union or a similar group that did not mind expressing its opinion, knew how to go about it and had the funds to do it? I doubt that such a group would accept what has been dished up by the government to librarians.

Libraries today, as in the past, are at the absolute forefront of human progress. They, like the rest of society, face a steadily emerging problem of increasing difficulty, namely, the rate of change. It is not adequate for governments of any political persuasion to say, "We had $1 million five years ago to buy new books for libraries and we have upgraded that by inflation each year." The rate of change today is making whole areas of knowledge virtually obsolete. It is making new books more necessary more quickly.

Years ago a book stood the test of time for 1000 years, and I could quote examples. As time progressed, a book stood the test of time for 100 years and then for 10 years. However, today a book can be out of date in one year. That is not true of all books, but some books that are of immense importance to our young people can be out of date in a year. Governments face the problem of adequately funding libraries to meet those sorts of needs.

Governments also face the emerging and significant problem of the different resources libraries must provide. Although I believe the written word is still the basic instrument to be used by individuals and society in their transmission of knowledge and information, there are now more ways of transmitting information, such as film, microfilms and recording, slides and so on. It is quite inappropriate for any government to say that libraries deal only with the written word and that other resources will be excluded. Governments cannot say that, if libraries want to spend their money on resources other than books, they can pay for them themselves. Libraries need more money rather than less if they are to discharge their responsibilities to the people they serve.

The public library system is deteriorating because the rate of change is not being recognised. Further deterioration is imminent because of proposals in the Bill regarding the 1 million Victorians who live outside the metropolitan area. The Libraries Board of Victoria is to have eleven members, only two of whom are to represent local government and both of whom must have financial expertise in the handling of libraries. There is inadequate reference in the Bill to the other skills needed to run libraries and the need to ensure that rural Victoria is represented.

What is the hidden sleeper in clause 36? What is the next area of potential or real deterioration in the libraries of Victoria? Clause 36 refers to the transfer of funds to the Consolidated Fund and states:

Before 30 September in each year, the council must pay to the Treasurer for payment to the Consolidated Fund an amount determined by the Treasurer after consultation with the Minister as a contribution towards the capital costs previously provided from the Consolidated Fund.

The government gives no explanation of what that amounts to. Is that the hidden provision for a "royal highway" into the future; to charge for books and require libraries to increase charges every year to ensure a certain amount of money is available to be returned to consolidated funds? Large public authorities in Victoria meet their
public authority dividend at times by borrowing funds. Libraries cannot borrow
money in that way. What does that large "sleeper" involve?

I refer to submissions received from several organisations, and in particular from
the Peninsula Regional Library committee in my electorate. The committee mentions
in reasonable language what I think are surprisingly few major concerns. It includes
the membership of the Libraries Board of Victoria and I have given a fair presentation
of their concerns in that regard. It also refers to the need for a definition of "public
library". Why is there not a definition of "public library" in the Bill?

If one examines the proposed membership of the Libraries Board of Victoria, one
finds that it comprises people from government, universities, the commercial sector
and other places. Why is there no definition of "public library"? Could it be that future
public funding will be spread over an increasing number of libraries, some of which
are currently financed in other ways? Could there be libraries that are regarded by the
community not as public libraries that will also have a share of available funds in the
future?

The committee also raised the question of the previous role undertaken by the
Library Council of Victoria. They appreciated the good work performed by the council
and hope its good work will not be lost in the process of change.

I briefly refer to comments on aspects of the funding arrangements, to which I
referred earlier, made by the Mornington Peninsula representative on the Metropolitan
Municipal Association, Cr. Michael Blyth. He stated:

To plan and run good libraries, councils need as of right funding they can count on. I am concerned that
this nebulous performance factor could be a snow job for more funding cuts.

That is one aspect of the funding arrangements; it is unclear how Victoria is to have
practical, fair and effective arrangements for funding to meet the needs of the people.

The point has been made by the Metropolitan Municipal Association, and by other
organisations and individuals, about the desirability of knowing about the funding
arrangements so that libraries may establish future plans. The funding aspects of the
proposition are crucial. Victorians are being kept largely in the dark. The government
talks about being concerned about the sufficiency of funds injected into the libraries
system. That point was made in 1986 when it was arguing about rebuilding the State
Library of Victoria.

The Rosebud library has recently passed the annual loans figure of one million
books; it has a reduced staff because of the 1986 staffing arrangements. It has the most
modern computerised operations in Australia for its library system, including a mobile
library. However, staff work from one of the most antiquated and out-of-date buildings
one could ever imagine to exist. I have never seen a worse public library building in
Victoria. Long queues are evident on any day of operation, yet the government further
cuts the recurrent funding which increases difficulties for that library’s operation.

I wonder about the hidden agenda in the government’s proposition for financing
libraries situated outside Melbourne. I do not commonly use those words but if the
government is not prepared to talk about dollars and cents one does not really know
what is to happen.

I was disappointed when I came to this place to hear it said that the definition of
politics is all about "who pays"; increasingly, through the months of my life here, I
have come to realise the accuracy and wisdom of that statement. So often the ones
who are paying are the ones least able to pay and least able to vent their protests about
what is happening. The very young and very old cannot pay to borrow books. One­
third of my constituents are retired people; in addition, a large number of young
people live within my electorate. Because the area lacks commerce and industry, many families are living on very average salaries; whenever further financial restraint occurs in an area such as covering libraries, the people in the poorer areas suffer the most.

The government has claimed a commitment to enhancing knowledge and technological processes, as well as to social equity. Either it is confused, dishonest or out of date because not one aspect can do more about any of those areas than can libraries, and the use of books, particularly by young people.

The government claims a concern about social equity for ethnic people, for those whose native tongue is not English. It wants the children to grow up to be thoroughly competent in our Anglo-Saxon-type society, often when parents do not speak English. The library is an area where social equity occurs, yet one does not hear very much about the effects on those people.

One despairs that the government will ever sit down and think rationally about particular subjects, to examine ideas from the Opposition, and to say, "We could do something about that"; the government considers that its position is being threatened. The government of the day has almost unchallenged power except when it comes to the ballot-box, when the people make a judgment.

The government ought to listen to the Opposition on a subject like libraries. If the financial intentions of the government are honourable let the Minister for the Arts present facts to prove his case. It seems almost trite to say so but it must be said in this place from time to time that human beings are born to think. They are, more than anything else and more than any creature on earth, born to think. Man has been the only species in history who has had such forebrain development.

Man has become capable of putting a man on the moon and of solving difficult medical problems. As dictators and impoverished people know, it has been the availability of knowledge and education that has made man and woman able to think. Reading is the basic discipline; the book is the basic instrument. Television programs come and are gone for ever; one can return to examine words in a book, to ascertain what was meant.

Libraries are the basic mechanism for the distribution of books. Without doubt books are the most efficient investment that any system can make in its people, apart from their personal health. The government overlooks the immense possibilities; it mouths words about technological progress but does it stop and think of that Adelaide man, Dr Florey, who was credited with saving more lives than any other person in history?

Does it stop and think about Sir Macfarlane Burnet from Melbourne, the founder of modern immunology who, as a small boy living in eastern Victoria, did as many other children do, and developed an interest in butterflies and bird life, studying them in nature and reading the appropriate books from his public library, to one day become a Fellow of the Royal Society, a founder of a new scientific discipline, to become, some say, the greatest Australian of the twentieth century? What would the cost have been had he not been able to read books when he needed them?

Ideas are the engine of society, youth is the way and the time when those ideas are harvested. Books and libraries are the mechanism by which that is done. Youth and education are the greatest creative driving forces in Australia.

The Labor government should carefully rethink this issue. If it does not, some of its actions and some of the financial trends honourable members have heard about will lead to a deterioration in a most important aspect of life in today's society—library services—and that effect will last for generations.
Mr HEFFERNAN (Ivanhoe)—In considering this Bill, honourable members should also examine the history of libraries generally. The former Liberal government was the instigator, and was at the forefront, of making people aware of the need to create libraries within municipalities. It is important to recall that the previous government gave the lead in providing libraries for education purposes for our young and growing society in Victoria. Today that lead has grown stronger. It has reached the stage where the provision of libraries is a significant financial commitment for both the State government and local government.

When I examine a Bill I always consider what the ratepayer or taxpayer will achieve personally from any additional provisions or the rewriting of an Act. In this case, will he or she have a better library service? Will it be cheaper for the ratepayer to provide such a service? Overall, will the Bill provide a better product for the most important person in our society—the ratepayer?

Unfortunately, in many Bills introduced by this government since I have been a member of this House, new management bodies have been created. It appears that the government has a fetish for creating new bodies. When that occurs, I always ask: what will be achieved in the long run? Will a better service be provided? Will that management body seek more money to achieve a better library service for the people, or will it simply listen to the complaints made by people in the library service and offer suggestions for which no money is available? My simple question is: will this new body improve the system?

Have any earlier contributors to this debate told the House that the library system will be improved? Unfortunately, there have been alarming suggestions by my colleagues that, if anything, the system will be worse because no funds will be forthcoming. The Bill will not improve the general finances of local government for library services. The honourable member for Dromana pointed out that the Bill contains many airy-fairy provisions concerning the future role of library services and asks whose responsibility the State Library will be.

Where does this Bill leave local government? It will put tremendous doubt on the ability of local government to continue funding an essential service. It is up to the State government to tell local government what its future responsibility will be. Is it the long-term intention of the government to phase out financial assistance? If so, I ask the government to do it in such a way that local government will be aware of the future role it will have to play.

At present the library service is running down and it will require significant funds to bring the library service back to what it should be. If the Minister for the Arts can assure the House that that deterioration will not continue, it will be a plus for local government. In the long term, local government must carefully examine its priorities. Unfortunately, the financial position of Victoria is such that the government can no longer continue funding areas that the taxpayer believes are not his or her responsibility. The government may have to tell local government that capital funding must be considered in some areas. The government might say, “We need you to help us fund these services, so the responsibility should be put back on to the community to decide how much it really wants to pay for a municipal library service.” It is important that both the taxpayer and the ratepayer consider the development of library services.

For example, if the City of Werribee wishes to build a multimillion dollar library, what concern is it to the ratepayers of the City of Heidelberg? If that is its wish, the City of Werribee should be allowed to do that. If a municipality wants to build a swimming pool, why should the government commit funds for that swimming pool? It is nothing to do with Victorian residents in other municipalities. If a pool is required, the local community must decide where the funds will come from. If a
service is required, it is up to municipal representatives to seek funds. However, the
government has a long-term responsibility for the provision of such services if they
are already on the drawing board, or if construction has commenced. Such services
should not be suddenly thrust upon local government. The government should come
clean and say, “Look, we understand the situation but long term this is the way we
should go.”

I compliment local councils for spending significant sums in providing fantastic
sporting facilities. Local councils do a marvellous job in providing such facilities to
the community: they should get ten out of ten marks for doing so. However, it is
important to carefully consider priorities. Local government may have to reduce or
phase out funds for certain sporting facilities because more important services such as
libraries are required. These matters should be cleaned up now rather than having the
government blindly lead local government into financial commitments year after year.
Local government should not have continually to worry about what future funding
will be available. This is an important priority for everybody.

I shall refer to the transfer of buildings, which is an important provision in the Bill.
It is interesting to hear about the strong support for historic mechanics institutes and
other halls within municipalities, but this is one area in which local government is
going down the wrong track. Councils and ratepayers are saying, “We want these old
buildings for history’s sake” and when they are successful in their applications, they
believe they have won a great deal and are pleased with themselves. I assure all
councils that such facilities have a long-term restoration and maintenance cost. Where
will those funds come from? Councils are making an enormous commitment.

I understand their anxiety about these precious buildings, but it may not be a good
investment in the long term. It may be the case, as happens in local government, that
councillors are too busy running around, opening their hearts to a worthy cause, to
recognise that they will be left with long-term costs to keep these facilities in good
repair. As has been said by the shadow Minister for the Arts and the lead speaker for
the National Party, many of these buildings can be found in shires around Victoria.
Both honourable members expressed concern about the future regional and shire
library services in country areas. On the one hand, councils are saying that no funds
are available for such a service but, on the other hand, they are anxious to preserve
something that is of historical significance not only to the local areas but also to all
Victorians. The buildings have enormous significance within those areas and many
councils are keen to take up the long-term maintenance and restoration costs of the
buildings.

I understand their plight, but municipalities have been left in the dark as to the
direction in which library services are heading. The current education system is
undergoing tremendous amalgamation brought about by the Minister for the Arts,
when he was Minister for Education, and that system, in turn, requires properly
organised and financed library services.

Councils are individually backing away from the amalgamation of public libraries
when they should be holding talks with the Ministry of Education with a view to
entering into joint ventures for library services. No one municipality today should be
allowed to build a public library by itself. That luxury has gone out the door. Public
libraries offer people a means of education. They are important to the education
system. Joint school and public library ventures are the only economic way of future
library development.

When travelling throughout the State, too often I hear that a shire or a city is
establishing a library; in the next breath I hear that a new regional school is being built
in the same town. When are we going to be non-separatist and learn that a joint library
system is the only way to go? It may not be the ultimate, but economically that choice has gone in the light of today's financial problems. The economy dictates the way we go and, as I have said, this is the only way we can improve our library services.

Mr CATHIE (Minister for the Arts)—I thank honourable members for their contributions to the debate and for their general support of the Bill, although the debate concentrated on one area of the Bill relating to municipal or regional library services.

Like other honourable members, I have been a borrower over many years from my local regional library service at Chelsea, but, because I am not prompt at returning the books, I have also been a contributor financially to my local library service.

The honourable member for Mornington complained about the lack of action by the government on the redevelopment of two major projects: the new State Library of Victoria and the new Museum of Victoria. The Museum of Victoria ranks among the top sixteen museums in the world in the value and importance of its collection. It is a significant museum in its own right. There is a commitment in the Budget to the building of the new Museum of Victoria for Melbourne and for the redevelopment of the State Library of Victoria. Some $12 million has been provided in the Budget to enable the design and the documentation work to proceed, and for the commencement of siteworks on the project. That includes the establishment of a science and technology museum at Spotswood. There is no lack of action. The key decisions are being made. Work is proceeding and the projects have been handed over to the Victorian Government Major Projects Unit under the management of the Minister responsible for major projects, the Minister for Agriculture and Rural Affairs.

The second complaint related to library funding for municipal and regional council services. It is clear in the Budget that the government has accepted the new formula, and I shall return to that aspect. A number of honourable members raised the issue of indexation. Funds will be provided for the establishment of a new computerised library network system.

The government has accepted the recommendations of the Power report, which followed the Geddes report. The Power report, *New Directions in Funding for Victorian Public Libraries*, is the report of the Library Funding Review Working Party to the Minister for the Arts, dated March 1988. I appreciate the magnificent work Professor John Power has put into the report, the continuing work he has done in developing a consensus among the community about what we need to do to improve library services in Victoria, and particularly his dealings with the technical issues raised by the adoption of a new formula; and I thank him.

The Power report recommended that a substantial per capita component be retained in the funding arrangements, and the government has done that. We are in a period of economic restraint and all governments have to operate responsibly within that economic restraint for many years to come. Page 3 of the report states:

> Given a restricted quantum of State funds, the working party has accorded priority to ensuring the maintenance of public library services throughout the State.

The report recommended that:

> ... there be no decrease in dollar terms by holding funds at 1987–88 dollar levels in cases where the funding formulae indicate a decrease would otherwise apply.

Subsequently, in correspondence with Professor John Power I made it clear that there are three elements that are vital to the library community and to local government. They include maintenance in real terms of State government funding for at least the next financial year; the special allocation between 1988 and 1990 of the sum of $520 000 to provide all public library services in Victoria with hardware and software;
sufficient budgeting and service planning; and the establishment of a suitable permanent advisory mechanism on which would be represented State government, local government and the library profession. I believe we have achieved that in the Budget commitment which was announced by the Treasurer earlier today.

The Budget Papers quote the financial year figures whereas the figures from which I have been working quote the municipal year figures. If one studies those comparisons, one finds that funding has risen from $17.8 million last municipal year to $19.3 million this municipal year; approximately an 8.4 per cent increase. That is greater than the consumer price index increase which, from memory, was about 7 per cent. That indicates that the government has maintained its commitment this year to maintaining library funding in real terms. The figures demonstrate that.

Mr Cooper interjected.

The SPEAKER—Order! I have asked the honourable member for Mornington to cease interjecting. I asked him at question time and I am now asking him again. I shall not warn him again. I shall take action to ensure that he is removed from the Parliament if he continues to disrupt the course of the proceedings.

Mr CATHIE—There are further technical matters that relate to definitions, for which the government has foreshadowed amendments. These are technical and improve the definitions. The problem is to try to define accurately what is the State Library of Victoria. I am not sure whether that definition is achievable. Therefore, the government felt it was better to not define it.

The important issues are that the council is a corporate body; that the State collection of library material and the services of programs relating to that collection are set out clearly in the Bill; and that the role and importance of the State Library of Victoria is set out clearly in the Bill.

The honourable member for Mornington quoted the Survival of Libraries in Victoria group about the need to extend the definition of “library materials”. He said that the Bill should provide for consultation with the Power committee or its successor. I have indicated in my discussions with the Power committee that I shall continue to consult with local government and with the Power committee as to what its successor body should be.

The third criticism of the report by Survival of Libraries in Victoria related to the fact that there was no scope for the present Library Council of Victoria to continue its advisory role on library services. In establishing the library unit within the Ministry for the Arts, it is the government’s clear intention that that unit will take up those services.

The honourable member for Rodney emphasised the needs of country libraries and welcomed the excellent service that is provided for children in our libraries. The honourable member for Doncaster referred to the charges which libraries make for the lending of books and video tapes. So far as I am aware, that is not the case. Certainly, I doubt whether that is the case with the Box Hill–Doncaster Regional Library. Certainly, some libraries have introduced some charges for non-residents.

The honourable member for Ivanhoe emphasised the need for more cooperation and a better working relationship between different library services—for example, between those which are run by local government and those which are run by educational institutions. The government is aware of that need; and that is why clause 9(f) of the Bill states:

9. The Board shall consist of eleven members appointed by the Minister, of whom—

(f) one shall be a person representing the wider education ministry and the school system in particular;
Given the pace of technology and given what can be achieved, there is no reason to prevent the linking of library and information services around Australia.

The motion was agreed to.

The Bill was read a second time and committed.

Clause 1 was agreed to.

Clause 2

Mr CATHIE (Minister for the Arts)—I move:

1. Clause 2, line 9, omit “1 July 1988” and insert “a day or days to be proclaimed”.

Obviously, the Bill was drafted during the previous session, and the government intended to proclaim the Act on 1 July 1988. The amendment proposes to omit the words “1 July 1988” and to insert the words “a day or days to be proclaimed”.

Mr COOPER (Mornington)—The Opposition is aware of the reasons for the amendment being moved; but it objects to the words “or days” being contained in the amendment, for very good reasons, reasons which have been enunciated in the Chamber on many occasions.

One of the reasons is that, over a long time, the Opposition has become sick and tired of the selective way in which the government has proclaimed legislation. It is easy for the government to accept amendments moved by either the Opposition or the National Party, but to subsequently ignore them by proclaiming only particular sections of an Act. Such an action causes a great deal of frustration and anger because of the way in which the government manipulates the Parliamentary process.

Both the Opposition and the National Party have decided, as a matter of policy, not to agree to any commencement clauses which give the government the discretion to play around with legislation in the way in which it has done. The words “or days” in the amendment moved by the Minister are unacceptable to the Opposition. I ask the Minister to consider that and to either amend his amendment or to give consideration to the matter when the Bill is between Houses, so that any amendment to clause 2 is acceptable to the Opposition.

Mr HANN (Rodney)—The National Party is also concerned about the proposed amendment. It is happy to alter the Bill so that the words “1 July 1988” are deleted, because that is necessary, but it is not prepared to have the words “or days” included in the Bill.

I wish to foreshadow an amendment, after discussing it with the Clerk, which would delete the words “or days” from the Minister’s amendment. I understand there is a procedure that can be followed in relation to that. If that is not possible, the National Party will oppose the amendment. The National Party will seek to amend the amendment to delete the words “or days”.

Mr CATHIE (Minister for the Arts)—I presume that if the Bill had been drafted so that it came into operation on a particular day, there may not be any difficulty in proclaiming the Act on a particular day. The government is doing three separate things by introducing the Bill: it is establishing the Libraries Board of Victoria; it is establishing the Council of the State Library of Victoria; and certain trust matters are being modernised. There may be reasons why things have to be done on different days. The government will seek to achieve the result which was intended in the original Bill, and to do it on one day.

By leave, the amendment was withdrawn.
Mr CATHIE (Minister for the Arts)—I move:
Clause 2, line 9, omit “1 July 1988” and insert “a day to be proclaimed”.

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

Clause 3

Mr CATHIE (Minister for the Arts)—I move:
2. Clause 3, page 2, line 23, before “microfilm” insert “tape.”.

Amendments Nos 2 to 7 deal with definitions and are of a technical nature.

I am grateful to the State Librarian for indicating that there were a number of such difficulties in the Bill, and the government has attempted to overcome them.

In their present form the relevant clauses of the Bill relate to printed matter only, which was not intended. Where reference is made in the Bill to library material, it is equally obvious that the State Library should not be required to retain all items that are donated to it, regardless of their suitability for the State collection.

Similarly, other definitions do not specify that the material acquired for the State collection should have been incorporated in the collections. If one thinks for a moment, one may recognize a number of reasons why the material acquired is not added to the State’s collection; for example, the material may be discovered to be a duplicate or to have been acquired in error. A series of amendments deal with tightening some of the definitions along those lines.

The amendment was agreed to.

Mr HANN (Rodney)—I move:
1. Clause 3, page 2, after line 33 insert—
   "Metropolitan area" has the same meaning as in section 201 of the Melbourne and Metropolitan Board of Works Act 1958.”.

During the second-reading debate I mentioned that the National Party had received a number of representations from country municipalities and regional library services. The Country Public Libraries Action Group, which was formed in December 1986 to represent country libraries that were concerned about the disadvantage of operating in isolation and to argue for the needs of country libraries, expressed its support for this definition. I also received a letter from the Shire of Huntly, and the honourable member for Warrnambool received representations from the Corangamite Regional Library service. The proposal has been generally supported throughout country Victoria.

The amendment defines “metropolitan area” and its needs will become clearer when clauses 9 and 22 are considered. In those clauses the National Party will seek an amendment to provide representation of country areas on the Libraries Board of Victoria and on the Council of the State Library of Victoria. I have discussed this amendment with the Minister and he has been receptive to it.

As I mentioned during the second-reading debate, regional library services are vital to country areas. They are strongly supported. It is desirable to have country representatives on both the board and the council.

Mr CATHIE (Minister for the Arts)—There is no doubt about the importance of the provision of library services and their role in country Victoria. The government is being asked to include a definition that will be more relevant to later amendments. The government will accept the amendment proposed by the Deputy Leader of the National Party in preference to those foreshadowed by the honourable member for
Mr CATHIE (Minister for the Arts)—I move:

3. Clause 3, page 2, lines 34-37, omit the definition of “Publication” and insert—

“Publication” includes the whole or any part of—

(a) any printed book, periodical, newspaper, pamphlet, musical score, map, chart, plan, picture, photograph, print and any other printed matter; and

(b) any film (including a microfilm and a microfiche), negative, tape, disc, sound track and any other device in which one or more visual images, sounds or other data are embodied so as to be capable (with or without the aid of some other equipment) of being reproduced from it.”.

I have already explained the need for this amendment.

The amendment was agreed to.

Mr COOPER (Mornington)—I question the definition of “library purposes”, which is:

... a free library, reading room, mechanics’ institute or trades’ hall;

The Bill repeals the Library Council of Victoria Act, which contains a definition of a free library. Although I do not suggest the definition of a free library, as it is contained in the Library Council of Victoria Act, is appropriate in today’s terms, a definition of a free library should nonetheless be contained in the Bill. The definition of “free library” in the 1965 Act is:

“Free Library” means a library which provides a free library service on its premises notwithstanding that a charge may be made for the loan of books to be read off the premises.

In the context of what honourable members understand free libraries to be today, that definition is not appropriate. During the second-reading debate I directed attention to concerns that had been raised with me in submissions from interested organisations regarding the lack of a definition of a free library. That omission should be corrected and the library community will not be happy unless it is included.

I have already mentioned the short-term commitment of the government to the concept of free library services. Many people have suggested that the government has backed away from the concept. The lack of a definition of a free library appears to be a deliberate omission by the government and a confirmation of its backing away from the long-term commitment to maintaining free library services. The Opposition will not move an amendment to this clause but simply raises the matter for consideration by the Minister while the Bill is between here and another place. It looks forward to the government moving an amendment in another place to include that definition.

Dr WELLS (Dromana)—I support the comments of the honourable member for Mornington about the desirability of incorporating in a future Act of Parliament a definition of a free library. I am concerned by the repeated commitment of the Minister for the Arts to the government’s undertaking to maintain funding for free libraries for only the next year. Perhaps the government wishes to slow down its rate of funding in the years ahead. One way of offsetting that would be to require payment for books borrowed from libraries.

It may be that a slight note of unreality has crept into the debate because I am unsure whether the Minister has definitely committed the government to maintaining funds for libraries in the future. When the government first recognised the need to fund the State Library of Victoria it decreased its funding to free libraries. This year the figure is well in excess of 20 per cent less than the grant made by the government.
two years ago. The claim by the Minister that the government will maintain funding this year is no comfort to library users. If the government is genuine in its intention to maintain these services, there is no reason why the definition should not be incorporated in the proposed legislation.

Mr CATHIE (Minister for the Arts)—I repeat the remarks I made about the lack of definition in closing the second-reading debate. This matter was raised by Dr Norman Curry, President of the Library Council of Victoria, and, in responding to him on 27 April 1988, I said:

The Parliamentary Counsel gave considerable thought to the definition of the State Library of Victoria. Counsel believed that it is irrelevant to consider the approach used in the Museum Act or any other Act.

The government decided not to include the definition because of the problems that had been encountered in drafting a definition. I assure the Committee that there is no intent to torpedo any suggestion that we are committed to the provision of free library services in the future.

The clause, as amended, was agreed to.

Clause 4

Mr CATHIE (Minister for the Arts)—I move:

4. Clause 4, line 2, omit “of library material”.
5. Clause 4, line 4, omit “material”.
6. Clause 4, line 6, after “acquired” insert “and accepted”.
7. Clause 4, line 14, after “bodies” insert “and accepted for the State collection”.

The amendments were agreed to, and the clause, as amended, was adopted, as were clauses 5 to 8.

Clause 9

Mr COOPER (Mornington)—I move:

1. Clause 9, lines 34–35, omit paragraph (e) and insert—

“(e) one shall be a person representing metropolitan library interests with expertise in public libraries selected from a panel of five names submitted by the Municipal Association of Victoria; and

(f) one shall be a person representing country library interests with expertise in public libraries selected from a panel of five names submitted by the Municipal Association of Victoria; and”.

The purpose of the amendment is to ensure that the board will be representative of municipalities around the State. The amendment is self-explanatory and ensures that both country and metropolitan interests are represented on the board. The Minister will be able to choose from a panel of names.

I understand the Deputy Leader of the National Party has a similar amendment. However, his amendment has omissions which concern me, and I shall address them when the amendment is moved. The equal representation of country and metropolitan interests is important, and I hope that principle is accepted by all sides.

Dr WELLS (Dromana)—I support the comments made by the honourable member for Mornington. The amendment has two purposes: firstly, as the honourable member rightly said, it ensures equal representation between country and metropolitan Victoria; and, secondly, it actually widens the qualifications for the two local government members, one of whom will have expertise in the financial aspect of running libraries and the other will have expertise in public libraries—that is, in a general description, the running of public libraries.
Down the track, it may prove to be a useful amendment. We may need experience in the broad in dealing with the many facets of developing and running a public library.

**Mr CATHIE (Minister for the Arts)**—The intent of the proposed legislation is to get the best possible board. It is drafted in such a way that there can be flexibility. It was never the intention to exclude somebody from the country, but one cannot say in advance whether, for example, the appointee will be a person who, in the opinion of the Minister, is distinguished in information services or community services. It could be somebody from the country or it could be a librarian if we are giving emphasis to information services rather than community service. I do not think one can always make that split. Paragraph (e) states:

Two shall be persons representing local government with expertise in the funding of public libraries.

One could be from the Power committee or whatever successor body we have to the Power committee. One could be from the country, again, or from somewhere else. The flexibility is designed for the Minister to achieve the balance out of all of that.

Nevertheless, having said that, and examining the amendments proposed by the honourable member for Mornington and the Deputy Leader of the National Party, I am prepared to accept the amendment to be moved by the Deputy Leader of the National Party because it fits in with the concept of flexibility, whereas the amendment of the honourable member for Mornington ties the government specifically to one body—that is, the Municipal Association of Victoria.

**Mr COOPER (Mornington)**—I note the response of the Minister. The Minister said he is seeking flexibility; I suggest to him that the amendment provides him with that flexibility. If one is seeking the best possible appointees, the amendment provides for equal rural and metropolitan representation within local government.

The Minister will be provided with flexibility in that the amendment provides for him to be given a panel of five names. The Minister will be able to choose the person with the best expertise from metropolitan and country councillors. It would be unlikely that the Municipal Association of Victoria would present the Minister with five people who did not have expertise in public libraries. The amendment requires that the five nominees have expertise in public libraries. Therefore, the flexibility sought by the Minister is available to him.

I am a little disturbed to hear from the Minister that he is anticipating perhaps that the two people representing local government may not be serving councillors, and that they might be people who have served on the Power committee.

**Mr Cathie interjected.**

**Mr COOPER**—Not all members of the Power committee are serving councillors. I know councillors are represented on that committee, but that is not what the Minister said. He said that under paragraph (e) an appointee may be made from the current membership of the Power committee. That is precisely what local government does not want. Local government wants to be represented by serving councillors—elected people who are responsible through the ballot-box for the municipalities they serve. That is why it is more important that the appointee should be a person nominated by the senior body representing local government in this State—that is, the Municipal Association of Victoria.

If it would make the Minister happier—and if he believes he is not provided with the type of flexibility he is seeking—the Opposition would be happy to include the fact that the panel of five names could be submitted after consultation with the Municipal Association of Victoria and the Metropolitan Municipal Association.
I am staggered the Minister does not believe the Municipal Association of Victoria can provide him with names of local government representatives from country and metropolitan areas because it is a vote of no confidence in the association. I hope the Minister does not mean it in that way. I believe the association can perform this small task and assist the Minister very well.

I also believe local government will be a lot happier that the Minister will be selecting people from two panels of five names, one from the metropolitan area and one from the country area.

The Minister intimated that he found the amendment circulated by the Deputy Leader of the National Party to be more satisfactory for his purposes. That amendment does not mention the submission of a panel of names.

The sitting was suspended at 6.30 p.m. until 8.4 p.m.

Mr Cooper—Prior to the suspension of the sitting I was discussing my amendment No. 1. I had indicated to the Committee that a later amendment to be moved by the honourable member for Rodney does not meet the overall requirements of the Opposition. The National Party’s proposed amendment does not give the flexibility that the Minister seeks—a panel of names from which to choose.

The Opposition’s amendment provides the flexibility sought by the Minister and it gives local government interests throughout Victoria the assurance that they are seeking, that they will be represented by elected local government representatives selected from a panel of names submitted by the Municipal Association of Victoria and will not be represented by a person possibly from the Power committee, as was intimated by the Minister earlier.

The Minister interjects that one person could be from the Power committee. That committee comprises people who have not been elected from local government. That is the reason why it is important that only elected councillors be people on the panel of names submitted by the Municipal Association of Victoria. I urge the Committee and the Minister to reconsider their opposition to the amendment.

Mr Hann (Rodney)—The National Party proposes a similar amendment to the Opposition’s amendment. The Minister has already indicated, in response to an earlier amendment accepted by the Committee, which included the definition of metropolitan area, that he would accept the proposed National Party amendment that effectively does the same thing as this amendment, but uses the interpretation of the persons whom the Minister is seeking on the panel. It is for that reason that the National Party does not support the Opposition amendment.

Mr Cathie (Minister for the Arts)—I do not wish to be difficult, but the proposed amendment would delete clause 9(e) which states:

two shall be persons representing local government . . .

Any remarks that I made in reference to the Power committee were not meant to exclude somebody from local government. In fact, I had in mind a particular councillor, a member of that committee in whom local government would have confidence.

Mr Cooper—A Chelsea councillor?

Mr Cathie—No, not a Chelsea councillor, further east. Clearly, in deciding who should be one of the representatives of local government I, or whoever the Minister may be, would consult with local government, including the Municipal Association of Victoria.

The second concern that I have is that the clause as drafted, and the clause to be proposed by the National Party, retain the link with the Power committee by having
the phrasing "expertise in the funding of public libraries". The Committee is dealing with a new formula, a new approach to that funding issue and that, also, is an important link to maintain and is a further reason why I prefer the proposed amendment of the National Party.

Both amendments propose that the representation from local government should include city and country representatives and with that I concur.

Dr WELLS (Dromana)—I thank the Minister for his further explanation, but I differ from his view. I cannot see how I can be wedded to a series of words for the sake of preserving the words in the clause or to be bound by them because they are there from a previous reference to the Power committee.

The Opposition wants enshrined within the proposed legislation the principle that two members out of eleven will represent local government. To get down to a practical basis, I do not believe that is too much to ask. Local government is currently funding 70 per cent of the cost of running library services. Is it unreasonable to ask that municipalities should have a guarantee of representation by two members out of a total of eleven members on the board?

I do not agree with the Minister. I should like a provision to be enshrined in the statute that two serving councillors will represent local government, one from the metropolitan area and one from the country. One would be, as the Minister asks, a person with experience in financial matters and the running of library services; and the other would be, as the Opposition asks, a person with credentials and experience in the broader front of running libraries, not just financial matters.

The amendment was negatived.

Mr HANN (Rodney)—I move:

2. Clause 9, lines 34-35, omit paragraph (e) and insert—

"(e) one shall be a person representing metropolitan municipalities with expertise in the funding of public libraries; and

(f) one shall be a person representing non-metropolitan municipalities with expertise in the funding of public libraries; and"

I explained earlier the reasons for the amendment. The National Party believes there should be at least one person representing country municipalities and interests on the Libraries Board. The Minister has always said that that was certainly his intention, but the amendment will enshrine the provision in the Bill. I understand the Minister is prepared to accept the amendment.

Mr CATHIE (Minister for the Arts)—As previously discussed, the government accepts the amendment.

Mr COOPER (Mornington)—The Opposition accepts the amendment, but it does so reluctantly for the reasons that I expressed earlier. Although the amendment is acceptable in that it at least differentiates between representation of metropolitan and non-metropolitan municipalities, it does not, for two reasons, go far enough. Firstly, it enables a selection to be made at the Minister's behest and not from a panel of names that have been submitted by an independent body. In this case, the Opposition believes the independent body should be the Municipal Association of Victoria.

The amendment allows a hand-picked person to be selected to represent country municipalities and a hand-picked person to be selected by the Minister to represent metropolitan municipalities. Based on the record of this government, that is a dangerous thing for Parliament to allow. I suggest to the National Party and my
colleagues in the Opposition that they should give very serious consideration to this matter while the Bill is between here and another place.

Secondly, I am reluctant to support the amendment because of its phrasing, which follows the phraseology in the Bill. It refers to representation by a person with expertise in the funding of public libraries. I do not consider that to be the be-all and end-all. I believe the broader expertise in public libraries should be the criterion on which a person is judged.

I refer to a submission made to the Opposition by the Peninsula Regional Library committee—which also reflects the comments of submissions made by other organisations throughout the State—that directs attention to this matter:

The Libraries Board will consist of eleven members appointed by the Minister, two of whom shall be persons representing local government with expertise in the funding of public libraries”.

The committee’s submission says:

Whilst two representatives are considered sufficient, it does cause some concern that there is an emphasis on “funding”. This creates a bias for financial expertise which is an important issue at the moment, but this may not be the case in the future. Rather than there be a bias towards funding it would be more appropriate to ensure that the local government representatives have expertise in public libraries in general.

The Minister could select from the panel of names—if, indeed, he were given a panel of names—somebody who would meet the needs of the moment or even the needs of the decade. If funding were the need of the decade, that could be reflected in the appointment he made. It could be that those things may change from time to time, but the Bill and the National Party’s amendment will restrict local government representation only to people with expertise in the funding of libraries. I believe that is unnecessarily restrictive.

On behalf of the Opposition, I indicate that it will accept the amendment moved by the National Party, but it requests that consideration be given to the matter by the National Party while the Bill is between here and another place, as consideration will be given to it by the Opposition.

In concluding my remarks on the amendment—I shall not go further and delay the Committee—I point out that the clause in general proposes that there be two representatives of local government from a total of eleven members on the Libraries Board. It is interesting to reflect that local government provides 70 per cent of the recurrent funding for public libraries in this State and 100 per cent of the capital expenditure.

In representing and speaking on behalf of local government this evening, I point out that local government representation on the board is certainly inadequate—two members out of eleven—when local government provides 70 per cent of the recurrent funding and 100 per cent of the capital funding for public libraries. Local government deserves a far better deal than it is getting from the government in this matter.

Mr HANN (Rodney)—I believe the honourable member for Mornington has really supported the National Party’s argument because he pointed out that local government provides 70 per cent of the recurrent funding and 100 per cent of the capital funding for public libraries. Obviously people involved with funding have a lot to do with municipal libraries. Those representatives from local government who are involved with regional municipal libraries are very much involved with the question of funding.

The Minister indicated—and I have already referred to the Budget Papers presented in the Chamber earlier today—that funding will be considered on a needs basis.
Therefore, people with this sort of expertise are needed so that that question can be addressed.

The Opposition's first amendment, which was rejected by the Committee, put forward the concept of selecting a representative from a panel of five names. The difficulty with that is that it raises the expectations of five people that they may be appointed to the Libraries Board when the reality is that only one will be appointed and the other four will be disappointed.

The Minister said that he would consult the Municipal Association of Victoria on the likely appointment. That is very reasonable, and I thank him for agreeing to the amendment.

The amendment was agreed to, and the clause, as amended, was adopted, as were clauses 10 to 17.

Clause 18

Mr CATHIE (Minister for the Arts)—I move:
8. Clause 18, line 36, omit “and” (where secondly occurring).
9. Clause 18, line 37, omit paragraph (f).

I move the two amendments together because amendment No. 8 is consequential upon amendment No. 9; in fact, it should have been made to the principal Act some time ago because it relates to a responsibility given to the Public Record Office.

The amendments were agreed to, and the clause, as amended, was adopted, as were clauses 19 to 21.

Clause 22

Mr HANN (Rodney)—I move:
3. Clause 22, after line 28 insert—

“(2) At least one member of the Council appointed under sub-section (1) must be a person who resides outside the metropolitan area.”.

The reason for the amendment is that the council being formed has, as one objective, the responsibility of overseeing cooperation in programs with other libraries and information organisations to promote access to library and information services and resources. A number of other objectives are listed, but this one relates particularly to the regional library services in country Victoria. For that reason it is highly desirable, with the split that has occurred in the Library Council of Victoria with a separate council for the State Library being formed, to have a country representative on that body.

The National Party has not designated which member of the council would be the country person; that decision would be left to the Minister to determine.

Mr CATHIE (Minister for the Arts)—The government will accept the amendment. The way in which the clause relating to the membership of the council has been drawn leaves three unspecified members to provide the opportunity for the Minister at the time to have some flexibility, depending on what the needs might be at any time. For example, the need may exist to have somebody included specifically to represent local government or for someone with strong entrepreneurial skills to perhaps assist the library in developing new programs and policies.

The proposal is that one of these people should reside outside the metropolitan area; for example it could be a senior academic person from an educational institution in one of the regional cities of country Victoria. The Bill has been drafted to allow the
flexibility to ensure that, in the final balance, at least one person represents the interests of country Victoria, and it can be more than one person.

Mr COOPER (Mornington)—The Opposition supports the amendment and believes it is a worthwhile provision to be inserted in the Bill. I made a note that, so far as this body is concerned, it would be worthwhile for the government to give consideration to local government representation on the council as well as having regard to the input of local government into library matters in general throughout the State.

The Minister has indicated that some of the people about whom we have been talking who reside outside the metropolitan area could be representative of local government also, so it is a good amendment and it deserves the support of the Committee.

The amendment was agreed to, and the clause, as amended, was adopted, as were clauses 23 to 28.

Clause 29

Mr CATHIE (Minister for the Arts)—I move:

10. Clause 29, after line 35, insert—

"(3) The Director must make to the Chief Administrator of the Ministry for the Arts such reports, including reports on financial and staff matters, as the Chief Administrator from time to time requires."

The amendment simply makes clear the relationship between the director and the Ministry for the Arts.

The amendment was agreed to, and the clause, as amended, was adopted, as were clauses 30 to 35.

Clause 36

Mr COOPER (Mornington)—I raised the question of clause 36 in my second-reading speech relating to bequests to the State Library of Victoria and the concerns of the Library Council of Victoria about the way the clause is phrased. It transfers to the Consolidated Fund an amount to be determined by the Treasurer each year which would, in fact, dry up bequests to the library. It would be a matter of grave concern to the library community and particularly to those people interested in the State Library of Victoria if this were to occur, and it is a matter on which clarification is needed from the government. I hope it is fair to state that I do not believe the government intended the clause to end up reading as it does—threatening bequests to the State Library; but if the government did not mean it to be read in this way, I expect an assurance that while the Bill is between here and another place amendments will be made to the clause so that the concerns of the present Library Council of Victoria and many other people throughout the community can be allayed.

Mr CATHIE (Minister for the Arts)—The provision for the transfer to the Consolidated Fund of an amount determined by the Treasurer after consultation with the Minister is drafted in that way because the Treasurer may not determine to take any money; and I make it clear to the Committee that there is no intention to include funds provided by benefactors.

The clause is meant to cover, as a result of capital works funding made to the library from time to time by the Treasurer, any future profits from entrepreneurial activities—for example, the sale of prints or reproductions. It may, in fact, be the sale of other types of merchandise—for example, those involved with catering or exhibitions; and in that area alone, if the Treasurer, after consultation with the Minister, decides that there should be some return to the Consolidated Fund, he can determine to take the
money, but the provision is not meant to apply to the category of gifts and other benefactions such as those suggested by the honourable member for Mornington.

**Mr COOPER (Mornington)**—I welcome the remarks made by the Minister and what I am about to say is not intended to be insulting. I suggest that, having given that assurance, it would be an excellent idea to have it contained in the Bill itself. The Minister may exclaim "Oh" and insinuate that that is petty, but he will not be here forever. I know he thinks he is made of stainless steel, but he is retiring at the next election and the Liberal Party would like to see the provision spelt out in the Bill.

The Opposition believes it would be desirable to have the matter of gifts and bequests to the State Library of Victoria defined within the clause so that the Minister's remarks are prescribed within the Bill, and we ask that the Minister pay some attention to that detail while the Bill is between here and another place, to prevent the Opposition having to move the amendment in the other place.

The clause was agreed to, as were clauses 37 to 49.

**Clause 50**

**Mr CATHIE (Minister for the Arts)**—I move:

11. Clause 50, line 18, after "object" insert "or objects of that class".

The amendment was agreed to.

**Mr CATHIE (Minister for the Arts)**—I move:

12. Clause 50, lines 21-22, omit paragraph (b) and insert—

"(b) the Council has caused to be published and displayed in accordance with sub-section (3) a notice containing:

(i) a description of the object or class of objects;

(ii) a statement that the Council intends to sell or dispose of that object or an object or objects in that class of objects; and

(iii) a statement that any person may object in writing to the proposed sale or disposal within 2 months after the date of publication or display; and

(c) either—

(i) no objection was received within that period; or

(ii) if an objection was so received, the Minister, or a delegate of the Minister, has decided in accordance with this section that the sale or disposal should proceed.

(2) Sub-section (1) does not apply if an object or class of objects was published for the first time within the preceding 10 years.

(3) A notice under sub-section (1) (b)—

(a) must be published not less than 2 months before the proposed sale or disposal in a newspaper circulating generally in Victoria; and

(b) must be displayed on the premises where the State Library is situated in a prominent position accessible to the public for a period of not less than 2 months before the proposed sale or disposal.

(4) A person may object to the proposed sale or disposal of an object or class of objects under this section by notice in writing given to the Council within 2 months after—

(a) the date of publication of a notice under sub-section (3) (a); or

(b) the date of first display of a notice under sub-section (3) (b).

(5) If the Council receives an objection under sub-section (4) and wishes to proceed with the sale or disposal despite the objection, the Council must refer the objection to the Minister.

(6) The Minister must—

(a) decide whether or not the object or class of objects should be sold or disposed of; and
(b) cause the Council and every objector to be notified of the Minister’s decision.

(7) The Minister may, by instrument, delegate to a panel of persons selected by the Minister the power of the Minister under sub-section (6) (a).”.

The amendment was made on the suggestion of the Victoria History Institute. Having been through the school of history at the University of Melbourne, I had to mention that point. The proposal provides that before any part of the State collection is sold or otherwise disposed of, the council should, by public notice, describe the object and state its intention to dispose of it. Such notices should be exhibited for three months and any objections received should be heard, in the first instance, by the council and, in the second instance, by the Minister. This lengthy amendment has been drawn in order to achieve that intent.

The amendment was agreed to, and the clause, as amended, was adopted, as were clauses 51 to 54.

Clause 55

Mr CATHIE (Minister for the Arts)—I move:

13. Clause 55, page 25, lines 28-30, omit all words and expressions on these lines and insert—

‘substitute “the Keeper of Public Records for preservation in accordance with section 7 of the Public Records Act 1973”; and’.

14. Clause 55, page 25, lines 31-33, omit paragraph (b) and insert—

“(b) sub-section (11) is repealed.”.

The amendments are consequential following decisions made concerning the public records.

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

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

CHILDREN AND YOUNG PERSONS BILL (No. 2)

The debate (adjourned from May 5) on the motion of Mr Mathews (Minister for Community Services) for the second reading of this Bill was resumed.

Mr COLEMAN (Syndal)—The Children and Young Persons Bill (No. 2) has had a lengthy gestation. It commenced with the report that became euphemistically known as the Carney report. This is the third draft of the proposed legislation. It is the result of considerable community consultation that resulted in more than 100 government amendments to the previous measure. Rather than having a long Committee debate the government determined to produce a clean Bill incorporating the 100 amendments.

The amendments to the earlier measure reflected considerable discrepancies between what was in the previous Bill and the expectations of the people in the field. Those who have knowledge of the Bill as it stands have considerable support for it. Any anxiety at present, despite the announcements in the Budget today, relate to the capacity of Community Services Victoria to provide all of the umbrella services proposed in the Bill.

Virtually all people with whom I have spoken on the matter express some suspicion as to the capacity of the department, even with the additional money that has been provided in today’s Budget, to meet all the aspects covered in the proposed legislation.
Nevertheless, it provides a springboard from which to provide the services envisaged in the measure.

There is no doubt that the community has considerable disquiet about the services available for young people. That fact is probably no better spelt out than in the comments of the Premier, as reported in the *Age* recently. An article reported that young people between the ages of nine and ten years were sleeping in what was the old Commercial Travellers Club building in Flinders Street. The article, which I am sure tugged at the heartstrings and consciences of many people, reported that the Premier had said, "I don't think most of us knew that was going on; I didn't." He indicated that he would look into the issue of those young people being forced to sleep in what can only be considered as less than satisfactory circumstances.

That situation illustrates the dilemma in this debate. Over a considerable period cases have been coming to light, virtually daily, of young people being exposed to all sorts of risks, whether by sleeping in waste clothing disposal bins, being the victims of child abuse, or being the victims of new step-parent relationships in which they are unable to be comfortable.

The fact that the Premier has been able to say that he did not know young people were being forced into those situations reflects not only on the advice he has been given but also on the community that has allowed that situation to continue. That is the scenario in which this debate is taking place tonight. It is fortuitous that it has arisen on the day the Budget has been presented because the Minister for Community Services has attempted to induce the Treasurer to provide more funds for this field.

The resourcing of the children's welfare area has been a contentious issue, even if no more than on the question of the 4 per cent productivity saving. The Minister has had a difficult decision to make because he has had, on the one hand, a case that went before the wages tribunal where the 4 per cent was sought and, on the other hand, agencies agreeing to a 2 per cent increase and the government being prepared to cover a 2 per cent increase. When the assessment was made, some agencies had no capacity to meet even the 2 per cent.

That has been an unfortunate situation that reflects in part on the peak council arrangement that exists not only in this area but also in a whole range of areas where the peak council is not fully aware of the situation within its member bodies.

It is clear from comments that have been made to me that the productivity savings were unachievable because the Children's Welfare Association of Victoria Inc., one of the peak bodies in this area, sought comment from its membership, of whom 36 per cent responded indicating that between them they had an accumulated debt of $3.5 million. Those respondents indicated that the productivity savings that might have been anticipated were perhaps unachievable. That has been yet another difficulty under which the Minister has had to try to advance the position of young people in this State.

The Minister has responded. He has proposed adjustments to the payment system. A 30-day payment system was envisaged and the Minister has just indicated that that has been implemented. However, I am advised that some of the organisations have had to go through the 30-day implementation process on overdraft and have consequently been disadvantaged by that system. No doubt that matter can be addressed. However, it indicates that the organisations providing the services are under considerable strain at the present time.

I had the privilege of serving as president of an organisation with a long association with the history of this State. For ten years I was a member of the organisation formerly known as the Melbourne Family Care Organisation but now known as...
Family Action. That organisation has provided services to children in this State for some 137 years. It commenced with the support of the community and provided service and accommodation to approximately 350 children at that time.

When one considers the situation today, one finds that, although the circumstances have changed, the same conditions that existed 137 years ago still exist today. Children are still at risk. Families are still at risk. For whatever reason, some children are forced out of a caring family situation into a situation which is not of their own making. This must clearly be a community responsibility, but my association with the Melbourne Family Care Organisation, now Family Action, makes me wonder at the capacity of the community to really address this issue.

The Bill is a further attempt to address the issue. It can be regarded only as evolutionary. With the best will in the world, unless some real determination is put into it, the services envisaged in the measure will not mean much to the potential recipients. The Bill attempts to separate offenders from victims of crime. It raises the age of criminal responsibility of children from eight to ten. Problems will arise with that extension. A ten-year-old can be extremely wilful in the way in which he or she handles his or her affairs and is quite capable of committing crimes against society, whereas an eight-year-old does not have the same drive or stimulation.

The Bill also relates to child abuse. It seeks to separate the functions of the Children's Court. Many young people have offences committed against them rather than themselves offending. In the electorate I represent is an organisation with the acronym of CARA—Christian Alternative to Remand Association. It was started some time ago by a person closely involved with Children's Court activities, who wanted to remove from the court and remand system those young girls against whom offences had been committed. Until that organisation was formed, no prerogative was provided to a magistrate to do anything other than commit these young people on care and protection orders to institutions in which the offenders were held. That organisation recognises the exposure of young people to violent situations and provides a genuine community service.

Many clauses of the Bill relating to intervention arise from a system which is now in disrepute. I refer to the dual-track system which deals with the capacity of the police, on the one hand, and Community Services Victoria, on the other hand, to intervene in cases of young people who are exposed to criminal elements.

The Minister has appointed Mr Justice Fogarty to head a committee to investigate child abuse. Mr Justice Fogarty has asked to include in the terms of reference the examination of the dual-track system. Perhaps the level of concern on this issue is best expressed by the article in the Age to which the Premier responded and to which I referred earlier.

The text of the article in the Age, written by Michael Carrick, includes the following:

Sometimes up to 16 children and teenagers sleep in the ten-storey building, dubbed affectionately “The Grand Hotel” because of its magnificent but decaying Edwardian interior. The children—runaways, wards of the State and those who miss the last bus or train home from the city—get into the building through an open drain or through a manhole.

The crucial term there is “wards of the State.”

If one speaks to Father Bob Maguire of the Open Family Foundation, one will hear chapter and verse the difference in the handling of the wards of the State who come within his aegis and those who come within the aegis of the Police Force. The dilemma which has been present for some considerable time is that, whereas the police are there on a 24-hour-a-day basis, the child protection services of Community Services Victoria are available for a restricted time, that is, on a 9 a.m. to 5 p.m. basis. The police are
expected to care for the wards of the State who are exposed to danger and who should be cared for by Community Services Victoria. The Delta task force handled that situation, and then it was disbanded. The Community Policing Squad tried to deal with the problem and it was brought into disrepute.

Young people who have been ordered to be under the jurisdiction of the State, for whatever reason, do not have their time properly accounted for and they are not afforded the opportunity of rehabilitation. It is a criticism not only of the government but also of the community that that is the case, because we live in a country which appears to be able to offer everyone a successful lifestyle, yet for a number of people in the community success is probably some way off. The systems being put in place are not assisting them to achieve anything useful or offering them a way forward.

The community should take responsibility for people who are unable to achieve their goals. Those who are willing to help by providing services in that area should be assured of the assistance they rightly seek.

There is no doubt that the non-government system has been able to provide services in the area of child protection. The Budget speech which honourable members heard today recognises that in part. Of the total allocation of $10.6 million which will be distributed to foster care and residential services, $4.2 million will go to the government sector and $6.4 million will be provided for the non-government sector. As I said, it is a recognition of the non-government sector providing a valuable service in this State.

The service is provided by people directly involved in the child protection area and those who provide ancillary services, such as probation officers, justices of the peace, and so on. There are volunteers in society who are prepared to give their services so that the whole community will be able to achieve its goals. If the system does not reinforce what is happening, the taxpayer will have to provide a considerable amount to meet the cost of services provided by government. Government services are subject to the rigours of bureaucracy and at the end of the day those services are not equal to services delivered by voluntary agencies.

I do not seek to be critical of Community Services Victoria in its departmental structure, as it performs well within its capacity. However, one must consider the staff turnover in order to understand the stresses under which its staff work. There is a high turnover of staff, with an understanding that a two-year stint in any position in Community Services Victoria is a lengthy term of office. Through my own experience, I am aware that it is virtually impossible to have continuity of contact with a person in Community Services Victoria because the structure is constantly changing. People who have taken positions have found that they are required for other duties. There are considerable and frequent policy changes.

Honourable members will be aware that since the government came to office Community Services Victoria has had three Ministers: Mrs Toner, Mrs Hogg, and now Mr Mathews. Each of them has brought a different focus to the work of the department. The activities of the staff have changed with the changes in Ministers. Considerable demands have been made on the staff of Community Services Victoria as a result of these Ministerial changes. There is a high level of despondency among the staff because of the frequent changes of Minister.

The Children and Young Persons Bill (No. 2) may address some of the issues of concern. Community Services Victoria will at last have a policy by way of legislation in place to which the staff can respond and which can be enforced where necessary. It has taken three years to produce the Bill, and that is a lengthy period. There has been considerable community consultation, and to its credit the government has taken account of much of the community contribution by way of amendment to the original
Bill. However, the development of policy has been lengthy and is in part due to the changes at Ministerial level.

The history of child abuse cases is lengthy. Cases are reported on almost a daily basis, as I indicated earlier. There is a litany of comment which calls into question not only the government’s commitment to the needs of this area but also the community’s understanding of and endeavours to address the issue. The problem requires community commitment, as not all of the necessary work can be done by the government. It requires the commitment of workers in the field. As I indicated, non-government voluntary organisations, which have played a vital role in the area in the past, will be required to continue to play that role in the future to ensure that the basic services are delivered.

One of the principal matters with which the Bill deals is the question of the reporting of child abuse cases. Part 3 provides, among other things, that reporting of child abuse cases may be made to the protective interveners. The community expectation is increasingly that people who through their professional activity are acquainted with child abuse cases should have some responsibility to report that abuse to Community Services Victoria.

Professionals from a range of services in the community have the capacity to judge the circumstances of children and assess the injuries of those children. The question of mandatory reporting is a vexed issue. It is a problem that not only this government, but also the previous government addressed. By way of an amendment to be moved in the Committee stage, the Opposition will propose that the reporting of child abuse be made compulsory for medical practitioners and other prescribed professionals.

It is necessary to address the basis of trust that exists between professionals. When dealing with a child who has been abused by a person or persons whom that child would normally trust—usually in a family setting—one must consider to whom one should go for help. A range of professionals are available to offer assistance in this situation.

Abused children are often below an age where they can ask for assistance. Child welfare centres, doctors’ clinics, baby health centres and so forth are facilities where professionals are on hand and, if a professional is aware of a child who is exposed to danger, that professional should not ignore the situation. The child should be removed from danger; that does not necessarily mean that the child should be moved from its family setting but that intervention should be provided to assist the family.

I foreshadow an amendment to be moved by the Opposition that will provide that a legally qualified medical practitioner or a member of a prescribed profession may seek the assistance of a protective intervener, should such a case arise. This will enable those people with the skills to provide counselling—particularly in the case of the abuse of a young child—for the family group to enable them to cope with the situation.

During the past ten years much wider public understanding has been achieved about child abuse. If one is in contact with a three-year-old child with cigarette burns or large bruising or who has obviously been subjected to abuse, the matter is not a subjective issue. Some people might say there are situations that would be subjective; the most common situation would be the extent to which a parent might use punishment to restrain the activities of a child. Vexatious reporting could occur but those people who have a genuine concern for a child that comes within their purview should have confidence in the system, which would allow the protective intervener to deal with the matter.

Services should be made available to assist a small child suffering abuse. If one wanted to extend this to other children, there are situations in which a school-age
child or even an adolescent who was being abused could turn to another member of the community for assistance, such as a student counsellor, a medical practitioner or somebody involved with a youth organisation. It is important that the person to whom that young person is prepared to pour out his or her story can provide a surety that something will be done about the young person's plight. The listener should be able to deliver some assistance; mandatory reporting would enable the provision of protective intervention or whatever other action was necessary.

Perhaps a limited number of reports could be regarded as vexatious. However, mandatory reporting would enable the community to have a better understanding of the extent of the problem, the circumstances which lead to child abuse and so forth. At the appropriate time the Opposition will move an amendment dealing with this matter.

Consistent with the Opposition's previous action in relation to the disallowance of regulations, it will move a proposed amendment to provide for the Subordinate Legislation Act to be taken into consideration.

The public anticipation of this Bill is high. The public expects the government to address the issues currently causing problems in the community. There is no doubt that large numbers of young people in this State are exposed to danger. The Opposition is prepared to support the Bill with the amendments I have foreshadowed. I hope the provisions in the Bill address the issues the community expects them to.

Mr STEGGALL (Swan Hill)—Before dealing with the detail of the Bill, I shall refer to the history of child protection in this State. That subject has not been debated at great length in this Chamber. Child protection and child abuse particularly are not easy subjects for debate in this Chamber. Child abuse is not easy for many honourable members to debate because it incriminates men. The emphasis put on child abuse in the past few years, particularly recently with articles in the Age newspaper and other publications, has aroused a lot of public interest in how the Bill will be handled.

In the last century child protection was virtually carried out only by voluntary groups, and they were nearly all church-based organisations. In 1896, a Society for the Prevention for Cruelty to Children was formed and the fact that the children of Victoria sometimes needed care and protection was recognised. During the 1970s the name of the organisation was changed to the Children's Protection Society, and that non-government organisation was funded by the government to provide a service aimed at protecting children from all forms of abuse and neglect. It was only in 1985 that Community Services Victoria took over in that area.

The Bill is a result of the report by Dr Terry Carney, who started the major review on this subject in 1984. Since October 1985 the dual-track system for child protection has been operating in Victoria. The courts have been allowed limited remedies, but society has at least tried to understand the problem and work out a treatment system for child abuse. The efforts of Community Services Victoria have not been brilliant, but its performance will improve when the Bill is passed.

The proposed legislation rewrites the Children's Court Act and the Children (Guardianship and Custody) Act, which came into operation in 1984 as part of the adoption legislation. Honourable members may recall that that debate was emotional. This Bill deals with some of the strongest emotions that men and women have. When a State, through an intervener, is given power to go into someone's home and remove that person's child, the intervener had better know what he is doing. The Bill tries to put into place a statute to cover that area.

The Bill covers three main areas: firstly, it creates a specialist Children's Court for the protection of children—which is virtually the child abuse area—and for dealing
with children and the criminal law. Secondly, the two streams of the family and criminal divisions of the Children's Court are set out in the Bill and the procedural guidelines for tackling those jurisdictions are included in the measure. The amendments that have been made to the Bill during the past few weeks have clarified many of the doubts about the original Bill that was introduced in November last year. Thirdly, the Bill provides backup for court services through probation officers, the establishment of the Children's Court Liaison Office and the Children's Court Clinic.

The Bill will be considered by honourable members to ensure that it will be able to handle the many jurisdictions it covers. When the Bill is passed, all governments will be judged on how they resource the departments and private agencies that undertake activities set out in the measure. The provisions regarding the Children's Court Liaison Office and the Children's Court Clinic are included for the Minister for Community Services to implement if he so desires.

The Bill provides for a range of protection guidelines and services to be provided. It also creates protective interveners and I shall refer to that later. The Bill includes the dual-track system involving Community Services Victoria and the Victoria Police. The measure also provides a wide area in which the courts can make decisions and for Community Services Victoria and the community to tackle the various forms of child abuse. In the present legislation, a court can handle the many and difficult cases that come before it in only three ways: firstly, adjourn the case; secondly, make a supervision order; or thirdly, create a wardship.

The Bill introduces eight options. The court is given an option to issue protection orders, as well as options covering undertakings for supervision, the granting of custody to a third party, supervised custody order, granting custody to the Director-General of Community Services, affording guardianship to the Director-General of Community Services, to make interim protection orders, plus an option relating to permanent care orders.

The appeal mechanisms in the Bill should be adequate; obviously they will be tested and changed, from time to time, if found to be unsuitable. For the first time the appeal mechanisms allow appeals by all parties involved in child protection.

Criminal law is the other stream under the Children's Court; virtually similar procedures now exist, but several additional provisions clarify the situation. The Bill provides for sentencing. Country Victorians are pleased about community orders being introduced for the first time into the Children's Court. It has been difficult to operate the court in country regions because a child who has been a scallywag, to say the least, and who could probably be subjected to some form of sentencing was faced with the only punitive action available—sending him or her away from home and from parents, thereby compounding the problem. The options for the Children's Court, as contained in the Bill, represent an improvement.

The two sets of objectives listed in the speeches of the Minister for Community Services in November and in May are similar. When introducing the Bill, the Minister for Community Services referred to the objective of:

to provide a comprehensive and high quality child protection service, which strengthens the capacity of the community to protect children and young people who have been maltreated or who are at risk of harm, and which responds appropriately to the needs of the children and families involved . . .

The provisions of the Bill provide those options and objectives.

The Bill further states:

to provide an adequate and constructive response to children and young people who have been charged with and found guilty of committing offences;
to enhance the rights of children, young people and their families in their relationship with the court system, Community Services Victoria and other service providers, in accordance with justice principles.

Provisions covering court proceedings and counselling procedures are similar to those contained in the adoption legislation. I hope the resourcing of provisions contained in the Bill will be better than the resources allocated under the adoption measures.

Another objective states:

to ensure that service providers are accountable for the performance of their responsibilities.

An understandable factor in child protection, because it is relatively new to a government department, is that the Bill will exert pressure on Community Services Victoria. All who work in the field of child protection carry a burden. I am sure that many members of Parliament from time to time have had to deal with child protection issues and these are not pleasant and not easy for a member of Parliament working in virtually the role of an Ombudsman in his or her electorate. Honourable members and all who work in the area of child protection will agree that the community is short of professionally trained welfare workers, of doctors who understand child abuse—with the involved problems and pressures—of understanding legal professionals, and members of the judiciary.

The Bill assists by steering people in the professions into a pool of expertise and understanding to cover the many difficult cases that will eventuate as a result of the Bill. It is interesting that one of the amendments to the Community Welfare Services Act established a Ministerial advisory committee. I suggest that as the provisions in this measure come into operation, the new advisory committee—under the chairmanship of Mr Justice Fogarty—will be of vital importance.

I hope the Minister for Community Services, and Ministers who follow him—no matter from what side of politics—and who have to administer the new Act, will ensure that the advisory committee is given the opportunity of undertaking the broad range of responsibilities bestowed upon it because no Minister of the Crown is able to fully understand the pressures, the emotions and problems that the provisions of the Bill will introduce.

I hope the committee will advise not only the Minister for Community Services but also the Attorney-General and the educators—our universities—on how the problem of child protection can best be handled by those professionals.

The objectives further state:

to maintain the distinction between the family division and criminal division, so as to ensure that procedures, standards of proof and dispositions reflect the fundamental difference in the nature of these jurisdictions.

A problem associated with the provisions of the Bill will be how to differentiate between the family and criminal divisions. In certain cases one member of a family will need to be involved with the Criminal Division while another will be before the Family Division because people other than parents from time to time abuse children.

The actual protective interveners and professionals administering protection, whether from Community Services Victoria, the Victoria Police Force or the voluntary agencies, will have to make judgments on the fine line existing in many areas as to who will go to the Family Division and who will be involved with the Criminal Division. I hope the passage of time will clarify that problem.

Perhaps the most important objective of the Bill is:

to provide for an extended and more flexible range of dispositions in each of the divisions of the court, which seek to enable children to remain at home wherever practicable.

Clause 87 lists the factors that must be taken into account when findings or orders are considered. While the Bill is between here and another place, perhaps the parties can
consider a provision similar to that included in the adoption legislation, which stated that the interests of the child were at all times paramount. In this case the provision could state that the interests of the family and the child were at all times paramount. If that were included early in the Bill, no-one could get the funny idea, as has happened from time to time in Australia, that the State becomes a parent. The Bill provides the State with powers and responsibilities that rightfully belong to the family.

It is important that some intervention should be possible within the family environment. I am certain all social workers and people dealing with child abuse know how essential it is to intervene in some terrible circumstances existing in the community. The Bill should clearly provide for the State to assist the family by providing protection for the child within the family structure.

Other provisions refer to the handling of protection orders involving many types of abuse to children. Honourable members have heard the Budget speech today, in which the Treasurer referred to some money that will be thrown at this area. They will also be aware of statements made over the past few weeks involving millions of dollars that will be used for child protection. A 24-hour service will be provided in Bendigo, Ballarat, Geelong and Melbourne. It is interesting to note that they are all politically sensitive areas.

The Bill will give Community Services Victoria and various agencies throughout the State the ability to undertake and deliver 24-hour protection in small towns and remote areas of Victoria. If there is a need for such a service, the Bill will allow it to be provided. It will be up to the Minister for Community Services to decide whether the necessary resources and properly trained people will be provided. I imagine that the regional structure of the department and various agencies will enable any major area of concern or problem involving country Victoria to be dealt with.

I first became aware of the Mallee crisis some time ago when child abuse cases were brought to my attention. They arose because of the pressures that were being imposed on rural families. Although the government has provided significant resources to get this program off the ground—and I believe it has taken the right course—members of the community do not have the answers to solve the problems creating child abuse in today’s society. Child abuse has existed throughout time, but much of the identifiable abuse today is due to the pressure, stress and problems occurring within our society. Unfortunately, the children appear to lose out.

Problems being experienced by families and single parents involve housing, education, income security, unemployment, health services and so on. We must try to address these problems individually and collectively. It will be up to the Minister, his department, the government and service providers to address these problems. Judgments will have to be made in many difficult cases.

There was a recent case in South Australia where social workers interfered with family structures. I do not know whether any vexatious reasons were behind it, but some nasty court cases resulted. Victoria is faced with a problem of deciding who should intervene and how it should be done. It is important that all interventions into families be justified.

The people behind the drafting of the Bill were given a choice about how to break the shell to properly deal with child abuse. The Bill does not include mandatory reporting, and I support that view. I should not like mandatory reporting to be included in the Bill. Far more children would be lost to society if that action were taken. Clause 64 (1) states:

Any person who believes on reasonable grounds that a child is in need of protection may notify a protective intervener of that belief.
The clause provides indemnity to the person and puts the responsibility on the protective intervener, who will be a member of the Victoria Police Force or a social worker delegated that power by the Director-General of Community Services. That is not a pretty position to be in or a nice job to do, but the community has decided that it must be carried out. As the interveners put into practice the provisions in the Bill, they will carry on their shoulders the success or failure of society's effort to come to grips with child abuse. If those protective interveners fail, so will the Bill and so will the government's effort to tackle child protection in Victoria.

It will be difficult to judge these people in the early days of the operation of the Bill because there are insufficient suitably trained people, either in the agencies or the Police Force, to carry out this role. Until we have better educated and trained workers we will have problems in the child protection area. I suggest to the Minister that he should ensure that protective interveners use all necessary care in carrying out their duties, particularly in the first few months of the Bill's implementation.

One example in Victoria of an unwarranted intervention for which the matter has gone to court will result in the whole process being put at risk. Any person intervening who enters a home to remove a child had better be right; if not, that person will be playing with the highest emotions of the child and the family. Interveners will need to be sure of their facts and will need to handle the problem of child abuse tactfully.

Earlier I mentioned resources. The proposed legislation is good, but how it will be put into practice will depend on the present government and on future governments. Approximately four or five years ago legislation was enacted which I regarded as the best adoption legislation in Australia but, unfortunately, all the promises and expectations of the people in the adoption field at that time were shattered. There is a waiting list of seven years for the information which that legislation gave them. The community, the media and Parliament created expectations in people in the emotional issue of adoption. Legislation was enacted which allowed adoptees to obtain what they very badly wanted through the counselling procedures outlined in the legislation. The results have not been delivered. Resources have been poor. Resources for the Children and Young Persons Bill (No. 2) to be effective are important. There is a seven-year waiting list for adoption services—this Bill cannot be allowed to head the same way.

A cost is involved in servicing the family stream of the Children's Court, and there is also the cost of the criminal charges. The Bill requires the services of a range of social workers; and it provides for reporting and checking mechanisms, with which I agree, which should help to overcome the problems. They will cost a lot of money to achieve the aims of the Bill.

I hope today's Budget will assist the Minister for Community Services to effect the Bill. If a proper effort towards child protection is to be made the operations of the Children's Court will have to be well funded.

The National Party supports the proposed legislation, but there are fears; it is not a carte blanche approval. The National Party is not impressed with a number of areas in the Bill. An Aboriginal-type agency is proposed and that has some problems for some communities but not for others. The checks and balances and the judgments that will have to be made are the areas that will either make the proposed legislation successful or will bury Victoria's efforts in child protection.

Community Services Victoria has one of the poorest reputations in Australia for its work in this field. It is going through a difficult time trying to tackle its workload. It does not have the professionals, nor does it have the facilities and the expertise. The voluntary agencies that work in the area will have to upgrade their resources and manpower to obtain the right professionals.
The Children's Court will have to improve its professional approach. The training of police in protective services is paramount. The police want to operate only in law and order areas, but the Bill has a dual-track element to it. In Melbourne I can understand that the police do not want to become involved in intervention orders unless there is a law and order base to them. Country Victoria does not have the luxury of welfare workers in the same numbers or with the same ability as cities like Melbourne, Geelong, Ballarat or Bendigo. In country communities the police will have to undertake that work. They have done it in the past and they will do it in the future. They will work in conjunction with Community Services Victoria, and the Mallee Family Care service is a successful major private provider of services in northwestern Victoria.

The skill levels required by the Bill are high and a thorough understanding of the Bill is required. I hope the debate gives the community an understanding of what is needed, not only by members of Parliament but also by the professionals and by the community at large. The Bill should make a significant improvement in the attack against child abuse in Victoria.

Mr SHELL (Geelong)—The Children and Young Persons Bill (No. 2) is a large Bill of 165 pages with 287 clauses and attached schedules. In the given time I have, it will not be possible to cover all the elements in the Bill.

The objects of the proposed legislation are to provide a comprehensive and high quality protection service for children and young persons who, through physical, sexual, emotional abuse or just plain neglect, need protection. I concur with the honourable member for Swan Hill that the Bill must be properly resourced. If it is not properly resourced the Bill will not meet its objectives.

The Bill also provides for an adequate response to young people who have been charged and found guilty of an offence. It provides for the rights of children, young people and families in connection with the court system. For people and families to come into contact with the court system for the first time can be a terrifying experience. Backup and support will need to be provided to those people, their families and others to make it easier for them. It is important to ensure that children will get a fair go at hearings. An important aspect is that the Bill will maintain the distinction between the Family Division and the Criminal Division, and the standards of proof and dispositions will be reflected in that difference.

The Bill also provides for a far more flexible range of dispositions which will enable children to be returned to their natural home as soon as possible. No matter what the condition of the home is—whether it belongs to a family who are poor, or from the middle or upper classes—it is important that children are returned to their natural parents for guidance as soon as possible; and, if necessary, parents will receive counselling to enable them to care for their children.

Mr Leigh—Why don't you table it?

Mr SHELL—You said to speak for 30 minutes!

The Bill provides for the upgrading of the status of the Children's Court; and the specialist nature of that court is recognised. The Bill provides for appeals to be made; and those appeals will be heard by a judge of the County Court.

I am not sure whether the County Court is the appropriate court to hear such appeals. Perhaps a more appropriate mechanism could be provided within the Children's Court because of the expertise of the officers of that court in dealing with children. If that were not possible, perhaps such matters could be referred to the Family Court, because that court often deals with children. Although the County
Court may not be the best place to hear such appeals, the government has established an appeal mechanism. The Bill provides for parents to retain full parental rights and responsibilities if children are taken from the care of the natural family.

The Bill will not work unless more resources are made available and more social workers are recruited to prepare the necessary reports. At present, often a case is adjourned by the court simply because the necessary reports have not been provided. A court case should not be held up for three or four days—or sometimes for one or two weeks—only because a report has not been provided to the court. The government must ensure that adequate resources and staffing are made available so that those reports can be presented promptly.

It is also necessary to examine the way in which children in Victoria are protected at present.

Mr Leigh—It's a disaster.

Mr SHELL—It is not the disaster that the honourable member for Malvern suggests it is. I remind honourable members that Victoria has had a children's protection service in one form or another since the colony was established.

In 1860 six orphanages were established in Victoria. Later, three orphanages were established in Geelong—as the honourable member for Hawthorn will be aware. Those orphanages were St Augustine's, Glastonbury and St Catherine's. In 1964, Victoria enacted the English Schools Act 1957 and renamed it the Neglected and Criminal Children's Act. In 1971 and 1972—

Mr Leigh—We don't want a history lesson; we want to know what you will do about it!

The ACTING SPEAKER (Mr Kirkwood)—Order! The honourable member for Geelong should not encourage interjections.

Mr SHELL—In 1871 and 1872 two Royal Commissions were established to examine industrial and reformatory schools. Those Royal Commissions recommended that offending children should be placed separately from innocent children. In 1883, legislation was enacted to stop the practice of family farming. In 1881, Scots Church expanded its mission to include the Neglected Children's Aid Society. In 1887, the Neglected Children's Act gave to private individuals and institutions the power of both the apprehension and guardianship of children. In 1896, the Society for the Prevention of Cruelty to Children was established; and in the 1970s that name was changed to the Children's Protection Society. In 1970, sections dealing with the protection of children were included in the Social Welfare Act.

The ACTING SPEAKER—Order! Will the honourable member for Geelong assure the Chair that he is not reading his speech?

Mr SHELL—Mr Acting Speaker, I am referring to copious notes. They contain a good deal of historical fact; and I do not want to make a mistake in reciting them.

Mr LEIGH (Malvern)—On a point of order, Mr Acting Speaker, although the honourable member for Geelong has assured the House that he is not reading his speech, he should table the document so that honourable members may examine it later to verify that he can read. I request you to ask the honourable member to table the document.

The ACTING SPEAKER—I am sure that if the honourable member for Geelong felt that the House was interested in the details contained in the document from which he is reading, he would be happy to table the document.
Mr SHELL (Geelong)—I would be happy—

Mr Richardson—Mr Acting Speaker, I direct to your attention the state of the House.

A quorum was formed.

Mr SHELL—In 1978, the Social Welfare Act was amended, and it became the Community Welfare Services Act; and the new department funded the Children's Protection Society. In 1985, the Children's Protection Society ceased to exist as an organisation. In October 1985, Community Services Victoria assumed direct responsibility for a welfare-based children's protection service.

Historically, police have been involved in the administration of children's protection services. At present they carry out such responsibilities through the Community Policing Squad. A dual-track system is in operation at present, in which both the Police Force and Community Services Victoria are jointly responsible for the protection of children.

The Bill provides for government and non-government agencies to meet the needs, emotional and otherwise, of children requiring protection from physical violence, sexual abuse, or child neglect, as well as the needs of offending children; and the notification or reporting of such incidents can be made by anyone.

Mandatory reporting of such incidents is unnecessary. The officers of maternal health centres have the ability to report suspected cases of child abuse or child neglect. If mandatory reporting were required there would be a corresponding increase in the number of reports.

Mr Reynolds—What is wrong with that?

Mr SHELL—If that were to occur, there would be an increase in reports; and there would also be an increase in unsubstantiated reports. That would have the effect of placing an unnecessary strain on both the staff and the financial resources which are allocated to the program.

It would be better to have a voluntary system of reporting. Mandatory reporting would be necessary only if the voluntary system did not work. The voluntary system is working, and it will continue to work. A child may be taken into safe custody when an investigation establishes that there is a need for that child to be protected.

Child abuse must be brought to the attention of the court within one working day. Reports to the court will be made indicating the reasons for protection. Following the court's deciding that protection is necessary, disposition reports must be made available. Additional reports must also be made available at the request of the court.

It is necessary that the government fund the required positions to carry out this service. It is no good the court adjourning cases simply because reports are not available. Staff must be recruited, retained and remunerated appropriately to provide a complete service. This will allow the court to process the cases brought before it.

Mr Reynolds—That is fairyland.

Mr SHELL—It is not fairyland. The court will be given an increased range of protection orders from which to choose. They are to:

1. require an undertaking;
2. make a supervision order;
3. make a custody or third-party order not exceeding twelve months;
4. make a supervised custody order;
5. make a custody order to the director-general;
6. make a guardianship to the director-general; or
7. make an interim protection order.

The age at which a child can be claimed to accept criminal responsibility has been raised from eight years to ten years. When a child is brought before the court—within one working day of being taken into custody—the child may be granted bail or remanded. Bail cannot be refused simply because the child does not have adequate accommodation.

The standard of proof is in keeping with adult courts in that the court must be satisfied of the child's guilt on the basis of proof beyond a reasonable doubt. Pre-sentence reports are to be made available to the court on the finding of guilt and prior to sentencing. On finding the child guilty, the court may:

1. dismiss the charge;
2. require an undertaking;
3. make an accountable undertaking;
4. impose a good behaviour bond;
5. impose a fine;
6. make a probation order;
7. make a youth supervision order;
8. make a youth attendance order;
9. make a youth residential order;
10. make a youth training order; or
11. refer sentencing.

In addition, the court may require compensation for damages incurred and costs may be awarded against the child.

The object of the restrictions is to enable the child, wherever possible, to stay within the natural home so the offender has a chance of being rehabilitated and of continuing his young life as a worthwhile citizen rather than placing him in an institution where he may mix with other people who have offended and may pick up their unfortunate habits. Appeals may be made to the County Court, but I am not sure about that provision. As I have already spoken about that point, I shall not discuss it again.

Under the proposed legislation, wards of the State will be told how long they will be wards; the period will not be indefinite as in the current situation. If sufficient resources are not made available to implement the proposed legislation, it will not work. It is important not only that this government provides sufficient resources but also that any future government continue to resource it so that it can work for the benefit of the children and of the community.

It is well known that, in tough economic times, the welfare dollar cops the first chop. That is wrong because, in tough economic times, money must be spent on welfare. Child abuse usually occurs when parents or careers face difficult economic circumstances. When the nation or the State is facing economic difficulty, that difficulty...
naturally flows on to families. Protection of children is a community responsibility. We should be looking after our children as best we can.

Apparently in Victoria there are approximately 16,000 offenders a year and of these 10,000 receive police cautions, 3000 to 4000 are brought before the court and receive bonds or fines, and the remainder are placed under wardship or in youth training centres. The Bill addresses the lack of options available to the court to deal with children.

Of real concern to me, as I am sure it is to every honourable member, are the problems facing children who are physically assaulted, sexually assaulted, emotionally abused or simply neglected. This problem has been faced by the State since it was first colonised. A more sympathetic approach and greater resources are needed. This legislation will not cure the situation.

Mr Reynolds—Are you criticising your own measure?

Mr SHELL—If the honourable member for Gisborne would care to listen for a change, he would understand I am saying that I am not sure that legislation can change people's attitudes.

Mr Reynolds—"This legislation" you said!

Mr SHELL—I am sure this Bill will not change people's attitudes either, but I am certain it will reduce the number of children who are physically abused and neglected. The measure will impact in that area but it will not eradicate the problem completely. One cannot change society by simply introducing a law. We need to return to basic Christian principles that teach us to love our neighbour. If one loves one's child, one will not hurt it. That needs to be understood.

The proposed legislation is good. I welcome the support of the Liberal and National parties. The honourable member for Swan Hill mentioned that, as with the proposed legislation dealing with adoption, a number of measures have been combined in the proposed legislation to try to come to terms with this problem. On the adoption measure honourable members were able to reach consensus on the floor of the Chamber. That does not occur too often. I hope the same occurs with this measure.

I commend the Bill to the House.

Mr LEA (Sandringham)—I join with members on both sides of the House to support the Children and Young Persons Bill (No. 2). Historically young people have suffered the most. In the nineteenth century young people were exploited not only in the workplace but also at home. The Bill is courageous and deserving of support. I commend the Minister for Community Services for his determination to introduce the proposed legislation in an attempt to overcome the problem.

The honourable member for Geelong was correct when he said that legislation does not eradicate social problems. However, I should like to mention three points of concern to me in the proposed legislation. I shall also deal with the crux of the measure, clauses 64, 65 and 66, which define protective interveners as the director-general and all members of the Police Force, and which define the action protective interveners must take in the course of their duties.

The problem of mandatory reporting is one of those crucial situations that bemuses and confuses us. Let me argue first that it would be a great help to have mandatory reporting, but there are dangers in pursuing that course of events. Two groups of people in the professions would be very much involved in that; namely, those in the teaching profession and those in the social worker-social welfare profession. Both of these groups establish caring and pastoral relationships with their clients.
In my experience of 27 years in secondary schools and with the knowledge of my wife's experience of 22 years, I can speak of situations where young people convey concerns about the home situation, sexual abuse, physical punishment, and all manner of things, and in reporting these matters a trust exists between the teachers and the students. If one said to those teachers, "You must always report that to a police officer." I would say that the children in those groups or in those schools would lose confidence in the teachers concerned.

One can also argue that case for someone who is working as a social worker in a welfare agency receiving information which could be passed on to a protective investigator. Those people are also in situations of trust as professionals with their clients and what to do with that information is often very difficult and disturbing.

I take up a further issue—and I have actually referred to the Minister for Community Services a case that he will no doubt remember—where an investigator is examining an alleged case of child abuse. The claim to which I referred was found to be erroneous and false. I argue that quite often people lay false reports—there may be divorce—and parents, perhaps, or neighbours are vindictive—and when those claims are found to be false, I believe the matter should be expunged from the public record. In principle that shows the sensitivity of the situation where we want to protect the child, but we also must protect the parent from vindictive and false reports.

The subject is also serious from the point of view that child abuse begets child abuse. The statistics and evidence demonstrate that children who are abused in their childhood become themselves abusers of children in the next generation. There is no doubt that we have to break that cycle. Like all honourable members, I believe we need proper resourcing and, if we are to get an excess of reports of child abuse, we will need a lot of investigation and courts available to discuss the cases and examine the situation sympathetically.

I shall provide an example. Let us assume a father is abusing his child and that is found to be a fact. Does the court say, "Take the father out of the home and leave the mother as a supporting parent on a reduced income with more difficult and social problems"? It is a very real and difficult decision. In overcoming the child abuse, one may be creating further difficult situations for the family.

Recently a 60-year-old constituent told me that she had recently discovered that her three daughters, aged from 32 to 38 years, had been abused by their father and that she had been unaware at the time. She also said that the three daughters individually were unaware of what was going on. Abuse like this scars people all their lives and young girls suffer most of all.

I direct the attention of the House to the fact that child abuse, especially sexual abuse, which was investigated by the Legal and Constitutional Committee victims of crime subcommittee, is something which carries over from generation to generation. It is something that lingers on with people all their lives; it scars them, harms them, and destroys them.

I am supportive of the government's thrust in the proposed legislation but I have a word of caution and, to sum up what other speakers have said, let us not rest once the legislation has passed; let us see if we can implement the task with proper protective interference through proper counselling. I know the Community Policing Squad performs an excellent job. Perhaps it could be involved. We need an extension of court facilities, and we must be careful that we do not damage parents who are accused because of someone's malicious way of approaching the situation but found to be not guilty.
I commend the Bill to the House. I believe we may be able to look back to this debate as representing a beacon piece of proposed legislation that will lead the way to improvements for children in Victoria, perhaps in Australia, in the years to come.

Mr NORRIS (Dandenong)—I support the Bill.

The ACTING SPEAKER (Mr Kirkwood)—Order! I am pleased to see that the honourable member's microphone is working better than that of the honourable member for Sandringham.

Mr NORRIS—I suppose one of the difficulties in this modern age—and most politicians would agree—is that, despite this being the age of electronics and technology, at almost every function one attends the microphones do not work. It is one of those strange things. One hears recordings of people like Sir Robert Menzies, or Chifley, and the microphones always seem to work. However, today, with all our technological wizardry, no matter where one goes there is something wrong with the microphones. One takes potluck in this place—sometimes one's microphone works and sometimes it does not. I am lucky tonight.

I am proud to support the proposed legislation and I congratulate the Minister for Community Services and the government for introducing it. As ever, in this debate it is interesting to listen to the contributions of other honourable members. I have always found, since becoming a member of this place in 1982, that the contributions are very studied, thoughtful, and educative. This debate has certainly lived up to the reputation of debates of this nature in the past.

The record of the government in this very difficult and emotional arena of children and young persons' legislation has been good; it has been better than good—it has been second to none. As honourable members are aware, the original proposed legislation was introduced twelve months ago, based on the report of Dr Terry Carney of Monash University, who addressed the massive social problems in the community including child neglect and child abuse.

They are the main areas that grab most of us. As honourable members know, child abuse and child neglect are, unfortunately, problems that have been with us since the dawn of time. To all honourable members, and the overwhelming number of people in the community, it is an issue that is almost incomprehensible. It is certainly a subject that raises the anger and passions of most men and women because the sad thing is that this abuse is perpetrated on helpless victims by people entrusted with their care—either their natural parents, their guardians, or the partners of natural parents.

A great deal of anger and emotion, especially in recent weeks and months, has been raised over these issues. The subjects have received a lot of very good media coverage, but some very sensational media coverage has been generated.

The common factor in any debate on child welfare or child neglect is the child, the defenceless person entrusted to the care and protection of older persons.

Child abuse is as old as time itself and one must ask: is the practice of child abuse and neglect growing or is it that we are more aware of this abuse? I believe child abuse has remained at a constant level but that the community is better informed and is aware of the unfortunate numerous instances that occur.

Community standards have changed. In my childhood parents regularly beat their children, often very hard and viciously. One was often beaten hard and viciously at school. I was certainly beaten hard and viciously by the De La Salle brothers of St Ignatius. Standards and perceptions of cruelty have altered for the good and people have become more sensitive and aware of the rights of children.
The factors related to child neglect and child abuse are poverty, the stress of modern society, family breakdowns, and alcoholism. Conscious efforts must continue within society to help relieve families and parents of the social pressures which exist and which manifest themselves in the abuse of children.

The government’s record in this area is second to none. I congratulate the Minister for Community Services for the recent package of measures that he announced and I shall remind the House what they were. The main initiatives were a 24-hour child protection service established in Melbourne and the major regional centres of Geelong, Ballarat and Bendigo; the injection of $7.2 million; the employment of 118 additional staff members in the Child Protection Unit of Community Services Victoria; the establishment of a central register of child abuse cases under the supervision of the Public Advocate; and extensive professional education—that is very important—to raise awareness about child abuse and to help professionals recognise and deal with cases of child abuse.

The establishment of the central register of child abuse cases is an excellent initiative. If a child is presented at the casualty ward of one of our major hospitals suffering from injuries or bruises, staff members can immediately check the central register to see whether the child has presented in the past with similar injuries. That is a sensible device and it is amazing that it has not been introduced earlier. Another excellent initiative is the child protection service that will be linked to staff in the Child Protection Unit which can respond to crisis situations when children are in danger.

I remind honourable members that these measures were taken by the Minister at the same time as proposed legislation was introduced into the House of Commons of the British Parliament. New reforms, including an office of child protection, have been introduced in Great Britain. An allocation of $16 million was made to train additional child protection staff and welfare officers. Great Britain with a population of approximately 65 million people, has allocated an additional amount of $16 million; and Victoria, with a population of 4.5 million, has allocated an additional $7.5 million; and the Treasurer announced today, in his Budget speech, that an additional $10.6 million will be allocated to that area.

The British legislation was introduced in the wake of the Cleveland disaster. Honourable members will be aware that the Cleveland disaster involved two overzealous doctors, one an Australian, who used a dubious and controversial medical examination, known as the anal dilation method, to discover whether the children had been abused. The doctors removed 121 children from their families.

Some honourable members may have viewed a splendid documentary of the Cleveland disaster on Panorama. It was a fascinating but distressing experience for the majority of those 121 families who had their children summarily removed from their care. They were placed in a helpless situation in attempting to get their children returned to them. Not only did it cause irreparable emotional damage to the children and their parents, but it split many families because invariably the fathers were accused of sexual abuse. Cleveland is a small area around Middlesbrough in the north of England. Some parents suffered great financial difficulties in fighting the issue through the courts. After years of trauma, 98 of those 121 children were subsequently returned to their parents’ custody.

The Cleveland experience underlines the extreme dangers that lurk in the delicate area of child abuse and neglect. The Cleveland disaster resulted from overzealous medical practitioners and social workers who adopted a knee-jerk reaction, “You are wrong and I am right.” Lessons can be learnt from that unfortunate event for all of us, but the proposed legislation provides a balance between the Cleveland disaster and a non-caring attitude.
Much has been said and written about the contentious issue of mandatory reporting. The honourable member for Syndal signalled a proposed amendment by the Opposition to implement mandatory reporting of child abuse. The honourable member for Swan Hill, representing the National Party, said that his party would oppose mandatory reporting. It is a contentious and emotional issue, and on a quick examination one is attracted to it. The Brotherhood of St Laurence prepared a most interesting report that opposed mandatory reporting of child abuse cases.

As the honourable member for Swan Hill mentioned, clause 64 deals with notification of a protective intervener. I was once responsible for intervening in a situation and reporting a family for child neglect that was bordering on child abuse. I remember that I was absolutely torn apart as to whether I should report the family. Eventually I did so. After a thorough investigation, the children were removed from the family for a time. I am sure I did the right thing. In a way, I was acting as a protective intervener. Eventually, when the family got sorted out, the parents realised that, in the long run, what occurred was the best for them and their children. The children returned home after a time and the family has continued to live together. Intervening in and reporting such a case is a difficult and emotional thing in which to be involved.

As I said, the Brotherhood of St Laurence produced a report in which it opposed mandatory reporting. The brotherhood believed this could induce an attitude of witch-hunting and mutual suspicion of parent and worker and could almost set up an atmosphere of opposition and anger between the family and the professional. Mutual trust is an important basis for effective child welfare work and legislation.

The experience with mandatory reporting in the United States of America has been interesting. Mandatory reporting was introduced in that country in about 1963. The experience seems to point out the incidence of child neglect rather than child abuse, because most of the instances reported seem to be clearly divided along social lines. The poor and minority groups appear to be targeted. The figures are absolutely and manifestly inequitable. They seem to show that if one is poor or part of a minority group one is more likely to be targeted under the American mandatory reporting system.

The report of the Brotherhood of St Laurence states that the poor and the minority groups have been overrepresented with mandatory reporting procedures to such an extent that the law has been attacked as an unfair means of highlighting the issues of equity and redistribution of wealth—in other words, poverty.

In the United States of America, in 1984, 65 per cent of the cases reported under the mandatory reporting system could not be substantiated. That is one of the main arguments against mandatory reporting—the massive number of cases reported that are not substantiated. Social workers' precious time is taken up in following up these false and often vindictive reports on families. Hundreds and thousands of families in the United States have been subjected to harassment, unfair investigation and intimidation following reports that could not be substantiated. I emphasise again that 65 per cent of the cases reported in the United States were not able to be substantiated.

Under the New South Wales mandatory reporting scheme, 70 per cent of reports made in 1985–86 were not substantiated. That represents 5 per cent more unsubstantiated reports in New South Wales than in the United States. In Victoria, where mandatory reporting does not operate, only 33 per cent of those cases reported were not able to be substantiated as compared with 70 per cent in New South Wales. As in the United States of America, it was the poor and underprivileged families in New South Wales that came under scrutiny and were targeted under the mandatory reporting scheme.
As everyone knows, child abuse and child neglect know no social barriers. As all responsible reports will show, there are as many instances of neglect and abuse in the wealthier families as there are in the poorer families. The experience of mandatory reporting indicates that the people who tend to be targeted are the poorer families.

Mandatory reporting has now been abolished in New Zealand. Under the new Children and Young Persons Act introduced in New Zealand, the Minister for Social Welfare, Dr Cullen, said that mandatory reporting has symbolic value but has been proven ineffective in dealing with child abuse; that it is not a substitute for good community education programs and effective services.

The Bill now before the House will prove to be effective and the range of measures already introduced and put in train by the Minister for Community Services will provide the means to ensure that the resources are available to train and educate the appropriate people to combat this distressing and ever-present social phenomenon or social evil of abuse and neglect of children.

I should like to conclude my remarks by quoting Ms Jan Carter from the Brotherhood of St Laurence, who put the family situation very well:

For some children, home is a very dangerous place... Given that a lot of abuse is about stress, it is obvious that people need other ways to deal with their stress. Ten to fifteen years ago, the stress of living with small children was just starting to be acknowledged by the public. But now there has to be more acknowledgment of parents who are feeling vulnerable with teenage children. They need backup support. A lot of kids feel they are the victims in reconstructed families. In some cases, parents re-partner with greater speed than is best for the children; the whole set of circumstances is inherently stressful.

Ms Carter puts the situation very well.

I take the opportunity once again of congratulating the Minister for Community Services and the government on the appointment of Mr Justice Fogarty as head of the Victorian Family and Children Services Council. He is an excellent choice; one could find no better. Those of us who have had the privilege of meeting Mr Justice Fogarty believe he is admirably suited to his task of advising the government on ways of improving children’s welfare and family services.

The Bill is a cornerstone of the government’s program to reform child welfare services and practice in our State. The Minister has done an excellent job and has been very sensitive in this extremely difficult area of the welfare of children and young people. I support the Bill, and I am sure my words will be echoed by honourable members on both sides of the House.

On the motion of Mr WEIDEMAN (Frankston South), the debate was adjourned.

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

ADJOURNMENT

Port of Geelong Authority—South-West Region Support Group for the Handicapped Inc.—Management plan for Gippsland Lakes—Proposed subdivision of Knoxfield land—Heaters provided by Ministry of Housing and Construction—Treatment for drug addicts—Nunawading horse and pony club

Mr MATHEWS (Minister for Community Services)—I move:

That the House do now adjourn.

Mr CROZIER (Portland)—In the absence of the Minister for Planning and Environment, who is the representative in this place of the Minister for Transport, I direct my remarks to the only remaining member of the government’s frontbench, the
Minister for Community Services. I ask him to direct my remarks to his colleague, the Minister for Transport in another place. My concern relates to the activities of the Port of Geelong Authority or, more particularly, the stevedoring arm of that authority. That may seem a strange matter for me to raise, but it will seem not so strange when I briefly outline the background.

On 18 August a freighter by the name of *Tai Yang* will be loading her cargo of scrap railway line from Portland. The agent for this exercise is a company or organisation called Asia World, which is acting for the exporter, a company known as Steel and Alloy International.

By coincidence, approximately two months ago a similar cargo was loaded at Portland on account of a company under the name of Steel and Alloy Australia/Asia Pty Ltd. I understand that company is now in receivership but that the principals of Steel and Alloy International are identical with the principals of the failed company Steel and Alloy Australia/Asia Pty Ltd.

My queries, apart from any impropriety concerning the coincidence are, firstly, whether the Port of Geelong Authority stevedoring arm is competing on a fair and equitable basis with other commercial stevedoring organisations. I have some reservations about a port authority getting into the stevedoring business; it is, after all, privatisation in reverse or, to put it another way, a thrust towards nationalising the stevedoring industry; and that is how it is being viewed by many people in the shipping and stevedoring business.

Therefore, my first question concerns the nature of the competition. If it can be demonstrated that the competition is fair and equitable, I dare say the stevedoring arm of the Port of Geelong Authority passes the first test.

The second question is: provided that it is fair and equitable, is it making a profit on this contract? If it is not, it is certainly in conflict with the stated objective of the government’s Budget Paper No. 5 on page 336 dealing with Program No. 696 relating to port management. The Budget Paper says, among other things:

> A financial objective is to progress towards full cost recovery from the users of port facilities and services.

That is a perfectly admirable objective but, if a profit is not being made on this contract, clearly it is in conflict with that stated objective.

Finally, I should like to know from the Minister for Transport whether V/Line—presumably the vendor of the scrap railway line—has been paid for the scrap material which was purchased by Steel and Alloy Australia/Asia Pty Ltd, which provided the cargo to which I have referred, and which was loaded approximately two months ago.

Mr J. F. McGrath (Warrnambool)—I raise a matter for the attention of the Minister for Community Services and I ask the Minister for Sport and Recreation to pass on my concern to him. It deals with the South-West Region Support Group for the Handicapped Inc. in Warrnambool and its endeavours to find a satisfactory meeting room for its regular meetings and other activities.

The support group was established in 1975 and serves not only the Warrnambool area but also a large area of south-western Victoria by supporting disabled children or relations who need some form of support, whether it be practical support in terms of aids for the disabled or counselling. It also has a big toy library, and many support facilities have been made available through the group for the handicapped.

Over the years it has operated out of the Early Childhood Development Centre in Koroit Street which is in the centre of Warrnambool and which is useful in terms of
public transport availability. The group has had no problem operating there for many years now.

However, in recent times the centre has been refurbished and Health Department Victoria has now taken a significant role in the operation of the Early Childhood Development Centre and, although the support group still has some access to the centre and some of the rooms, it does not have access to the large area or the meeting room. These areas have been locked off by members of Health Department Victoria, supposedly in an endeavour to try to contain some of the department's costs and to build efficiencies into the system.

I should add that the closure of these rooms came about because one night all the lights were left on and the building was left unlocked. The blame has been directed at one of the volunteer organisations using the building, whereas it is my understanding that it can be proved that it was the fault of a member of Health Department Victoria who actually left without turning out the lights or locking the building.

The result was the installation of a heavy steel door between the access part of the centre and the meeting room, which has now denied access to the support group for the handicapped.

The group has made approaches on this issue and has been told in no uncertain terms that, because it receives some $7000 a year in funding from Community Services Victoria, that department should provide a meeting room. Community Services Victoria does have a good office structure in Warrnambool but one of the problems is that it is a split-level centre without access for disabled people, so it would not be practical for it to be used by the support group for the handicapped.

I seek the Minister's intervention in what is obviously a bureaucratic decision that has forced the South-West Region Support Group for the Handicapped Inc. out of the Early Childhood Development Centre. I understand from one of the members of staff there that a Karen Buchanen, who has overall administrative responsibility for that building, makes the rules and what she says is law, according to my source. That may be so, but I ask the Minister for Community Services whether he will immediately make inquiries into a group that he sees as fit to service a valuable part of our community—the disabled—to see whether the decision can be changed so that the group can continue to use the centre, particularly the meeting hall which it has used since its establishment in 1975.

Many of these people hold positions on the committee and need to have access to the committee meetings and other meetings that evolve around the support group. It is disappointing that one government department is contravening the activities of another, leading to restrictions in services for the disabled.

Miss CALLISTER (Morwell)—I raise a matter for the attention of the Minister for Conservation, Forests and Lands, who is represented in this place by the Minister for the Arts. It concerns the Gippsland Lakes, and, firstly, I congratulate the Minister on appointing a committee to develop a management strategy for the Gippsland Lakes.

The committee is called the Gippsland Lakes Consultative Committee and has as its chairperson Mr Barry Pullen. It involves scientific representatives as well as local representatives. Its task, as I said, is to prepare a management plan for the lakes and it has been asked to do this by August 1989.

I note that Opposition members are interjecting with some derisive comments but I advise them that the appointment of the committee has enjoyed wide community support within Gippsland, and it is my understanding that it is supported by the other two parties as well.
Mr Richardson—What action are you asking for?

Miss CALLISTER—I shall come to the action I require from the Minister as soon as I have mustered all of the facts to justify my request.

The committee will no doubt develop short, medium and long-term measures for adoption by departments, agencies and individuals whose activities impinge on the lakes system. As it is a management planning exercise, the committee will be concerned chiefly with examining desirable controls over land use, tourist activities, river management and things of that nature. In other words, its job will be to coordinate a strategy to improve the lakes and to reduce the negative impact of human activities that affect the Gippsland Lakes system.

There will obviously be a need for a strong and vigorous community education program. Recently, I was discussing this aspect with a member of the Mid Gippsland Rivers Management Board who made a positive suggestion. He advocated that a project kit be devised for use by schools in the region to examine the lakes and the river system that serves it and the impact of people on the environment of the lakes. For example, a case study of the Latrobe River would lead to an understanding of the impact of goldmining on the river and ultimately on the lakes, the impact of agricultural activity in the area served by the Latrobe River and its tributaries, as well as the effects of intensive urbanisation that are evident in the state of the Latrobe River in the 1980s.

The development of a kit for use in schools would be of benefit to individuals in the region and the community. It would help foster an awareness of the whys and wherefores of improved management practices on the lakes. I ask the Minister to approach the Minister for Conservation, Forests and Lands and the Minister for Education to request that they allocate resources to prepare a suitable kit for use in schools in the region to develop an understanding about the Gippsland Lakes and the tributary system that feeds those lakes. Some other kits that serve as useful models are “Fireguard”, “Trees and Forests”, the kit about Victoria’s timber resources; and “Streets Ahead”, the Road Traffic Authority kit.

Mr LEIGH (Malvern)—I raise a matter for the attention of the Minister for Planning and Environment, and I hope the Minister for Conservation, Forests and Lands in another place will also take action on the matter. It concerns proposed amendment No. 296 to the City of Knox Planning Scheme, which will allow the bulldozing of some magnificent bushland in the City of Knox. The land was formerly used by the Knox Horticultural Research Institute. It is to be subdivided by the Urban Land Authority. Although I am aware that some bushland is to be saved, it appears, once again, that “Noddyland” is to take precedence as the proposal is to bulldoze the best land and keep the worst land, which is typical of the government’s attitude.

In raising the matter I should like to know what government members representing that area are doing about it. On 10 August 1987 Mrs Judy Dixon, representing Boronia Province, wrote to the then Minister for Planning and Environment, now the Minister for Transport, and stated:

As outlined in this submission, the land remains as an example of mature bushland, rich in botanically significant indigenous vegetation, close to Melbourne, and its destruction would deprive present and future generations of an irreplaceable asset.

When so much emphasis is being placed on the creation of urban forests, it is difficult to justify the removal of existing bush which is unique in its composition.

I have tried to establish what the attitude of the honourable member for Wantirna is on this issue, but have had some difficulty. It seems the honourable member is ready and willing to involve herself in phoney home interest association groups and pulling
down signs against the law, but when it comes to saving unique bushland in her own community she is hiding under a government-owned desk in her electorate office. It is a disgrace that the local member, who supposedly represents the people of that community, is not prepared to put her money where her mouth is so often. The honourable member screams loudly but does not do much when it comes to real issues.

The Opposition is too often accused by the government of being negative and never being positive. Although I do not accept that criticism, I am delighted to be able to quote a letter from the Leader of the Opposition to the Mayor of the City of Knox indicating what an incoming Liberal government will do with the land. The letter from the Leader of the Opposition, dated 29 July 1988, states:

If there are no legally binding agreements for development relating to the land in question at the time of the next State election, the Liberal Party will immediately enter into negotiations with council for the Urban Land Authority to resell the land back to council at the cost it was sold to the Urban Land Authority, plus CPI since the date of sale.

That is a positive attitude on the part of the Opposition. The Liberal candidate in Wantirna, Mr Rob Llewellwyn, can stand up on behalf of the local people when the present member is collecting a salary on what I believe are clearly false pretences. I cannot wait for the day of the next election, in November or whenever it is, when my colleague, Mr Llewellwyn, will be elected to the Wantirna seat and the current honourable member for Wantirna will be ousted.

It is up to the Minister for Planning and Environment and the Minister for Conservation, Forests and Lands to do something about the matter.

Mr SHELL (Geelong)—On a point of order, the references that the honourable member for Malvern has been quoting have nothing to do with government administration and are, therefore, out of order in this debate.

The SPEAKER—Order! The honourable member for Malvern has raised a matter for the attention of the Minister for Planning and Environment, which was indicated early in his contribution. He has substantiated those remarks with the catalogue of events that he has been ploughing his way through. He has 21 seconds in which to complete his contribution. I do not uphold the point of order.

Mr LEIGH (Malvern)—I have finished my remarks. It is typical of the attitude of the honourable member for Geelong to be so frivolous.

Mr W. D. McGrath (Lowan)—The matter I raise for the attention of the Minister for Housing and Construction relates to a letter I received from Ms Tamari Peacher, a tenant of a Ministry of Housing and Construction residence at Rupanyup, and three other Ministry tenants. The letter indicates that four of the people concerned have sent a submission to the Ministry of Housing and Construction regional manager for Ballarat, Mr Mick Murrihy, who does his job well. I know Mr Murrihy well and I am thankful that he holds that position.

I consider he may need assistance in overcoming the problem that has been outlined to me in this submission. It relates to the heaters that are installed in the premises, and it is not the first time that this matter has been brought to my attention. The electric space heaters provided have no heat storage, only a fan, and are extremely expensive to run. Ms Peacher claims that when she was living in Warracknabeal the electricity account for three months was less than the account for one month in the new premises at Rupanyup in which she is residing.

One of the problems with the modern constructed homes within the Ministry of Housing and Construction is that they have large window areas that allow heat to
escape. Perhaps the designs of these houses could be reinvestigated and alterations made.

The tenants of these homes wish to install wood heaters. They can obtain assistance from the local Jaycees and Lions clubs, which will supply wood to them at reasonable prices. Wood is a much more efficient and cheaper form of heating than electricity in the country.

I was informed that one tenant, Mrs Julie Lynch, who has a child and receives only the supporting parent’s benefit, is unable to keep up the payment of quarterly electricity accounts. Not only do Mrs Lynch and other tenants have difficulty paying electricity accounts, but these accounts are substantially increased by the fan-operated space heaters.

I urge the Minister for Housing and Construction to take a realistic approach to this problem. Perhaps he can undertake an investigation into what can be done on behalf of these residents so that they can best utilise the pensions they receive.

Mr SHELL (Geelong)—I refer to the Minister for Planning and Environment, as the representative of the Minister for Health in another place, the methadone treatment for drug addicts and users in Geelong. Last Saturday I visited a chemist in Geelong who took me to speak with a couple who are drug addicts. They are a married couple with four children. In their home I also met two other people who are drug addicts. These people are most anxious to lose the drug habit.

The problem in Geelong is that currently only eighteen people are being treated with methadone by chemists. Because of the nature of the treatment, these chemists need to be open seven days a week. Three chemists in Geelong provide that service. Of the eighteen people being treated, nine are treated by one chemist, six by another and three by the third. Because of the nature of the clientele, chemists must have constant security arrangements to make sure that drugs and other goods are not stolen from their shops.

The problem for drug addicts is that so few of them are able to obtain methadone treatment. I understand the health industry has some concerns about the effectiveness of methadone treatment. However, the alternative for drug addicts is to stay on drugs because if they do not, they experience what they term “hang-outs”—they suffer from extreme pain, they have hot and cold sweats and vomiting and diarrhoea attacks.

It costs approximately $800 a day for a drug addict to support the habit. That money must come from somewhere, and it is obvious that the addicts turn to crime. It would appear that the majority of house burglaries and other crimes committed in the Geelong area are drug related.

The government has the opportunity of solving this problem for drug addicts. Methadone treatment may not get addicts off drugs straight away, and it is not suggested that it should because of the adverse effects. However, the chemists have suggested that a clinic be opened at the Geelong hospital and staffed by chemists on a voluntary basis seven days a week.

It is estimated that 100 people in Geelong are addicted to drugs and that the number of drug users is far in excess of that. Drug addicts must be taken off drugs in the easiest and cheapest way possible. The dispensing of methadone costs between 60 cents and $1.30 a dose. Providing access to methadone treatment at the Geelong hospital will remove the necessity for the chemists to make strict security arrangements at their chemist shops and they will be able to treat far more people than is currently done. I ask the Minister to take note of this suggestion and to implement it, if possible.
Mr RICHARDSON (Forest Hill)—I direct a matter of urgent concern to the Minister for Sport and Recreation. I ask him to intercede with his Ministerial colleague, the Minister for Transport, on behalf of the Nunawading horse and pony club which faces extinction because of the decision by the Ministry of Transport, which has been conveyed by the Minister for Transport with his own signature, to sell land occupied by the Nunawading horse and pony club for many years.

I know the Minister for Sport and Recreation has taken a great interest in the Nunawading horse and pony club in previous years and I know he has an interest in the activities of horse and pony clubs throughout Victoria and is familiar with the good work done by the Nunawading horse and pony club, especially in the provision of riding for the disabled. It is significant to note that the patron of riding for the disabled is the wife of the Premier.

The Nunawading City Council wishes to buy the land, now occupied by the Nunawading club, which is owned by the Ministry of Transport. The council has made it clear to the Minister that it is unable to do so at the present time and has asked that an extension of a couple of years be granted to enable the Nunawading City Council to complete the outlays to which it is already committed. The council has also made it clear that the next substantial outlay of purchase of public land should be that land on the Healesville freeway reservation which is partly occupied by the Nunawading horse and pony club and which provides services for the entire community, as a passive recreational area.

Mr RICHARDSON—I ask the Minister to act on behalf of the community in this regard.

Mr TREZISE (Minister for Sport and Recreation)—I thank the honourable members who have raised matters for the attention of Ministers. I shall refer the matters to the respective Ministers. I refer to the honourable members for Portland, Warrnambool, Malvern, Geelong and Forest Hill.

Mr CATHIE (Minister for the Arts)—The honourable member for Morwell raised the matter of the appointment of a consultative committee to prepare a management strategy and plan for the Gippsland Lakes which will seek to enhance the environment and amenity of that very important region in Victoria.

The honourable member for Morwell suggested that a community education program could proceed with the preparation of a schools project kit. In the northern parts of the State, along the River Murray, schools have been involved in salinity projects because of the nature of that environment. The proposal for the preparation of a schools project kit is very worthwhile and I shall take it up with the Minister for Conservation, Forests and Lands.

Mr WALSH (Minister for Housing and Construction)—The honourable member for Lowan raised a matter concerning four tenants of the Ministry of Housing and Construction at Rupanyup.

He referred to the cost of burning electricity in their heaters. I do not know whether they are space heaters which have heat banks installed in them. There have been problems in other estates where officers of the State Electricity Commission of Victoria or of the local council have gone out to teach the tenants how to operate their heaters.
I shall have an officer of the Ministry of Housing and Construction investigate the matter as I am concerned about the high cost of electricity for people using their heaters in Ministry of Housing and Construction accommodation.

The motion was agreed to.

The House adjourned at 11.13 p.m.
Wednesday, 10 August 1988

The SPEAKER (the Hon. C. T. Edmunds) took the chair at 2.4 p.m. and read the prayer.

TELEVISING OF PROCEEDINGS

The SPEAKER—Order! I advise the House that I have given permission to Channel GTV9 to film question time today. It will be done on the usual shared basis on behalf of other television channels and under the established guidelines.

ABSENCE OF MINISTERS

The SPEAKER—Order! I advise the House that the Minister for Labour, the Attorney-General, and the Minister for Planning and Environment will be absent during questions without notice.

QUESTIONS WITHOUT NOTICE

NURSING HOME BEDS

Mr KENNELLT (Leader of the Opposition)—Is it a fact that at the last State election the Premier promised to provide 1000 additional nursing home beds? Is it also a fact that those beds have not been provided and that the current Budget provides for only an additional 240 beds?

Mr CAIN (Premier)—I am delighted that the Leader of the Opposition has at least commenced to read the Budget; if he does read it, he will see it is an outstanding Budget, one that has been acknowledged by all commentators as meeting the needs of the people of Victoria. That is the way the government framed the Budget. A host of initiatives of the kind to which he referred are met in the Budget.

Mr Brown interjected.

Mr CAIN—Yes, transport is there too. Just commence reading; honourable members will see the comments made about the Budget by commentators, about it being a sensible and model Budget; that it is an intelligent and responsible Budget. All those things are there; I read them. I also read the letters from honourable members opposite; they are always asking for more.

Honourable members interjecting.

Mr CAIN—If honourable members want me to, I shall do that. As to the kinds of things that the Leader of the Opposition is talking about—nursing homes and other capital initiatives—last week I invited honourable members opposite, after I had spoken about capital works and their concerns about the debt level, to tell me which projects they wanted me to stop but not one word have I heard.

Mr Brown interjected.

Mr CAIN—It would be one thing if honourable members wrote to the Ministers concerned and said, “I want this project or that project.” but many honourable members opposite write to me.
Mr Kennett—Answer the question.

Mr CAIN—I am answering the question. I am telling the Leader of the Opposition that the government is meeting the reasonable needs of the community in a whole range of initiatives, and at the same time borrowing money to do it—he whinges about that!

Mr Kennett—Why don’t you answer my question?

Mr CAIN—The Leader of the Opposition has some obsession about debt that his predecessor did not have. His colleagues get behind him and mouth the same platitudes. At the same time they write to me, and make big fellows of themselves! They do not write to the Ministers concerned; they say, “I have written to the Premier.” They write asking that the government give priority to projects that they want instituted. The Leader of the Opposition has the gall to stand there, as has the Leader of the National Party—

Mr ROSS-EDWARDS (Leader of the National Party)—On a point of order, Mr Speaker: a question was asked but the Premier is debating the entire Budget. He is giving no consideration to the question at issue.

The SPEAKER—Order! I allowed the question, which invited the Premier to anticipate the debate on the Budget; I believe he is now commencing to debate the subject. I do not intend to uphold the point of order, having allowed a question that actually invites a debate in anticipation of the debate still to come before the House.

Mr CAIN (Premier)—I think the government has done a terrific job on nursing homes, and everything else. The government has done a terrific job despite the carping and whingeing opposite about borrowing money for capital works to do that. You are a heap of hypocrites, and I will tell you why—

The SPEAKER—Order! The Premier has used the expression, “You are a heap of hypocrites.” The use of the word “hypocrites” is unparliamentary and in its general sense, as it was used, I rule that it should not be used. It should be withdrawn.

Mr CAIN—I withdraw the term. I shall explain it this way: while, on the one hand, the Opposition is carping and whingeing about the government borrowing money to provide capital works programs for nursing homes and other projects, on the other hand, it refuses to tell me which projects undertaken in the wide capital works program it wants stopped. If the Opposition had the courage of the things it says about debt levels behind the backs of the honourable member for Brighton and the Leader of the Opposition, it would tell me what it wants stopped. Nobody has done that, not one member has done that; when the Opposition does that, I will have some respect for it, not before.

VICTORIAN ECONOMIC DEVELOPMENT CORPORATION

Mr ROSS-EDWARDS (Leader of the National Party)—When did the Minister for Industry, Technology and Resources seek advice from the Solicitor-General about the Victorian Economic Development Corporation’s powers to enter into a sub-underwriting agreement? And will the Minister today make available that opinion?

Mr FORDHAM (Minister for Industry, Technology and Resources)—Yesterday, and no.

VICTORIAN HOUSEHOLD INCOME

Mrs TONER (Greensborough)—Has the Treasurer done any analysis of household income in Victoria and compared Victorian incomes with those in other States of Australia?
Mr Williams—Compare them with four years ago!

Mr JOLLY (Treasurer)—I thank the honourable member for Greensborough for her question, and I also thank the honourable member for Doncaster, who wants me to compare them with the position four years ago. I have analysed household income in Victoria and Australia, and I am delighted to report that in the past four years Victoria has moved ahead of the other States. The honourable member for Doncaster would be pleased about that because it answers his supplementary question.

If one compares the income position in Victoria for 1981-82 with that in the remainder of Australia, one discovers that the differential was 2 per cent. In other words, Victorian household income was 2 per cent higher than for the nation as a whole. If one examines the most recent period, taking the latest statistics available, one discovers that the 2 per cent differential has increased to 8 per cent. I am certain the honourable member for Doncaster would be pleased about that. Victoria has moved to an 8 per cent differential over the rest of Australia.

Mr Brown interjected.

Mr JOLLY—The Deputy Leader of the Opposition would also be pleased to learn that fact. Under the Cain Labor government that differential has increased even further to 8 per cent. In other words, household income in Victoria is now 8 per cent higher than for the nation as a whole.

This has not been purely accidental. It reflects the fact that Victoria has long-term economic policies, stimulating economic and employment growth. Victoria has successfully reduced the unemployment rate compared with the remainder of Australia, and that is why this State has the lowest unemployment rate in the country.

I have also had analysed the expectations for Victoria for the coming year. A number of ingredients suggest that Victoria will move even further ahead in 1988-89. The reasons for that are twofold: firstly, the expectation is that economic growth, as measured by non-farm gross domestic product, will be faster in Victoria than in the remainder of Australia. That is the first ingredient for increasing total income. The second ingredient is the fact that in 1988-89 the average unemployment rate will again be reduced. Putting those two ingredients together, the expectation is that the differential income position of Victorians is likely to improve once again in 1988-89.

Not only has Victoria exhibited outstanding performance over the past five years but also the year ahead looks to be an even better one.

UNALLOCATED FUNDS

Mr STOCKDALE (Brighton)—I refer the Treasurer to the provision of unallocated funds in the Treasurer's Advance, Program No. 729, and global borrowings totalling $100 million more than last year's Budget. Is this a $100 million slush fund to enable still more pork-barrelling in the forthcoming election campaign?

Mr JOLLY (Treasurer)—The question hardly warrants an answer; it is absolutely pathetic. If the Opposition wishes to debate the Budget, I should be pleased to do so. The question has been asked in relation to borrowings, but what has happened over the past six years? In real terms borrowings have been reduced in Victoria. One should examine why the Treasurer's Advance exists.

Clearly, the honourable member for Brighton—who I think happens to be shadow Treasurer, although I am not sure about it because he has the same foot and mouth problem as the Leader of the Opposition and enjoys lying about payroll tax, and he did it again yesterday—presumably believes the big lie is the way to try to convince
people of matters that are totally untrue. That is the way in which he has approached these matters.

Mr Brown (Gippsland West)—On a point of order, Mr Speaker, the supposedly honourable Treasurer has just referred to the honourable member for Brighton as having told lies. I personally take exception to that and ask the Treasurer to withdraw it unreservedly.

The Speaker—Order! I did not hear the Treasurer accuse the honourable member for Brighton of lying.

Mr Brown—He did.

The Speaker—Order! I understood him to say that he had used the words, “the big lie”. If the honourable member for Gippsland West finds the expression used personally offensive, I shall ask the Treasurer to withdraw those words.

Mr Jolly (Treasurer)—The Opposition has no respect for the truth, but if it is concerned about the words “the big lie”, I withdraw those words. The honourable member for Brighton has been untruthful. There is no doubt that untruths were told by the honourable member for Brighton about payroll tax. He said that there were increases in payroll tax when it did not increase at all. In fact, the average payroll tax rate was reduced.

Mr Stockdale interjected.

Mr Jolly—The honourable member for Brighton has lost control again. Members of the Liberal Party are in favour of the big lie because that is the only way in which they can put anything to the public. They have no respect for the truth whatsoever. That is what they are about—untruths and deliberate distortions. We had the example not only of payroll tax but also——

Mr Delzoppo (Narracan)—Mr Speaker, on a point of order, the Treasurer is debating the question and I ask you, Sir, to bring him back to order.

The Speaker—Order! Before I rule on the honourable member for Narracan’s point of order, the Treasurer used an expression which is considered to be unparliamentary when he used the words, “deliberate distortions”. I do not intend to ask the Treasurer to withdraw that expression as I do not find it offensive to the Chair.

On the point of order raised by the honourable member for Narracan, I rule in favour of his point of order and ask the Treasurer to come back to his response to the question.

Mr Jolly (Treasurer)—I was probably wrong in using the words “deliberate distortions”—it is probably due to illiteracy and incompetence. For six years we have witnessed reductions in the real level of borrowings in Victoria and the relative level of debt is falling.

In relation to debt, we are expecting a significant decline in non-farm gross domestic product by 27·9 per cent. That is much lower than when Sir Henry Bolte was in power in this State. The capital works programs are not only providing the necessary social and economic infrastructure, they are also one of the reasons why the Victorian economy was given a kick-start—it was lifted out of the economic trough to the stage where, for 61 months, Victoria has had the lowest unemployment rate. That is why we set the economic pace in Australia.
VICTORIAN ECONOMIC DEVELOPMENT CORPORATION

Mr HANN (Rodney)—Can the Minister for Industry, Technology and Resources inform the House whether the advice that he received yesterday from the Solicitor-General was written or verbal? If the advice was written, can he explain why he is not prepared to table that advice in the House?

Mr FORDHAM (Minister for Industry, Technology and Resources)—The longstanding view of the government and previous governments is that legal advice from the Solicitor-General and others should remain confidential to the Ministers concerned. I shall continue to follow that principle.

MOTOR REGISTRATION AND TRANSPORT ACCIDENT FEES

Mr SHEEHAN (Ballarat South)—Can the Premier advise the House of the impact recent changes in motor registration and transport accident fees have had on the cost of owning a car?

Mr CAIN (Premier)—This matter is of concern to members of the government even if it is not of concern to members of the Opposition. The government has been conscious of the cost of owning a motor car because nearly every family has one. Of the mainland States, Victoria has one of the lowest costs of owning a car—only in Western Australia is it cheaper. Victoria may have exceeded Western Australia if Victoria had chosen, because Western Australia has a no-fault accident scheme of the kind the Victorian government tried to have passed through Parliament. However, it was frustrated from doing so and this prevented Victoria from implementing a cheaper scheme. In Victoria, 90 per cent of people own cars and 50 per cent have access to more than one car. The costs of running a car increased steeply during the period of office of the former Liberal government.

Mr Delzoppo interjected.

Mr CAIN—The costs did increase. If the Leader of the Opposition will only listen, I shall explain it to him. In the last year of the former Thompson government, motor registration fees increased by 19·2 per cent; for the benefit of the Deputy Leader of the Opposition, I point out that third-party insurance increased by a whopping 15 per cent! That was the situation in the last year of the Thompson government. The Liberal Party is the party of high taxes and high charges. This rubbish it goes on with about easing the burden, is just talk. It never does it!

Mr Delzoppo (Narracan)—On a point of order, Mr Speaker, once again I direct to your attention Standing Order No. 127. The Premier should not deliberately debate the question, which he is doing now. I suggest that you, Sir, bring him back to order.

The SPEAKER—Order! The honourable member for Narracan continues to draw to my attention the Standing Order; I am well aware of Standing Order No. 127. I believe the Premier was reiterating a statement of facts regarding the historic position of previous governments. I ask the honourable gentleman to come back to the question.

Mr CAIN (Premier)—I was discussing the level of costs to motorists since the Labor Party came to office. This government has done everything possible to control motoring costs. The introduction of the transport accident scheme resulted in an initial increase in rates—one that was inflated implicitly by the Opposition’s insistence on amending the government’s original proposals. Now rates have been reduced and the scheme is working successfully.

Motor registration fees were reduced by $25 last year and in this Budget, as was announced some months ago, they will be halved this year. This will lead to their total
abolition next July. Drivers’ licence fees have increased by only 5 per cent in the past five years. That increase is very moderate. The result is that Victorian motorists will pay less to run their cars than motorists in every other State except Western Australia.

I shall give the comparative figures for each capital city of the total cost of motor registration, transport accident insurance and drivers’ licence fees incurred by a typical Ford Falcon owner—if I can use that as a fair average cost. The figures are: Melbourne $293; Sydney, $425; and Brisbane, $366. That shows that it costs $159 more in Sydney than in Melbourne; a considerable gap.

My friends on the corner bench do it even better. Victoria is the cheapest State for car owners living in country areas. I point out to my colleagues in the corner that it would have been even cheaper if the National Party had supported the government’s proposal on transport accident insurance. Unfortunately, the National Party put the vested interests of some narrow occupational groups ahead of the interests of country people who its members say support them in droves. I am not sure that that is right, but that is what they say.

The government has demonstrably kept the lid on the cost of motoring for the people of this State. I can compare that with what has happened north of the River Murray where they did a Greiner and let it rip. That is the same kind of thing that happened in this State under the previous Liberal government which seemed not to care about costs for motorists. That has all changed with this government and the trend will continue.

VICTORIAN ECONOMIC DEVELOPMENT CORPORATION

Mr MACLELLAN (Berwick)—I direct a question to the Minister for Industry, Technology and Resources. In view of his answers last week and this week about the Victorian Economic Development Corporation, can the Minister now confirm which of his answers is correct? I ask the Minister whether the answer he gave yesterday, that the VEDC was obligated from 6 November, is the correct answer or whether the answer he gave last week, that the VEDC became obligated under the sub-underwriting agreement as of the February meeting of the board, is the correct answer. Will the Minister now indicate which of those two answers is correct?

Mr FORDHAM (Minister for Industry, Technology and Resources)—For the past two weeks we have seen what is nothing less than an obsession of the Opposition on this matter. We have heard a succession of questions with a snide innuendo suggesting improper practices on my part. This has been a deliberate attempt to smear me, to smear the VEDC and, from the sort of scuttlebutt that is being fed to the press, to smear officers of my department.

Mr Norris—Disgusting!

Mr FORDHAM—It is nothing less than disgusting and I am amazed that someone such as the honourable member for Berwick would wish to wallow in a cesspool of his own making, full of half-truths and invectives. I have answered now question after question.

Honourable Members—All different.

Mr FORDHAM—I think the honourable member for Berwick at least knows that I have told the truth.

Honourable members interjecting.
Mr FORDHAM—If the honourable member for Berwick or any other honourable member chooses to make interpretations of the questions and answers that I have given, I suggest that he reread those questions and answers. Time and again I have gone through the events of November and February. If Opposition members wish to put those ridiculous interpretations on those questions, so be it; it is on their own heads. The facts speak for themselves. I stand by the answers I have given in the House.

WINTER ENERGY CONCESSIONS

Mrs HILL (Frankston North)—I ask the Minister for Industry, Technology and Resources to inform the House of the steps that the government has taken this winter to assist Victorians to meet their household energy bills?

Mr FORDHAM (Minister for Industry, Technology and Resources)—I commend the honourable member for Frankston North on her question because it is of relevance and of interest to her constituents. Frankly, I am surprised that over the past two weeks the National Party has been sucked in and has not asked one question about country Victoria.

Honourable members interjecting.

Mr FORDHAM—This is what the coalition is all about!

Honourable members interjecting.

The SPEAKER—Order! The Deputy Premier has got off to a great start with his response to this question and he has now introduced debate into his response. I ask the Minister to desist and to come back to his response to the question.

Mr FORDHAM—Thank you, Mr Speaker. The winter energy concessions are of interest to people right across Victoria. I am delighted with the responses received from the community. The winter energy concessions are one part of a range of concessions provided by the government for low-income families as part of its social justice strategy, in which it has great pride.

This year the winter energy concession will benefit more than 330,000 low-income households. The government will spend almost $18 million on these concessions, a significant increase of $4.2 million on last year. This is an increase of more than 25 per cent. Under the previous government, despite the need, these concessions were virtually nil.

The average concession this year is expected to be $61.24, an increase of $15.80 over last year; this makes a great difference for a pensioner. It is significant, and we are delighted to make this sort of impact.

The concession period has been extended to six months to fully cover the winter period when bills are at their highest. This is a significant improvement in the concession applying to electricity as it now covers two bills instead of one for all eligible households. This vastly improved concession to those most in need is a major social justice initiative.

The government has demonstrated by its Budget, its programs and all its thrusts that it is concerned about social justice and it is developing policies to respond to those most in need in our community. I have no doubt—and I have received support from honourable members on all sides—that the winter energy bills have a significant impact on low-income families and that the government's initiative is applauded and supported.
Regrettably, the Opposition has attacked this scheme, demonstrating not only a lack of feeling for the needs of low-income families but also a lack of understanding of the scheme itself. There is no doubt that the community at large is wholeheartedly behind the winter energy concession scheme, which makes winter more bearable for low-income families.

I assure honourable members that the government will continue to give priority to the needy in our community. A brochure has been produced by my department about this matter, and I am pleased to point out that it is available in fourteen languages, which demonstrates the government's commitment to multiculturalism. The brochure is available in Maltese, Polish, Serbian, Turkish, Spanish, Vietnamese, Chinese, Italian, Greek, Croatian, and so forth.

The government has made a genuine commitment to this matter, and it is to be regretted that the opposition parties and the Liberal Party as a whole in this country have not shown the same commitment to multiculturalism. Department after department and authority after authority have demonstrated that commitment and that will continue to be the case in the future.

PETITIONS

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

Dental services

TO THE HONOURABLE THE SPEAKER AND MEMBERS OF THE LEGISLATIVE ASSEMBLY IN PARLIAMENT ASSEMBLED:

The humble petition of the undersigned citizens of the State of Victoria respectfully showeth that:

The current level of public dental services is totally inadequate and, therefore, we request that the government immediately establishes an expanded public dental service at sufficient locations throughout Victoria to ensure access to all Victorians, particularly those on low incomes and other disadvantaged groups.

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

By Mr Lieberman (96 signatures)

Eltham cemetery

TO THE HONOURABLE THE SPEAKER AND MEMBERS OF THE LEGISLATIVE ASSEMBLY ASSEMBLED:

The humble petition of the undersigned citizens of the State of Victoria showeth:

We the Eltham Cemetery Support Group are concerned that the government intends to remove the permanent cemetery reservation from the land in Metery Road, Eltham, and offer it as open parkland to Montsalvat Trust.

Your petitioners therefore pray that the Legislative Assembly will support the unanimous recommendation of the MICA Committee and that the decision made by the Minister for Health that the land be made parkland be withdrawn and that the land be zoned for permanent burial.

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

By Mr Perrin (1196 signatures)

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

PAPER

The following paper, pursuant to the direction of an Act of Parliament, was laid on the table by the Clerk:

CONCURRENT DEBATE
Magistrates' Court Bill (No. 2) and Magistrates' Court (Consequential Amendments) Bill

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

That this House authorises and requires Mr Speaker to permit the second-reading stage of the Magistrates' Court Bill (No. 2) and the Magistrates' Court (Consequential Amendments) Bill to be moved and debated concurrently.

I ask the House to agree to the normal procedure where two Bills have been introduced separately, for obvious reasons, but should be considered as a single entity. Separate considerations will apply during the Committee stages of the Bills.

The motion was agreed to.

PUBLIC AUTHORITIES (EQUAL EMPLOYMENT OPPORTUNITY) BILL

The debate (adjourned from October 8, 1987) on the motion of Mr Cain (Premier) for the second reading of this Bill was resumed.

Mr KENNETT (Leader of the Opposition)—The Opposition will support the majority of the provisions of the Public Authorities (Equal Employment Opportunity) Bill, with one glaring exception—clause 10, which provides for employment quotas in the Public Service. That provision takes the concept of equal opportunity well beyond the community expectation.

Many changes are taking place in our society. Women will continue to comprise more than 50 per cent of the population through to 2021. Many females are now marrying at a later age, they are having their children later in their lives and they are having fewer children than previously occurred. Many females are staying longer in the workplace. They continue with the careers they held prior to marriage, after marriage and after having their children; and many females re-enter the work force after having their children.

Women should be given opportunities in our society that are in line with normal community expectations. They should be able to have their children at their leisure, to rear their families, and to have their careers continue, based on merit rather than on seniority or on any other factor.

It is also true that, in a democratic society, the Liberal Party believes very much in the individual. Individuals, be they male or female, should have not only opportunities but also responsibilities; given that they have met those responsibilities, they should have equal rights in our society. That has not always been the case in years gone by, but there is a changing attitude and an understanding and acceptance of the rights of the individual, regardless of gender.

There is no doubt that, as an individual, every woman in Victoria plays a leadership role in the development of our society. How that woman exercises her rights to fulfil her goals is entirely up to the individual involved. Whether women are involved with their families at home, in broader community work or in the workplace, they all make vital and valuable contributions to our society. Therefore, the Liberal Party strongly believes every woman should be able to follow her chosen career in an economic and social environment with the freedom to choose her activity.
Every woman is, therefore, entitled to be recognised and adequately rewarded for her individual contribution to society. It is for that reason that the Liberal Party believes in genuine equality of opportunity for all women, and where artificial barriers exist in legislation, regulation, or the workplace they should be removed. No woman today should be barred from achieving her goals because of any artificial barriers in any piece of legislation, regulation, or work practice.

The Liberal Party further believes in the pursuit of excellence and in women being able to achieve their personal goals. Whether those goals are in the home with their families, just at home, in the broader community, or in the workplace, every woman has the right to achieve her goals.

An honourable member—What about within the Liberal Party?

Mr KENNNETT—And also in the Liberal Party. Unlike the Labor Party, which does not have equality of opportunity within the party, the Liberal Party is the only political party in Australia that ensures that women are equally represented in numbers with men all the way up the ranks.

Mr Micallef—What happened to Prue Sibree?

Mr KENNNETT—It is very easy for the honourable member for Springvale to interject while his party preaches but does not practice equality of opportunity.

Mr Simpson interjected.

Mr KENNNETT—And the Labor Party sacked the honourable member for Greensborough from the frontbench.

Mr Simpson—Prue Sibree has resigned from the Liberal Party!

Mr KENNNETT—Perhaps some consideration should be given to inserting a clause in the Bill that requires all political parties to recognise in their membership and positions of authority equal opportunities for males and females. The honourable member for Greensborough supports the suggestion. I wonder whether the honourable member for Springvale does, and I wonder why such a clause is not included in the Bill.

I turn now to the area of the Bill which not only does not recognise equality of opportunity but also puts women at a disadvantage: the very important issue of quotas referred to in clause 10, which, as I said earlier, the Liberal Party will oppose in this House and in another place.

There have been women who have been pre-eminent in their fields. Even though I may disagree with their political philosophies they have chosen their career paths and achieved. Senator Susan Ryan is one of those people. She was a member and a Minister in the Federal Parliament until her recent retirement. Senator Ryan said:

Quotas can create artificial opportunities which can be counterproductive to the cause of equality.

This is a case of a woman who is a success in her chosen field, who reached her particular goal and became a spokesperson for women in our community, and yet she has argued strongly against quotas because it would be counterproductive to the cause of equality.

If we were genuinely concerned about the equality of opportunity for women, as is supposedly the case with the Bill, then it would be important that the Bill not end up putting women at a greater disadvantage than they are currently at.
Senator Joseph Clark, one of the proponents of the 1964 United States of America Civil Rights Bill, said, in debate:

Quotas are themselves discriminatory.

There is no doubt that this concept of affirmative action as expressed by quotas will put many women, who seek to achieve, in a position that is not as strong as a genuine concept of equal opportunity would provide. In fact, they will be discriminated against.

Mr Micallef—They will be breaking the law!

Mr KENNETT—He's good! Nathan Glazer, Professor of Education and Social Structure at Harvard University, reports that affirmative action through quotas has made explicable and legitimate differences in ethnic spread in labour markets the result of one factor only—discrimination. Quotas are discriminatory. They are a form of affirmative action which discriminates, and the ones who get hurt in the end are those who are forced, by legislation or work practices, to be part of that affirmative action program.

It is not in the interests of women in our society to be put ahead of or behind males. Women want and deserve equal opportunity—to be able to achieve those goals which they set for themselves. If we end up with a system of quotas, women will be disadvantaged.

Quotas can involve the sapping of the self-esteem of individuals who are made to feel inferior by being classed as in need of special treatment. Women in our society do not need special treatment; they want equal treatment. Women want equal recognition. The honourable member for Springvale inanely interjects, but is that what he is on about or does he want to discriminate against women?

A quota system abandons the first principle of a liberal society—namely, that the individual and the individual's good are the test of a good society, and it has been expressed before that the strength of our society is how we treat our children. That comment was made by a Minister in another place not so long ago, but the first principle of a good society is that the individual and the individual's good are the test of a good society.

In a good society, individuals, regardless of their gender, will be encouraged to achieve their goals. If the individual is the measure, however, our public concern is with the individual's capacity to work out an individual fate by means of education, work and self-realisation in the various spheres of life.

Arguments have been very carefully put in terms of bureaucracy with regard to quotas within the bureaucracy, and I will give an example. An individual member of the Public Service, a female here in Victoria, was asked to apply for a more senior position in the Public Service. She decided she did not want to apply because she felt she did not have the qualifications and was not ready for promotion. She was told by her superior that she must apply against her wishes. She applied, along with others, for the position. She failed to get the position because she did not have the necessary experience. Her Public Service record now records the fact that she applied for and did not succeed in securing that job. She was asked to apply for the job because of the concept of affirmative action. There is a real risk in trying to promote people simply to fulfil a quota system. Any promotion should be based on experience and the person applying for the job should do so on his or her own volition. In a proper, liberal society those opportunities will be recognised equally.

The Opposition is opposed to the concept of quotas because it believes they will work against the people this Bill is trying to help, that is, women. Introducing the quota system into the bureaucracy as the proposed legislation seeks to do—it is
directed to the public authorities—will create another layer of bureaucracy that will manipulate policy to protect the material principles of those who have something to protect within the bureaucracy itself. The cost will be borne by the public. It will affect a whole range of service deliveries. It will not necessarily provide a better Public Service and it will not necessarily practically assist those whom the government is trying to assist, namely, women within public authorities, to be treated as equals and to be promoted on their merits.

In the face of deep-seated social problems to which there is no rapid and natural solution, group-based preferential treatment seems to offer something extremely rare in social policy or in bureaucrats' working lives: a quantifiable quick fix. It is not acceptable to those whom we seek to serve in this Parliament—in this case, those who have undertaken careers in the Public Service.

If a proportion of 40 per cent female employment in an institution is taken to represent success and institutions are required to adjust their hiring policies to reach that target, it is likely that they will approach, if not achieve, success—and be able to show that they have by arbitrarily setting a figure and arbitrarily fulfilling the quota required, whether it be 50 per cent, 40 per cent or 60 per cent. That sets one gender against the other. The numbers of women in the work force may be insufficient or the authority may not be able to attract the appropriate people to fulfil the quota and, therefore, seek to promote other staff to fill the quota. That could cause considerable personal discomfort to the individuals the government is trying to help. It will not be possible to enforce that system.

Mr Micallef interjected.

Mr KENNETT—Personal comfort has everything to do with life. Even the honourable member for Springvale would like to pursue his chosen occupation feeling comfortable in what he is doing. If promoted beyond his abilities—and I cannot imagine him being promoted here or within his own organisation—he would not feel comfortable with what he was doing. The same applies to other people, regardless of whether they are male or female. If one forces people to do something they do not want to do to fulfil a quota system, one will make them feel extremely uncomfortable.

Mr Sheehan interjected.

Mr KENNETT—The Opposition is seeking to have recognised its position on equal opportunity within the public sector. If the government believes it will enhance the opportunities of women by a system of quotas, it is wrong. Ultimately, it will be rejected by the vast majority of women, who do not want to be treated differently from men but who want simply to be treated as people who are equal to men and to be assessed on their particular merits.

Mr Micallef interjected.

The SPEAKER—Order! I remind the honourable member for Springvale that interjections are disorderly and distracting.

Mr KENNETT—His interjection is also a reflection on the fact that he does not take seriously the position of women. He has interjected to say that women should be kept barefoot and pregnant. His philosophy does not advance this debate at all. If he wants to make a contribution he should do so but, for goodness sake, he should not make such inane comments putting down those in our community who are looking towards the proposed legislation, not for something better but for something equal.

Mr Micallef—Why are you opposing it?
Mr KENNETT—The Opposition is not opposed to the proposed legislation; it is opposed to quotas. I spelt out that view at the beginning of my contribution. The Opposition is in favour of the Bill but does not support the clause that will allow one citizen to be treated differently from another. Females do not want it, nor do males.

Society has made considerable advances in the past ten or twenty years, which is evident by the number of women who are working and who have achieved positions of leadership on their own merits. One must not forget those women who choose not to enter the economic work force but who are also leaders in our community by electing to stay at home and bring up their families, as many do. One of my real concerns over the past ten or twenty years has been the way mothers who elect to stay at home have almost been denigrated because they have not gone out to work.

Mrs Toner interjected.

Mr KENNETT—It may be nonsense to the honourable member for Greensborough but many people have expressed that view, and many women at home genuinely believe society is demanding that they should go out to work. Whether a person is a leader at home, in Parliament, or in the work force, every citizen is entitled to achieve his or her goals in a society that is fair and liberal. No individual wants, nor can he or she expect, to be treated as any better or any worse than another citizen.

Clause 10 seeks to do that. The Liberal Party will oppose it here and in another place. It supports the rest of the Bill, given the tenets that have been expressed, which I believe Parliament will genuinely endorse because there is a recognition that equal opportunity is fair and reasonable, but affirmative action or quotas levelled at one gender is simply not what the community demands in 1988, nor does either of the gender demand it.

Mr HANN (Rodney)—The National Party has consistently supported equal opportunity legislation in this Parliament over the years. In respecting the right of women to be actively involved in the work force by choice, the National Party also very much respects the right of women to choose to stay in the home. One of the major criticisms that can be directed at this government is the way in which it has eroded support for the family and women in the home. The government has constantly bowed to feminists who advocate the philosophy that all women should be out in the work force and that priority should not be given to raising children in the home.

The reason why the National Party strongly supports the Liberal Party's point of view is that the Bill is affirmative action legislation. That fact is confirmed in a document produced by the Minister for Labour, entitled *Victoria Working for Women*, a statement on women's employment, produced in November 1987. Page 16 of that document outlines the key elements of the strategy, or the dismantling of so-called barriers. The fourth item listed is the extension of affirmative action programs. On page 73, under the heading "Expanding Affirmative Action", it states:

The government introduced a Bill in the last session of Parliament to require all government bodies employing more than 40 staff, to introduce equal opportunity programs to increase the employment status of women in Victorian public employment.

In the government's colourful publication, it is confirmed that the Bill represents one phase of the government's affirmative action policy. The National Party believes that discriminates against men. Once quotas are set for employment, they effectively represent a discrimination against males.

In clause 10 of the Bill, the government proposes to set quotas on the number of women, in particular, who are to be employed in a public authority if that public authority does not establish some type of equal opportunity quota system. Another concern that the National Party has about the system of quotas is that it discriminates
against women in the home; and it also discriminates against single-income families with children. The government’s attitude seems to be that there should be two breadwinners in each home.

There are a number of reasons why the system of quotas should be rejected. There are numerous examples in the United States of America of affirmative action policies being introduced in a number of States. Often, one sees the nonsensical situation where quotas are set for such organisations as the police force and the fire brigade. Presumably, the government proposes to introduce such a system into Victoria.

Under that system in the United States, women have been employed in preference to men in the professions to which I referred, even though those women do not have the same qualifications; they are employed simply because of the quotas that have been set.

Quotas are coercive, unfair, expensive, and anti-productive. When a government forces companies to hire women, it overrides the rights of both employers and employees to contract freely; and that right is one of the most basic economic liberties. The government has no business forcing businessmen or businesswomen to place gender or any other criterion above merit as a hiring point, thereby saddling themselves with an incompetent work force. The government has no business in forcing such a policy on the general community, because it discriminates against the total work force.

In reply to a question without notice, the Premier said his attitude to equal opportunity was that it should be based on merit. The Bill does not address that issue; instead, it sets quotas which effectively override merit. The provisions contained in the Bill are contrary to the philosophy of equal opportunity which the Premier led the House to believe he supported.

Quotas cannot compensate women for the discrimination that they suffered in the past; yet that seems to be one of the measures which the government is attempting to introduce. A woman whose great grandmother was not allowed to vote has never been discriminated against herself; and the males in preference to whom she is employed have never harmed her. It is too late in the day to begin trying to discover who has and who has not been harmed by the wrongs of a century ago.

The major skill deficits of women are biologically based and are not the products of past wrongs. The Bill does not take into account the biological differences which exist between men and women. The Bill sets quotas regardless of those differences. Surely the honourable member for Greensborough, who is interjecting, would acknowledge those biological differences.

Women are innately weaker, less mechanically able and less career-motivated than males, in many instances. The honourable member for Greensborough should realise that, in addressing the question of equal opportunity, I am arguing against quotas—

Mrs TONER (Greensborough)—On a point of order, Mr Speaker: I wonder whether the Deputy Leader of the National Party is quoting from a document.

Mr HANN (Rodney)—They are my own notes.

The SPEAKER—Order! The honourable member for Rodney appears to be quoting from notes on the Bill which he has prepared, and, therefore, he is in order.

Mr HANN—The Prime Minister of the United Kingdom, Mrs Thatcher, is an example of a woman who has aspired to high office. She is an important world leader; and she did not attain that office through affirmative action. Mrs Thatcher aspired to her position because of her skill and ability. I am sure the honourable member for
Greensborough would both recognise and applaud Mrs Thatcher's achievement. Mrs Thatcher is one of the greatest, if not the greatest, leaders of the Western World.

There are many examples of women who have aspired to political leadership—for example, the former Indian Prime Minister, Mrs Indira Gandhi and the former Israeli Prime Minister, Mrs Golda Meir. Women have aspired to positions of leadership not only in the political field but also in business and the professions. They have attained such positions without the need for legislation such as the Bill represents.

In the United States of America, the cost of paper work involved in that country's labour department's quota system—that is, the cost of reports, studies and special advertising directed at women—is at least $4·5 billion a year. Also, the quota system demoralises male workers who are either passed over for promotion or not hired outright; and it forces employers to adjust their activities to accommodate an artificial inflation of the number of women whom they employ.

The few courageous studies that exist document the consistent productivity losses that occur when women are hired on a quota system, a system which displaces merit as a hiring criterion. As a modest assumption, every dollar paid to an employee hired under the quota system incurs a loss of three cents to the hiring company.

The quota system harms as many women as it benefits. Every job reserved by quotas for a woman penalises the wife of the man who does not get that job; and quotas reserved for single women penalise the families of the men excluded from such jobs. Because the most productive members of society are nurtured within the family, businessmen and businesswomen must resist policies which cut across family security. I should have thought that the government should have identified that issue.

Australian statistics show the affirmative action policies which have been adopted by governments are having a significant impact on teenage employment, particularly teenage girls who lose their jobs to either married women or older women. An increasing number of teenage girls are not employed as a result of affirmative action legislation, which has been promoted by the Federal government for some time.

The National Party supports, and has consistently supported, the notion of equal opportunity, and it recognises its importance, particularly because of the discrimination against women which has occurred.

Equal employment opportunity should be granted on the basis of merit and not on the basis of artificial quotas that are set by the government. For that reason the National Party will join with the Liberal Party in opposing strongly clause 10 of the Bill which introduces the system of quotas for various public authorities.

The government should re-examine its attitude to affirmative action. On the one hand, the government has expressed its concern about the structure of families in our society and about the need to rid families of the enormous stress under which they are placed. On the other hand, the government is introducing a Bill which will promote the aims of the feminist movement, aims which are not shared by the majority of women, because the feminist movement believes women should have access to the same number of jobs as men.

Policies of that nature represent reverse discrimination. The National Party supports a continuing policy of equal opportunity; but it completely rejects the notion of affirmative action.

Mrs TONER (Greensborough)—It is pleasing that all parties are supporting the Bill. However, the Leader of the Opposition and the Deputy Leader of the National Party misunderstand clause 10 and seem to think some arbitrary and prescriptive quota will be imposed on all authorities that come under the auspices of the Bill.
The second-reading notes clearly point out that, in the unlikely event that an authority refuses to comply with its obligations under the Act, quotas can then be applied for a limited period to the authority. The authorities that are subject to the Act are those which employ 40 employees or more and the requirements on them relate to the improvement of their personnel systems so that responsible departments examine all staff available and assess them for recruitment, promotion, and training.

Further, the authorities are required properly to inform employees so that they know what is available in the job context. Authorities are further required to confer responsibility for the development and implementation of the equal employment opportunity program on somebody in the organisation with sufficient authority so that equal opportunity is taken seriously. A further requirement is that a consultative committee be established consisting of representatives of men and women with approximately equal numbers of each so that there is a surety of implementation of the spirit of the Act.

There is also a requirement to eliminate any practices that prevent women from achieving some of the proper opportunities that should be available to them in the work force. There is a requirement that qualifications are examined, once again, to ensure that they relate to the jobs so that what the Deputy Leader of the National Party refers to as his concern about biological differences can be overcome by actually examining the qualifications required and ensuring that the best person is available to take on a particular position. The authorities are also required to establish information systems. If a body refuses to do that and, as a consequence, women are denied job opportunities in that authority, clause 10 will come into practice; that is the stick rather than the carrot.

Unlike you, Mr Speaker, I was not a member of Parliament when the original Equal Opportunity Act was introduced. It was a rather more progressive Liberal Party in those days. I doubt whether such an Act would have been introduced by current members of the Liberal Party. The perception at that time was that the Act would be educative rather than authoritative and would gently lead people to adopt different perceptions about the capacity of women to be employed in many areas. To some extent, that took place but it has been necessary to introduce some sticks over the years to ensure that those opportunities are extended to a full range of areas so that the capacities and abilities of women are developed and opportunities are made available for them.

The Bill should be read carefully. Honourable members opposite should examine clause 10 and understand that it is not arbitrary or prescriptive in terms of introducing quotas, but rather exists as a stick if the authority refuses to comply by providing those opportunities for women.

Those quotas might well be applied to the Liberal Party itself if it examines its own rules. The Leader of the Opposition referred to the preselection panels of his party and their fairness, in that they comprise 50 per cent men and 50 per cent women.

Mr Hann—Does the Labor Party have that policy?

Mrs Toner—It does not adopt rigid policy of that nature. However, the Labor Party has been able to have more women in Parliament than the National Party has been able to achieve with its record of none! Recently the Liberal Party lost one of its talented members, the former honourable member for Kew, who resigned not just from Parliament, but from the Liberal Party itself. She is a feminist—

Mr Kennett—Where did you get that information? That is wrong!
Mrs TONER—The Leader of the Opposition says that that information is wrong. I shall be happy if he can prove the veracity of his statement. That is the information that has been circulated: that the former honourable member for Kew resigned not only from Parliament but also from the Liberal Party. If that is not so, I withdraw the comment.

Mr Kennett—It is her choice.

Mrs TONER—Of course it is her choice to choose which party she would want to be involved with, if any party at all. However, I know the disillusionment she sometimes felt in this place and it is still very difficult in a number of areas for women to take their place in the world and be valued and recognised for the contribution they have to offer.

I wish the opposition parties would carefully examine the Bill, especially clause 10, before coming up with the notion that it involves heavy prescriptions. There is nothing particularly new about the proposed legislation and, since 1983, such legislation has been working in Commonwealth authorities. Similar provisions have been made for Commonwealth statutory authorities without any dire effect and the Commonwealth Public Service Act ensures that the Commonwealth departments implement equal opportunity programs. The Commonwealth Affirmative Action (Equal Opportunity for Women) Act covers the private sector and certain tertiary institutions that come under the auspices of the Commonwealth Parliament.

The Cain government has included principles of personnel management in the Public Service Act and has established a range of equal opportunity programs in the Public Service. The Bill extends the equal opportunity programs right across the various authorities and I am sure that will provide similar benefits to those prescribed by the Public Service Act.

At this stage the Bill does not apply to local government. However, the Local Government Bill will be subsequently amended so that it is consistent with the practices and procedures in the Bill. That will not be before time. Local government is the arm of government closest to the people and, as honourable members know, shortly the recognition of local government is to be approved and endorsed in the referendum, which I hope will be supported by all members in this place. It is important that the Bill is supported by the whole Parliament. I hope the Liberal and National parties will re-examine and reconsider their positions on clause 10.

Mr LEA (Sandringham)—I support the Public Authorities (Equal Employment Opportunity) Bill. There has been much talk by the government since it came to power, and particularly in the past two years, about the issue of equal employment opportunity.

I refer to what has been published in the newspapers, because it appears that while the intention and will is there on the part of the government, quite often the legislation does not have the teeth required to give effect to the intention, and is not working according to the aims set down. In the Age of 1 September 1987 in an article headed "The push for more top-level women" the Premier stated that although women comprise 45 per cent of public sector employees, they make up only 3 per cent of senior managers. I suggest that is a lamentable situation.

In another article, written by Penelope Debelle, State political reporter, for the Herald of 27 August 1987, the following statement appears:

Legislation will be introduced into State Parliament next month to extend the equal opportunities provision which affects only the State Public Service.
The article is headed “Cain: give women more status or else...” The Premier has been attempting to implement a policy of giving women and other designated groups equal employment opportunities but has not been able to achieve that objective.

I refer to the area of the employment of women in the Ministry of Education, in which area I have had considerable experience. An article in the Herald of 4 November 1987 headed “Promotion is not by numbers” refers to the incongruous figures of 62 per cent of Victoria’s teachers being women and only 8 per cent of high school principals being women. The article also states that only 21 per cent of primary school principals are women. Honourable members can see that there is a long way to go to achieve equal employment opportunity for women in the Teaching Service. As I said, women comprise almost two-thirds of the staff of schools in Victoria.

I refer to the promotion system in schools on the basis that I had nearly 30 years’ experience in secondary schools. I was able to observe women teachers during that time. The overwhelming majority of them were excellent teachers who worked hard and conscientiously. Many women teachers did not want to advance their careers to the positions of either head of department or principal for a number of reasons. Many of them were carrying responsibilities at home with their families and had husbands who were professionals to whom they took second place. Many female teachers, particularly in technical secondary schools, considered the responsibilities and problems faced by administrators in respect of the control of behaviour and the children generally and decided that that was not for them.

One cannot legislate to provide equal employment opportunity for women or any other group. There must be the social climate to give effect to the will to provide equal opportunity for women or any other group. I am sure the same situation has arisen in other areas of the Victorian Public Service, but I am not as familiar with those areas as I am with the Ministry of Education.

The equal employment opportunity situation is no better in the private sector. I draw to the attention of honourable members an article which appeared in the Times on Sunday on 11 October 1987. It was headed “How to get to the top at Coles—be a man.” Under a photograph of Therese Smith, the following statement appears:

My future will be the same as it was 19 years ago. That is no future at all.

It is a lamentable situation and, as I said, applies in both the public and private sectors. Things are not good for women.

I refer to the Age of 21 January 1988 and an article headed “Crabb plans tough new policy on women’s jobs.” I reiterate: there has been much rhetoric about and a lot of attention directed towards equal employment opportunity for women, but society must reach the stage where there will be some action taken on the issue.

I refer to an article which appeared in the Age of 9 March 1988 in the “Accent” section. The article is headed “How the Equal Opportunity Act lost its teeth.” It states that there is a lot of goodwill and intent and rhetoric but at this stage the State government—probably like most State governments around Australia and the Federal government—has not had much success in trying to implement the ideas it so strongly supports.

I commend the Premier’s second-reading speech on the Bill. There could be no argument about the Premier’s comments from any side of the House. Referring to the principles in the Public Service Act, the Premier said:

These provide that all the recruitment and promotion be carried out on the basis of merit; that all employees be treated fairly and equitably, without discrimination, arbitrary action or coercion; that equal pay be provided for work of equal value; that employees be provided with effective education and training...
and be used efficiently; and that employees maintain proper standards of integrity, conduct and concern for the public interest.

I have nothing to add to that admirable aim.

There needs to be an examination of the Bill to see whether the aims set out in the second-reading speech can be carried out. The Bill is concerned with the Victorian Public Service. It seems to discriminate in some sections. Clause 10 has been referred to by the honourable member for Greensborough.

I direct the attention of honourable members to my experience in respect of positive discrimination under the Federal Act relating to equal employment opportunity. My experience illuminates the problem.

My technical school needed a laboratory technician, so I applied for Federal funding to the Commonwealth Employment Service for one. There were three applicants who had been carefully selected and discriminated against. They were three girls, all aged eighteen years, who had failed their higher school certificate examinations. There was not one boy who had either failed or passed the higher school certificate examinations. Neither was there a girl who had passed those examinations. I reiterate: the young women were all young people who had presented for the higher school certificate examinations the previous year, had failed, and happened to be eighteen years old. The three young women came to my school and we chose one for the job. It is an indication of positive discrimination and something to which the Opposition is opposed.

If eighteen-year-olds are to be chosen, there should be a representative group of them—both male and female, and those who have passed the higher school certificate examinations as well as those who have not—so that everyone has an equal opportunity. The Opposition does not agree with clause 10 because it could create problems. There could be an unfair situation in which one group might be disadvantaged by strong discrimination against it. Honourable members should be mindful of that when considering the issues being discussed.

There should be equal employment programs but they must be designed to combat all possible discrimination, not only against women and the other currently designated groups. There could be no argument against the proposition.

I refer again to my experience regarding the appointment of a laboratory technician at my technical school. Twelve months after that appointment, the lass who had been appointed left the school and so we were left in the same situation again. The same process was applied again, and the same positive discrimination against the same specific group of people occurred.

Clause 7 states, inter alia:

A public authority shall take any action necessary to give effect to its equal employment opportunity program...

I am not sure whether I have misread the clause, but it seems to give carte blanche to public authorities in the conduct of their recruitment and promotion procedures. Perhaps the Premier might consider that possibility, as the Opposition would be concerned if a mandate were given to a public authority to take whatever action it sought to take.

Clause 9 states that:

... a public authority may determine and use special tests and qualifications to enhance recruitment and promotion of persons in any designated group.
Once again, it would appear that a public authority may apply selection discrimination against any person who is not a member of the particular designated group.

Clause 8 seems to set out excellent guidelines for personnel management procedures which reflect the true meaning of equal opportunity employment based on consideration of ability, knowledge and skills, and fair and open competition. That ensures that all receive equal opportunity. Some other clauses of the Bill do not deserve the label of promoting equal opportunity.

All the goodwill and legislation in the world will be to no avail unless the correct climate is created in schools and unless schools recognise the rights of women. Young girls need proper role models to admire. They need to see that women can be managers and gain employment in the professions. They need to see that women can do a whole host of things in fields in which they are not currently well represented. It is in schools that a change in attitude will begin. Until there are effective models for girls, until more women are in charge of primary, secondary and technical schools and until more women are leaders in the community, equal employment opportunities will not come about through legislation.

The public wants equal employment opportunity, but if one starts with schools and institutions and changing social attitudes, one is more likely to achieve that than by merely appointing officers to enforce guidelines about employment and to make decisions about wrongful or rightful employment. The proposed legislation is the tip of the iceberg; the heart of the matter is in our society, our education, and our school system.

Mrs Setches (Ringwood)—I am proud to support the Bill. It was introduced some ten months ago and I am cognisant of the fact that many women are looking for this Bill to be made law as soon as possible. Since the Labor Party came to power, it has made strong statements and backed them up with strong measures to ensure that women are treated equally with men. Where the need exists, the government has ensured that legislative and administrative tools are provided. The Bill is one of those tools that will be used to ensure that a significant employer of women in Victoria—public authorities—follows equal employment opportunity guidelines and can be assessed on how the guidelines are exercised to help those women who currently work for the authorities and those who will work for them in the future.

The government has adopted a merit principle for ensuring that those people are able to progress through the Public Service to higher positions and can increase their remuneration by improving their employment prospects. It is important to understand that a merit system is the basis of this measure. A number of comments have been made—and I agree with the honourable member for Sandringham—that community views must change to ensure that women are seen as being able to take their place alongside men in the provision of goods and services and in all other areas. Women must be seen as working alongside men and not behind them. This Bill works towards ensuring that that attitude exists within the many areas of employment in public authorities.

It is true that role models are necessary to show girls that women can make it and can participate alongside men if they are given the opportunity. The Bill contains checks and balances regarding administrative procedures undertaken by public authorities. There is an enormous reservoir of untapped talent of women who wish to participate. Public authorities and the government will benefit from that if certain procedures are followed to enable women to participate, to give them confidence, and to make certain that their needs and requirements are addressed.

The second-reading speech notes that women are more likely to be employed within public authorities in low status jobs. They are generally lower paid positions and not
jobs that require decisions to be made. Women are more likely to be found working in hospitals and schools than in the transport, water resources or energy areas. In the past, the three latter areas have had not only administrative staff but also technical staff dominated by men. We are now in the position where women are taking up more technical occupations because of increased opportunities through education. Women now wish to progress through the authorities into positions of decision making.

I shall now refer to hospitals. It was my pleasure to chair the Women’s Health Policy Working Party, which presented its final report to the Minister for Health in August 1987. The working party examined, among other things, the management of hospitals in Victoria. In 1986, of 154 public hospitals, 151 had male chief executive officers and only 3 had female chief executive officers.

In 1987 the health budget was approximately $2.7 billion. Of that amount, $1.87 billion was administered through the public hospital sector. Almost $2 billion was being administered through public hospitals, only three of which had women in decision-making roles. That is incredible because women are the major users of health services. However, consultants employed by public hospitals are mainly men. I am pleased that the Bill provides for hospital boards of management to examine their administration and employment practices to ensure that women are able to rise to other areas of employment, responsibility, and decision making.

Mr Hann—Half the nurses should be male.

Mrs Setches—Since Florence Nightingale, nursing has virtually been an entirely female province. However, men are now entering nursing because equal employment opportunity possibilities have been opened to them. Directors of nursing are more likely to be men, even though the work force is comprised almost entirely of females. It is a little disconcerting that men are now moving into positions of responsibility as directors of nursing when the work force is mainly female. Perhaps equal opportunity is working in reverse. The Opposition has spoken of its concern about the government’s view that the Bill will allow quotas to be applied to an authority for a limited time. The distinction was made in the second-reading speech; that the quota would only be applied as a last resort and then for only a limited period.

One must impress upon the community that the government means what it says when it refers to providing equal employment opportunities. Women have not been given the opportunity of progressing through the work force and accepting decision-making positions. If public authorities are not able to demonstrate success in developing equal employment opportunity programs through an application of the provisions in the Bill, in extreme circumstances it would be fair and reasonable for a quota system to be applied for a limited period.

I recall during debate on the Local Government Bill that reference was made to the fact that only one of 210 town clerks was a female.

Mr Hann interjected.

Mrs Setches—I do not doubt the Deputy Leader of the National Party; that that has been so. I am speaking about the dislocation of or the denial of entry of 51 per cent of women into an area of employment. Young girls have been discriminated against in various areas, to the extent, for example, that they are unable to contest equally contest for positions in the mathematics and physics areas of employment. That discrimination has been closely documented. The government is moving to ensure that girls are given the same opportunities as boys; if special programs are required to assist them in this regard, those programs will be provided.
I am sure the Opposition would not claim that it is right and proper for half of the population to be confined to the lower end of the employment market; 77 per cent of employed women hold positions in the clerical and retail areas. They have not been given the opportunity to progress into decision-making and higher-paid positions of employment.

There is no factor attached to the female gender that demonstrates that men have greater decision-making powers, or that women should be relegated to the lowly-paid occupations. That is what occurs in Victoria and throughout Australia. Distinct measures need to be introduced to correct the current position.

If one examines the training of doctors, although that profession is outside the provisions of the Bill, in 1986, 40 per cent of students entering the faculty of medicine at Monash University were women, while the figure entering the similar faculty at the University of Melbourne was 39 per cent. However, from reading several reports it was indicated that the men in those faculties considered that the figure was closer to 50 per cent, and were saying, “Barley! Fifty per cent of students are women, and they are taking over.” However, as I have said, statistics indicate that only 40 per cent of students were women.

Passage of the Commonwealth Sex Discrimination Act was delayed for a long time in the Senate, mainly because of concerns expressed by the Opposition parties; that measure has now been enacted at a Federal level and is operating effectively, although a difference exists in the number of women and men being assisted on a Federal level.

Honourable members have said that the Bill contains clear measures to ensure that women can display their talents and their experience in many ways, particularly through employment. An examination of the Bill by the opposition parties will demonstrate that the opposition’s support for the clause allowing a limited quota of employment would be extremely useful to women who are already employed in public authorities. If the authorities were unable to implement the provisions in the Bill to give women their full benefits under the measure, there could be a short period when a corrective exercise would need to be undertaken within the appropriate authority.

The government would be prepared to discuss the limited period aspect—

Mr Hann interjected.

Mrs SETCHES—The Deputy Leader of the National Party may consider it unnecessary to have the provision for a long time, and a corrective exercise may not be necessary to ensure that women are permitted to do what the Bill provides, if it is passed in its present form and is not amended.

I am pleased and honoured to speak in support of the Bill and look forward to the Committee stage, when perhaps I may make a further contribution. I hope all clauses of the Bill will have the full support of both Opposition parties.

Mrs GLEESON (Thomastown)—It gives me much pleasure to have the opportunity to speak on the Bill. I know that many people across Victoria would strongly support the government in taking this initiative; it creates an opportunity for affirmative action so that women will have the opportunity of displaying their skills, instead of their talents remaining latent within the community and society; consequently, the business world and the public sector have not been able to tap those resources.

It is important to emphasise that the Public Authorities (Equal Employment Opportunity) Bill addresses the problem of those who have not had the opportunity to progress to positions of responsibility in the work force, especially when their skills have been evident. I suggest that similar criteria applies to the disadvantaged groups, of which women are a part.
People with language difficulties, and those who have had problems with literacy and with disabilities, are also involved. The Bill is broad-ranging in its provisions and draws support from within the community. I would expect no hesitancy from honourable members in supporting the Bill.

The Bill provides for equal employment opportunity programs to be implemented; that provision covers public authorities with personnel numbers in excess of 40. It is significant that that provision is included in the Bill. One purpose is to form a consultative committee, to which people could be drawn from the unions, employers, and management. Those committees will be formed in public authorities as soon as the Bill is passed so that full, wide-ranging debate can take place to develop these programs.

In the Thomastown electorate there are three times as many people over eighteen years who have been to school as the number who have been to university. At present there are only 430 university students in the electorate. Honourable members must get behind Bills such as this and support them. The TAFE system is now being extended to allow people from the northern suburbs of Melbourne to tap into the higher education system.

It is important that Victoria should have affirmative action to allow women and those previously locked out of educational institutions to participate in these programs and the delivery of education in their areas. TAFE programs will cater for people from electorates such as Thomastown. Residents of the northern suburbs will be delighted if the Opposition supports this Bill. There are no Alan Bonds or Robert Holmes a Courts in the Thomastown electorate. Residents of such suburbs recognise that it is important to rely on a compassionate government with equal opportunity as a major part of its plank. The Cain government has introduced various community programs that have made education available to women, to migrants with language problems and to people with disabilities. That did not occur until the past few years, during which time I became a member of Parliament as a member of the Cain Labor government. We now have three community houses, which are catering for many people who can aspire to be on higher rungs of the work force instead of at the bottom. That is the main objective of the Bill, and I cannot understand why anyone would reject it when it has such humane grounds.

My constituents do not wish to be Alan Bond, but they want to have the same opportunities that other Victorians have available. I congratulate the government on introducing the Bill. At the last State election 80 per cent of the Thomastown electorate supported the Cain government, but I am certain that 100 per cent of my constituents will support the Bill. I congratulate the Premier on introducing the Bill, and I commend it to the House.

Mrs Hirsh (Wantirna)—The total lack of interest by the Liberal Party in this Bill fascinates me. Only one Liberal backbench member has bothered to speak on this important measure.

Mr Weideman—Mr Speaker, seeing that the honourable member has drawn the attention of honourable members to the lack of a quorum, I direct to your attention the state of the House.

A quorum was formed.

Mrs Hirsh—The Liberals have to be dragged kicking and screaming into the House to listen to debate on this Bill. I wonder where the honourable member for Kew has been during the debate. She has not even bothered to come into the Chamber to listen to debate on a very important Bill that will provide equal employment opportunities in Victorian public authorities. Perhaps she has been kept out. Perhaps
the position is similar to when an equal opportunity Bill was debated in the Federal Parliament. On that occasion two members of the Liberal Party, Senator Peter Baume and Ian Macphee, disagreed with the position taken by the Opposition on the Labor government's Bill. In fact, Senator Baume crossed the floor and resigned from the frontbench when similar proposed legislation was debated in the Federal Parliament. Perhaps the absence of the honourable member for Kew is because she does not want to be part of rejecting the imposition of quotas, which the Opposition has suggested it will do. It is deplorable that the Liberal Party should take such a position on this Bill, to the extent that the only female Liberal member in this House either does not bother or is not allowed to be present to listen to the debate.

The Bill is important because it will provide for public authorities with 40 or more employees to introduce equal employment opportunity programs. The Bill will cover authorities such as the Melbourne and Metropolitan Board of Works, the State Electricity Commission of Victoria, education institutions and public hospitals. Equal employment opportunity programs will be developed in consultation with employees. Information will be provided to employees about equal employment opportunity programs and objectives so that their aims can be achieved and effective evaluation can occur.

The Bill will provide for an annual reporting requirement to the relevant Minister—the Minister in charge of the public authority—so that accountability will be built into the program. I suggest to the House that that is an important component of the measure.

The honourable member for Sandringham did not understand the Bill. He referred to positive discrimination factors, but the Bill is not about positive discrimination. Clause 8 clearly and specifically provides for the observation of proper personnel management principles in appointing people to public authorities. It clearly states that qualified individuals will be selected on their ability. Equal employment opportunity programs will encourage women to participate more fully in Victorian public authorities.

The position of the Liberal Party, as can be clearly demonstrated by its action today, has also been demonstrated in the Wantirna electorate. The ward of a local council in the Wantirna electorate is in a unique position in that its three elected councillors are women. At the State level its three Parliamentary members are women.

Mr Ramsay—So what?

Mrs HIRSH—The honourable member for Balwyn interjects "So what?" to this important and unique position. Role models must begin somewhere. In Wantirna one woman was elected to public office; others followed, and it is possible more will follow. The honourable member for Sandringham spoke about role modelling in schools. He has a point. Role modelling should begin in schools and approximately 60 to 70 per cent of schoolteachers are women. Therefore, the role models are there. But, as one moves into the more senior positions up the ladder, the role models are not there.

Both the electorate of Wantirna and the local government's equivalent area provide excellent role modelling for women in employment throughout the State and for women to gain employment at local government and State government levels. Because of role modelling of women in prominent positions, a woman Liberal candidate campaigned in Wantirna during the 1985 election. She did not win a seat in that election, but she had a go. This time, as usual in Wantirna, the Liberal Party has a male candidate. The only woman nominee, who ran a good campaign in the preselection, was not elected; she was not given a chance to have a go; she was beaten by a male colleague.
The Bill is important. It provides for quotas where a public authority employer is not prepared or willing to take note of the provisions of the Bill and is not prepared to give equal employment opportunity programs a good chance. As the honourable member for Ringwood and others have said, the quotas provide a limited stick, a sanction against public authority employers who are not prepared, able or willing to take note of the proposed legislation. The Commonwealth legislation is working. It covers the private sector and it is having some effect.

When I trained as a teacher a few years ago—in the Bolte days or before—it was impossible for a woman to have a career and get married. I married young but had to resign from the then Education Department. That was the rule in the days of a Liberal government.

Mr Ramsay—Who changed it?

Mrs HIRSH—The concept of women being involved in paid decision-making employment is one which is hard to get through to established bodies. In introducing this Bill the government is indicating clearly that it is an important matter on the agenda of the government. It is important that role models exist in schools and throughout the community and that those role models are provided for in legislation from the top down to show to people and to public authority employers that it is a government commitment.

I commend the Bill to the House. I am pleased to have the opportunity to speak to the Bill. I urge the Liberal Party to support the proposed legislation in its entirety and I hope the honourable member for Kew is listening to what has been said in the debate and is able to offer her support, which I am sure she would, to this Bill.

Mr RAMSAY (Balwyn)—Before the contribution by the honourable member for Wantirna, the Leader of the Opposition indicated that it was the intention of the Opposition to support the Bill with only one qualification relating to clause 10 and the provision that it makes for quotas.

There is no will on the part of the Opposition to oppose equal opportunity in employment in Victoria. It was a Liberal government that first initiated legislation to establish equal opportunity for women in employment and in other aspects of community life.

The House may query the need for the Bill. In clause 6, public employing authorities are required to take certain action. The spirit that we should be encouraging in employment in Victoria does not need such a vast set of rules and regulations for it to become reality.

Is there a real need to require public authorities to institute a continuous review? One would wonder about the need for an employment consultative committee to be continuously reviewing the situation and a further requirement for the employing authority to consult with each trade union when the trade union itself is already on the consultative committee. There is a certain amount of overkill in rules and regulations. Nevertheless, the Opposition supports the general concept of equal employment opportunity in public authorities and, for that reason, the Opposition does not oppose the Bill.

Clause 10 relates to the provision for quotas to be applied by the Governor in Council to certain public authorities. The Opposition parts company with the government, not only because the concept of quotas in itself is a denial of equal employment, but also because clause 10 makes a nonsense of the Bill.

Clause 8 sets out clearly that a public authority must observe certain principles of personnel management, and that set of principles is unexceptional when it comes to
requiring equal opportunity to be given to individuals, irrespective of political affiliation, race, colour, religion, national origin, sex, marital status, or physical disability. There is a call for equal opportunity in its perception, yet clause 10 suggests, despite anything to the contrary, that if a public authority contravenes or fails to comply with the Bill or the regulations made under it, the Governor in Council may, on the recommendations of the Minister, require that an employment quota be imposed on the authority; a quota which, in itself, would be in direct contradiction to clause 8.

The Bill sets out certain requirements in one clause. If those requirements are not fulfilled, action can be taken against the public authority, and the action taken against the public authority will enable it not to comply with clause 8. It is a nonsense and clause 10 should be eliminated from the Bill.

Furthermore, clause 11 (1) states:

On application by a public authority, the Governor in Council may by Order . . . grant an exemption from the requirements of this Part . . .

Through this provision, the government is retaining the ability to grant an exemption from the basic personnel management principles established in clause 8. There is something desperately wrong with a measure that is so contradictory.

Although the Opposition is prepared to support the spirit of the proposed legislation, I direct the attention of the government to the particular aspects that I have identified. I support the view put so strongly by the Leader of the Opposition that the quota clause, clause 10, should be opposed.

Mr STOCKDALE (Brighton)—One of the sharpest dividing lines between equal opportunity and discrimination is the concept of quotas. Although generally supported by the Opposition, the Bill falls over the line and becomes a discriminatory measure by including clause 10, which establishes a quota system. As a member of the Liberal Party, I abhor discrimination against any individual, especially against women, which has been so much a part of our community for many years. I do not believe any honourable member would deny that many women have suffered unfair discrimination not only in their occupations but also in many of life’s activities.

Many of the aspects to which members of the government and the Opposition have directed attention explain but do not justify the way that discrimination has historically been advanced. Discrimination of that kind is objectionable on the ground of the individual worth of each person; it undermines the dignity of each individual and destroys his or her opportunity of fully developing his or her potential in many spheres of human activity. It is also undesirable in the wider interests of society. In a whole host of activities—from economic and occupational through to cultural pursuits—discrimination that excludes some people from pursuing their interests and realising their potential and their own values robs society of the contributions those people might otherwise have made. As I said, as a member of the Liberal Party, I abhor such discrimination and have always been opposed to it on not only philosophical grounds but also purely practical grounds.

Those values are completely opposite to the implications of the quota system proposed in clause 10. Whenever a quota requirement is established, discrimination results. This may not be stated in the Bill; it may be that the Bill exhibits an intention to the contrary. Everyone ought to have the opportunity of free and equal competition for any benefit, especially a benefit in employment. The establishment of quotas requires an interference in the free access of individuals who are outside the quota target group. If a quota for women, ethnic groups, or any other class is established, people who do not fall within that class will be discriminated against. If selections are made on grounds other than merit or suitability for the tasks, not only will individuals
be deprived of the chance to pursue their interests and to realise their full potential but also society will be robbed of the contribution of the persons most suitable for the tasks.

I am strongly opposed to the values that underlie clause 10, to affirmative action that implies quotas without using the term and to discrimination. The Bill is inappropriately titled; it ought to be called a discrimination Bill rather than an equal opportunity Bill. The proposed legislation is not about equal opportunity. It enshrines discrimination and threatens to rob individuals of the chance of making maximum contributions of which they are capable. The measure is inconsistent with basic Liberal Party values and the longstanding values espoused but seldom adhered to by the Labor movement. The Labor movement has made a great contribution to the improvement of social standards, the law, and the political life of this country for many decades. It has wreaked havoc in society over the past six years. The Bill is another example of the Labor Party having departed from the longstanding values of free and equal access of all individuals, which has been a proud tradition of the Labor Party. The Liberal Party will not have any truck with the proposed legislation and it will oppose it.

Mr CAIN (Premier)—I thank honourable members for their contributions to the debate. I do not propose to canvass in any depth the principal matter that has been raised, namely, clause 10, regarding quotas. The appropriate time to discuss this clause is during the Committee stage.

Mr Kennett—Why don’t you start the debate again?

Mr CAIN—I shall respond to the comments made about clause 10 at the appropriate time, which is during the Committee stage. During the second-reading debate it is appropriate to make observations about the general comments made by honourable members about the Bill.

The proposed legislation is an important step in the progress the government has made in these matters. The Bill will achieve the removal of all discriminatory barriers to employment and to the promotion of women and other disadvantaged groups, if appropriate, in public authorities. The measures will ensure equitable representation of women and other disadvantaged groups, if appropriate, in all occupational categories in public authorities.

The Bill should improve personnel practices and procedures in public authorities and should achieve efficient and effective use of human resources in public authorities. During its term of office, the government has been concerned to achieve that aim and it has met with a measure of success. The Bill should also ensure consistency in the application of equal opportunity requirements between public authorities in both the Commonwealth and Victorian public services, the private sector, tertiary education institutions, and Commonwealth authorities. That is important because the government believes in mobility between various sectors.

Too often people, especially employees in public authorities, seem to follow narrow career paths. It is desirable that those options be opened up and they are opening up; however, some barriers still exist. We have had difficulty in breaking them down. I shall deal with that during discussion of clause 10 in the Committee stage, if I may anticipate the debate. Some difficulties and cultures in public authorities require getting over.

The proposed legislation redresses the imbalances in discriminatory recruitments and selections that have occurred in the past, as well as practices that in some places have stood the test of time. These practices are entrenched and hard to change. The Bill requires that women candidates must be considered. The targets should reflect
realistic expectations of the proportion of women who would be qualified for recruitment or selection—they should be regarded on a level playing field, as it were. I expect the targets will be developed in the individual authorities at levels that are considered appropriate. Free consultation with staff, unions and management will be approved by individual Ministers. It is another step along the way.

I thank the House for its support. The government will consider the other matter that remains unresolved during the Committee stage.

The motion was agreed to.

The Bill was read a second time and committed.

Clauses 1 and 2 were agreed to.

Clause 3

Mr CAIN (Premier)—I move:

Clause 3, lines 36 and 37, omit all words and expressions on these lines and insert:

"(c) the board of management or governing body (by whatever name called) of any hospital listed in Schedule 1 or 2 to the Health Services Act 1988;".

The Bill was drafted before the amendment to the Hospitals and Charities Act and the Health Services Act 1988 repealed the Hospital and Charities Act thus rendering the definition in clause 3 (c) inapplicable.

The amendment was agreed to, and the clause, as amended, was adopted, as were clauses 4 to 9.

Clause 10

Mr KENNETT (Leader of the Opposition)—As I indicated earlier, the Opposition will vote against this clause both here and in another place. Opposition members took the time of the House during the second-reading debate to explain succinctly why the Opposition is opposed to clause 10. I do not think it needs repeating unless the Premier wants to introduce new material. In that case, we will debate the issue with vigour.

Mr HANN (Rodney)—The National Party strongly opposes clause 10. Over the years we have supported equal opportunity legislation. It is important for women to be given equal opportunity. However, we are totally opposed to the concept of affirmative action and I explained the reason why earlier.

The process of setting quotas is contrary even to the Premier's philosophy and policy on this matter. In this House, in answer to a question earlier this year, the Premier indicated that his philosophy was for equal opportunity based on merit. The system of quotas is not equal opportunity based on merit and it is contrary to what the Premier stated on that occasion. I should be interested to know why the Premier has changed his whole philosophy on equal opportunity because if one sets quotas on a specific type of person to be employed, whether it applies to women or members of a designated group, one ignores the question of merit in employment.

One must consider the range of public servants who will be affected by the Bill, such as members of the Police Force and many others. For that reason, the National Party is totally opposed to the whole concept of affirmative action. As I mentioned earlier, it is an attack on family life.

It was interesting to listen to addresses by government members, one of whom mentioned that 51 per cent of the population are women who should have equal opportunity in the work force. The National Party's philosophy is that many of those
women are quite ably employed looking after their families at home and that that status of employment is well above professional employment in business. Employment in the home is an important role and function for women because they are training the next generation of Australians. That appears not to have been recognised in the government's philosophy of affirmative action.

For that reason the National Party is joining the Opposition in opposing clause 10.

Mr CAIN (Premier)—I regret that that attitude still prevails in the Liberal and National parties. As I said in the second-reading debate, and this is an appropriate time to reiterate it, some cultures are hard to change. The move to effective equal opportunity is still in its early days. We have a long way to go. In fact, a number of institutions both in the private sector and the public sector, for a whole range of reasons, cannot come to grips with equal opportunity.

Mr Hann—Which ones?

Mr CAIN—I am tempted to answer the interjection made by the Deputy Leader of the National Party but that would not be profitable. However, I am aware of a number of institutions that have problems coping with this issue. I shall give an anecdotal example. When I first went into the law I was told that I had to wear a hat in the offices of certain firms. Other firms stipulated that Catholics need not apply.

Honourable members interjecting.

Mr CAIN—It is a fact that certain commercial organisations still have a dormant, almost unconscious, prejudice barrier. They would never acknowledge it, it cannot be seen, but it is there.

Honourable members interjecting.

Mr CAIN—I am saying that there are firms in this community where today they may as well put signs on their doors stating, “Catholics need not apply.” All honourable members know that at one stage the Public Service was split into Catholics and Masons. That trend is disappearing but an unspoken prejudice and discrimination still remains entrenched.

This is not an overbearing government—it never has been. What it seeks to say is that occasions may arise where recruitment quotas should be applied as a final sanction. Uncooperative authorities may refuse to comply with legislation and requirements in their personnel practices and women may be denied the capacity of competing with men. I make it clear that any quota would be imposed on a specific authority only as a last resort and would apply only for a specific time. That quota would not be applied until the authority had had ample opportunity of implementing programs and complying with any necessary legislation. It is clear in the Bill that that quota would be subject to the approval of the Minister who is responsible for the specific authority.

We hope and expect that now, although some have still to be taken to the barrier on occasions on a range of matters, the authorities will understand the need for programs such as this and that they will willingly implement them. There may be one or two recalcitrant authorities that are entrenched—I use the word advisedly—and anachronistic. That is the result of time and circumstances and it cannot be overcome quickly. Authorities that behave in that way require assistance to understand fully the government's commitment to equal opportunity.

Regrettably, sometimes employers are not aware that women make equally as good employees as men, and those employers must be forced to understand that. The quota system can achieve that end so that employers will change their attitudes. The changing
of attitudes is most important and it is the most effective way of providing equal opportunity for all.

**Mr Hann**—That attacks family life!

**Mr CAIN**—I take up the interjection made by the Deputy Leader of the National Party. I do not know how he can say that this measure will attack family life. That is not my intention and, so far as I am concerned, that will not be the case. The National Party is making a wrong assumption about quotas in respect of women taking certain jobs.

**Mr Hann** interjected.

**Mr CAIN**—That is what the honourable member for Rodney is explicitly saying. Quotas force organisations to accept government policy. Some authorities will not take kindly to Parliament's direction, and will seek to fight the issue in a whole range of ways; therefore, there is a need for the final sanction. Quotas are necessary to ensure that those authorities observe what Parliament and the government believe is appropriate policy for this day and age. I believe I am accurate in saying that the same problem occurred in the Federal Parliament so far as the Liberal Party and the National Party were concerned, with two Liberal Party members crossing the floor. Senator Baume certainly crossed the floor in the Senate on this issue, and, as a result, he lost his place on the Opposition front bench.

I recognise that there is a philosophical blind spot on this issue. The Federal Liberal Party member, Mr Ian Macphee, expressed strong views about this matter; he is a person who has a strong background on equal opportunity. As a small-l liberal he understood the problems with employer organisations. The problem still exists.

**Mr Kennett** interjected.

**Mr CAIN**—The Opposition suggests that should not be the case, but it is the case. Until that ceases to be the case there must be that final sanction.

**Mr KENNETT** (Leader of the Opposition)—The Premier has been shot down by his own argument for introducing quotas. The Bill provides for quotas within public authorities. The Premier said that there could be organisations or authorities where there were difficulties, but he could not name them. The only illustration he gave was of the private sector, based on an archaic view that existed when he was doing his articles and first looking for work.

To be honest there is not equal opportunity in our society because of the government's beliefs and the system it supports. One cannot get a job of one's choice in many cases because one must compulsorily join a union. Increasingly there is discrimination against people in all levels of the Public Service who are interviewed for jobs and who are successful only if they carry an Australian Labor Party ticket. One difficulty in the Public Service is its politicisation.

**Mr Cain**—Rubbish!

**Mr KENNETT**—It is not rubbish. The government has appointed many people at many different levels who are members of its party, and that is discrimination!

The clause provides for forced discrimination. No honourable member would argue against equal opportunity, but the Premier used a generalisation when he said that there are authorities that will not conform, although he could not name them. He did not prove his point. He had to rely on some examples occurring in the private sector. Most authorities in the public sector have advanced dramatically over the years; they have achieved a better understanding of the situation applying to the community as a whole.
The Premier is taking a dogmatic approach to force his views on the authorities to achieve his own political ends. The Opposition will not be part of that. It will not kite-fly an idea which is not in the interests of women or men and not in the interests of those who want the opportunity of being recognised and promoted on merit.

As we approach the dying days of the government it is noticeable that the government is becoming increasingly tired. Now and again some of its ideological direction comes through. This provision is part of the government's commitment that is not acceptable to its own rank and file; it has been rejected by some of its own members and by some of their Federal colleagues. The Premier argued that the government provides the opportunity for women to reach high levels, but that was not always the case. I remind honourable members of the time when the honourable member for Greensborough was deemed by the Labor Party to be no longer good enough to be a Minister. However, that did not have anything to do with her ability. The Premier was not prepared to act in this matter.

Mr Micallef interjected.

Mr KENNETT—The Premier has breached two standards. Firstly, equal opportunity has not been provided on the ALP decision-making body. How many females are on the administrative committee that is meeting increasingly frequently?

The Liberal Party has an equal number of females on its administrative body, but that position does not apply to the Administrative Committee of the Australian Labor Party. Secondly, what about equal opportunity for the honourable member for Greensborough who was unceremoniously dumped? Is that part of the government's policy for equal opportunity? What about those authorities which, for some reason or another, are not being cooperative?

The Premier has not given a reason why equal opportunity is not occurring in our society today. All the Premier has done is to argue that at some stage he would like the opportunity of imposing his will. He should not preach equal opportunity, given the situation with the union ticket system and in terms of the rank and file of the ALP.

What gall the Premier has to argue this matter on the basis of his experience when he was a suburban lawyer and to say that this measure should be imposed on unnamed authorities.

The Opposition opposes clause 10. The Premier is becoming increasingly tired and, after the next election, he will have to read the employment section of the Age. I suggest that he does not seek employment in the legal area, because it does discriminate against former Premiers.

Mrs SETCHES (Ringwood)—I support clause 10 and in so doing I take up some of the comments of the Leader of the Opposition who used some florid prose in supporting his view that clause 10 should be opposed.

The Liberal Party claims to represent the views of both men and women, but it supports the senior managers in public authorities over the views of the workers, who comprise both men and women. Those men and women are not pleased with the views expressed by the Liberal Party on this issue.

The Bill provides that public authorities will come under the direction of a Minister of the Crown and that the Minister will have the power to direct the authorities to carry out the provisions of the Bill.

Authorities providing energy, transport and water resource facilities have historically—generally for sensible reasons—had a male work force in their technical, scientific, and engineering departments. From time to time, some women have had...
the opportunity of entering university and studying engineering. Increasingly, more women want to take up engineering courses at tertiary institutions and gain employment in technical and engineering fields. Should a recalcitrant authority resist the employment of women in the technical and engineering fields the Minister is empowered, under the provisions of the Bill, to impose an employment quota on the authority. That quota may reflect the number of women who are qualified in that discipline.

For example, if an authority's work force comprises 10 per cent female and 90 per cent male workers, it may be appropriate that a quota of one female for ten males is imposed. It is not a hard and fast provision. The provision may apply for one year to demonstrate to the authority that women are eligible to work in the particular area.

Clause 10 allows the Minister to intervene only where absolutely necessary to ensure that the government's policy of equal employment opportunity for women is honoured. Equal employment for women will be assisted by the retention of the clause.

Mrs HIRSH (Wantirna)—I support clause 10. The opposition parties do not fully understand what the quota system means. I am sure that when they appreciate its intent, logic will prevail, and they will change their views.

As the Premier and the honourable member for Greensborough said earlier, the employment quota is proportional to the number of highly suitable and well-qualified women available for a particular job. The Deputy Leader of the National Party seemed to suggest that the provision may mean that an authority could be forced to have females represent 50 per cent of its work force even though few women may be qualified for those positions.

The honourable member for Ringwood has stated that the employment quota provision is a last resort and is dependent on the number of qualified women requiring jobs. For instance, if a small number of women want to gain employment in the engineering field a quota may be set to take account of the number of qualified women wanting the positions available. The quotas are realistically set and are included in the Bill to assist Ministers dealing with recalcitrant authorities.

Mrs GLEESON (Thomastown)—I also support clause 10. The disadvantaged in the community who find it difficult to gain equal opportunity in employment would be dissatisfied with the standard of the debate. Honourable members should recall an incident that happened in Parliament two months ago, during the winter recess. A female attendant commenced her employment during the autumn sessional period, but she was virtually hounded out of her job. A member of the National Party spoke to the press and expressed his attitude on this issue. The honourable member said that he would not break old habits and allow a female attendant to open a door for him, but would rather use other doors. It was most difficult for that person to carry out her duties and open doors for Parliamentarians. That episode is well documented in the newspapers and is typical of the attitude of some white Anglo-Saxon males, the WASPS of this world, who can determine whether a woman can satisfactorily carry out her duties.

Many people in society have entrenched attitudes. Honourable members have witnessed first-hand a demonstration of that attitude. It is unfortunate that the government has to legislate against entrenched attitudes that inhibit people from realising their ambitions and potential when they are suitably qualified.

Unfortunately, it is necessary to include such a provision in legislation. The Bill provides for employers in the public authorities to exercise equal opportunity. Because of the attitudes that have been so deeply entrenched, a quota system such as that contained in clause 10 is necessary. It is obvious that honourable members in this
Committee do not like it, but it is the people sitting on the other side of the Committee, who have kept prejudice alive by their attitudes, who have occasioned the necessity for clause 10. I wholeheartedly support the clause.

**Mr MICALLEF** (Springvale)—Mr Speaker—

Honourable members interjecting.

**The CHAIRMAN** (Mr Fogarty)—Order! If the Leader of the Opposition has finished interjecting, the Committee can proceed.

**Mr MICALLEF**—I support the clause. It is fundamental to the whole concept of the Bill and makes the measure effective. Therefore, it is essential to retain the clause. I believe the conservatives are not really sincere about their general support for the Bill if they want to castrate it by omitting clause 10.

The clause specifically mentions persons who are women or members of a designated group. It must be kept in mind that the provision is broad and refers not just to women, although I accept that women are very much discriminated against. The clause will help to redress some of that discrimination.

Quotas are a form of discrimination, and it is the intent to introduce that form of discrimination to reverse a discrimination that has existed for ever and to bring about a balance in employment. It is very important. Quotas will not last forever, but they are specifically designed as a temporary measure to help redress the imbalance that has been allowed to continue, especially in public authorities.

Anyone who has had any experience would realise that traditions die hard in those areas. I would hate to be a disabled, ethnic woman who is perhaps a Catholic or a homosexual, trying to get a job in some of those areas. I fully support the clause.

**Mr STOCKDALE** (Brighton)—I really could not allow this pathetic apology for an argument in support of the clause to go unremarked. The government ought to face the fact that there is no support for this ridiculous proposal even among its own ranks. Some thought ought to be given to the matter while the Bill is between here and another place so that the measure can given legitimate recognition to the aspirations of the many women in our community who are the victims of discrimination and give them equal opportunities.

It has been quite clear from the knitting circle and the ladies on the other side, including the lady who spoke last—

**Mr Micallef**—The what!

**The CHAIRMAN** (Mr Fogarty)—The honourable member for Thomastown!

**Mr STOCKDALE**—No, I am talking about the honourable member for Springvale. It is quite clear that no government member has his or her heart in this clause. The left wing of the Labor movement and the left wing of the feminist movement have some intellectually credible arguments to support this sort of rubbish; they trot it out all the time, and this government provides them with funds to have it printed in the media and all the radical left-wing journals. Some honourable members read it. It has some intellectually credible arguments and sometimes conclusions can be drawn.

However, today the Committee has heard the greatest load of garbage that it has ever had to suffer through. Not one honourable member in the government party has a credible argument. Government members have sought to drag themselves along on the coat-tails of the feminist movement. Why are they doing that? Are there votes in doing so? Is that what women in our community want? What women what is a fair deal! The honourable member for Springvale really let the cat out of the bag. The
reason why government members do not have their hearts in the provision is that they know it is a form of discrimination.

Honourable members interjecting.

The CHAIRMAN—Order! The honourable members for Niddrie and Richmond are out of their places and out of order.

Mr STOCKDALE—Will other members of the government party jump up and have a second bite to show that I am wrong? Will they offer in their dissertations any arguments that have intellectual credibility to which they believe even the left might relate? Clause 10 does not have support on either side of the Committee. It ought to be dropped and forgotten forever.

Mrs TONER (Greensborough)—It appears to me that the opposition parties simply do not understand clause 10. The honourable member for Brighton said that the women in the community want a fair deal, and of course they do. The Bill proposes a fair deal for women. Through the establishment of equal opportunity committees, the various authorities will examine their personnel and employment situations. In that regard, clause 10 provides that if they do not do that, the government has the capacity to intervene and ensure that, for a limited period, a quota of women is taken into that area; that is, in cases where authorities are recalcitrant and unwilling to be involved in the intention to provide equal opportunity to which all members of Parliament are committed.

It appears that the opposition parties have not read the Bill and do not know what it is about. If they read clause 10 carefully and relate it to the rest of the Bill, their fears will be diminished.

Mr Kennett—You should be back on the front bench.

Mrs TONER—I agree with the Leader of the Opposition. That is probably the first sensible thing he has said today.

The Committee divided on the clause (Mr Fogarty in the chair).

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\text{Mr Cunningham} & \text{Mr Elder} \\
\text{Mr Ernst} & \text{Mr Evans} \\
\text{Mr Fordham} & \text{Mr Hann} \\
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\text{Mrs Gleeson} & \text{Mr Heffernan} \\
\text{Mr Harrowfield} & \text{Mr Jasper} \\
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\text{Mr Hockley} & \text{Mr Leigh} \\
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\text{Mr Kirkwood} & \text{Mr McGrath} \\
\text{Mr McDonald} & \text{Mr McGrath (Lowan)} \\
\text{Mr Mathews} & \text{Mr McGrath (Warrnambool)} \\
\text{Mr Micallef} & \text{Mr McNamara} \\
\text{Mr Norris} & \\
\text{Mr Pope} & \\
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\]
The remaining clauses were agreed to.

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

**CHILDREN AND YOUNG PERSONS BILL (No. 2)**

The debate (adjourned from the previous day) on the motion of Mr Mathews (Minister for Community Services) for the second reading of this Bill was resumed.

**Mr WEIDEMAN** (Frankston South)—As has already been stated by the spokesmen for the National and Liberal parties, the Opposition will not oppose the Bill. Only one item of contention is being debated by honourable members. Both spokesmen spoke at great length on the history of the Bill and the position of Community Services Victoria with regard to child protection services in this State. They mentioned the Community Welfare Services Act 1970 and the Children’s Court Act 1973. A review of child welfare practice and legislation was then conducted, producing the Carney report in 1985, which resulted in the Children and Young Persons Bill.

It has been suggested that the Bill covers three areas: firstly, the Children’s Court—a major proponent of protection of children in the criminal law; secondly, the creation of the two new divisions of the Children’s Court; and, thirdly, backup for court services.

I wish to raise only two issues. Firstly, specialised courts are in the best interests of many areas of the community, and I have always been interested in the existence of a drug court—in other words, a court to look after all problems related to drug abuse and offenders and cases in that area. I am glad the Children’s Court has been divided into two divisions.

It is necessary to examine the history of the Bill and social welfare and children’s welfare services in the State as they have developed over the past twenty years and

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what has happened in Victoria regarding the provision of those services. Certainly, the former Children's Protection Society and other societies that have provided protection for our children in the past have now been replaced with a bureaucratic approach.

In 1972 the Whitlam government put before the public the Australian Assistance Plan, a grand plan in which social welfare was to become the fourth tier of government, virtually eliminating State or local government input. That plan was the stepping stone for the increase in social welfare and development of social welfare training in this State. It was from the grandeur of that plan that the industry of social welfare has developed.

Honourable members are aware that governments have made improvements in their progress over the years but in so doing have virtually taxed people out of the capacity to act in a philanthropic way by giving donations of money to organisations that offer protection to the needy in the community. The social welfare industry has made progress over the years. Bureaucrats have taken over the industry, and reports have been written on the development of social welfare and the direction in which politicians believe it has been going in the past twenty years, so that what was a non-political subject became a political football with all parties making many promises, some of which were broken and some of which were kept.

Social welfare services have increased enormously. Years ago, one or two officers in the social welfare department would issue hundreds of thousands of dollars to the highly professional voluntary groups; nowadays there is a bureaucratic mishmash of a considerable number of people who have been given responsibility to decide who pays and to decide how to get the dollar through to the unfortunate children, deserted wives and other needy people.

The Bill concerns children and young persons. The two issues that incite the most emotion are discussions of animals and children. I am sure the Minister for Community Services recognises that fact. Many honourable members have already stated that this is an emotional subject and an area in which we have all been marginally involved. It is a distressing problem and honourable members must adjudicate on the matter, taking appropriate positions in order to be of help. It is much easier for honourable members to deal with problems in education or transport where the issues may be in black and white. However, it is difficult for anyone to make a judgment when dealing with families, particularly children who have been abused or interfered with.

I understand that Community Services Victoria is attempting to increase the number of persons employed in this area. It has been advertising positions but has had much difficulty in filling those positions. I can imagine the difficulties faced by young, newly qualified people entering those positions. I understand there has been a burnout in which young people take those positions for some months and find they cannot cope or that the job does not meet their expectations of a career. I am sure this happens with young people, particularly in the age group of 20 to 30 years, who may not have had the life experience many of us have had. It seems that changes made in the past twenty years have virtually taken away the advances that had previously been made in the child protection area, in which professionals held their jobs for many years. That system has now been replaced with a bureaucratic structure. The situation now depends on the staff who are employed at the time.

I shall relate a story about the Menzies Home for Children in my local area. Like other homes in the State, the Menzies Home for Children had over a number of years acquired premises in which to house cottage mothers and fathers. During the war young people came here from England and were housed in places such as Northcote farm, where they were looked after, and later returned to England, although many
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stayed here. The same system operated at the Menzies Home for Children. A cottage mother and father looked after the children. The husband had a job and the mother would use her skills to guide the five or six children, sometimes eight children, in a house environment. That was an admirable approach for bringing up young children, particularly those with long-term problems.

Over past years it has come to my attention that because of legislation those facilities require 24-hour-a-day surveillance seven days a week by staff, and this has created problems for organisations, which require facilities and money to pay for staff. That family-type unit seemed most appropriate. With the changes in attitude it is now expected that those establishments be staffed seven days a week on 8-hour shifts, involving three staff members in 24 hours, with the result that many organisations are now selling their properties and putting the money in the bank, using the interest to help the community in other ways.

The initial aim of the Menzies Home for Children and other similar organisations—although many have closed, there are still some with the same idea—has been affected by the government's change in attitude so that many of the organisations are selling the properties and reinvesting their money. I did not believe that would happen, but it has. Once those organisations sell their properties and invest the money in other ways, they may never be able to reinvest in properties of similar value as property values increase.

I wrote a letter to the Minister for Community Services on 29 June 1988, at which time the House had dealt with antidiscrimination legislation. Honourable members sometimes wait six or twelve months to receive replies to letters sent to Ministers. This letter was written on 29 June, and I am still waiting for a reply. It normally takes three or four months to get a reply from the Minister for Community Services. The Menzies Home for Children had sent a letter to me drawing my attention to the staffing of the Community Services Victoria Frankston office. This was the theme of a recent Channel 2 Four Corners program in which the Minister for Community Services was grilled about services and a tragic incident in which a child who had been left in the care of unsuitable parents was killed. This is a situation that stirs the emotions. People who viewed the program feel for the people who are writing letters to local members and who understand what will happen in the future. The letter from the Menzies Home for Children, dated 21 June, states:

Through our work with families in the community we have become aware of an acute field staff shortage at this State government department.

The lack of field staff has led to:

1. Lack of supervision for children and young people considered to be at risk.
2. Lack of support for families and lack of future planning to facilitate change.
3. Excessive demands being placed on existing staff which has implications for quality of practice.
4. Withdrawal of assessment services normally provided to the courts.
5. Increased workloads for community agencies providing services for CSV clients who are without allocated workers.
6. Some young people placed in institutions for an unnecessary length of time due to lack of CSV workers to plan their future.

It has also come to our attention that, in addition to the stressful nature of the work intrinsic in guardianship and supervision, inadequate remuneration has contributed to the staff retention problem. CSV field staff are paid less than workers in equivalent positions in the other States in Australia. Higher salaries are also paid to those working in the non-government sector.

In view of the shortage of staff at CSV which has curtailed services and placed additional stress on local community resources we, as concerned professionals from this area, request urgent action to address this problem.
The letter was written on 21 June 1988, and it was sent to the Minister in August. I wrote back to Dr Runciman and said I would express my concern to the Minister, but I am yet to receive a reply.

The *Four Corners* program highlighted some of the issues which are referred to in the letter. One instance concerned the sister in charge of a children’s ward at the Royal Children’s Hospital. She has contacted officers from Community Services Victoria concerning their case load. The sister was reported as saying that she did not recall the department ever being unable to admit any more cases. In such circumstances those cases are referred to what may be called “the second track” and they are dealt with by the police.

Many of the police officers who have to deal with cases of domestic child abuse are aged between 19 and 25 years. When I visit police stations in my electorate—and I am sure other honourable members have experienced the same thing—young police officers tell me that they try to avoid dealing with incidents of domestic violence. It is often the case that the young policemen and policewomen cannot handle domestic violence situations. Often those police officers endeavour to have a senior police officer accompany them because that senior officer is usually well versed in the problems which can arise in such situations and he or she can be of great assistance to young police officers.

Young officers are put at a disadvantage when they have to attend such cases either over the weekend or at night, especially when either or both of the parents are charged with abusing their children. I sympathise with young police officers who find themselves in such situations.

Recently I attended the annual meeting of the Menzies Homes for Children. I listened to the remarks which were made by Mr Max Kau, the Executive Director of the Children’s Welfare Association of Victoria Inc. He is an expert in his field and he raised some points of paramount importance. He said that the approach of welfare organisations had changed during the past twenty years. Previously the policies adopted in this area were conservative and depended largely on the efforts of volunteers and philanthropists. But Mr Kau said he was unsure whether the present system was a better one. He said most of the people currently sitting on policy development committees were either bureaucrats or academics and that the policies they developed for the government of the day, no matter which party was in office, were based on theoretical models rather than on research.

Recently, I had the opportunity of travelling overseas on a trip sponsored by the Commonwealth Parliamentary Association. I was in England when the Cleveland report was published. As honourable members will be aware, 121 children were taken from their parents and admitted to hospital because it was suspected that they had been abused. In many cases children were admitted to hospital simply because they had a bruised neck or a bruised knee.

The parents of those children discovered that their rights as parents were denied, particularly as they were told that they could not go near their children while they were in hospital. There were wards of happy—or perhaps not so happy—children in the local hospital. Some medical officers had the onerous task of explaining to the children why they were being kept in those prison-like circumstances, supposedly for their well-being.

The honourable member for Dandenong said that when the report was published it caused a scandal. The publication of the report had the effect of causing a crisis. Many parents suffered the shock of having their children taken away from them by overzealous bureaucrats. At present, those parents are faced with the task of explaining
to their children what happened to them and why it happened. Those parents are faced with the task of explaining to their children why they were accused, often falsely, of molesting their children. At the time I was in England, fifteen families had launched suits against both the government and, in particular, their local community health service.

The media reports of the incidents tended to place the blame on one or two people. The judge who conducted the inquiry laid the blame at the feet of the system. Although the Opposition does not oppose the Bill, I hope the Minister and his staff will ensure that such a situation cannot occur in Victoria.

In his speech at Frankston, Mr Kau said that he did not believe sufficient research had been carried out in this area. He said that there was a great need for social welfare policy development and that research should be the mainstay of that development.

The need for epidemiological research should be given a high priority. Epidemiological research is being carried out in the United States of America, Canada and the United Kingdom; and such research should be carried out in Victoria so that behavioural patterns can be studied and, most importantly, new models for social welfare services can be adopted.

Epidemiological research should be conducted into the problems caused by the AIDS virus. Speakers at the recent conference in Hobart emphasised the lack of such research in Australia; yet there are many questions which must be answered about the effects of the virus.

In relation to the Bill, there are many questions that must be answered, questions such as: what happens to children who are in foster care? What range of services is available to help young offenders to be integrated into the community? What types of family support services and programs will help families in poverty? What types of intervention, prevention, and treatment are available to prevent both the occurrence and the recurrence of child abuse?

Community Services Victoria should establish a task force to examine those questions. Epidemiological research should be carried out to evaluate the programs that deal with child abuse, as it would appear we are dealing with an epidemic of child abuse in our community.

Many honourable members will know of the way in which family support schemes work through halfway houses and refuges.

Mr Leigh—Mr Acting Speaker, it is outrageous that there are only two government members listening to the debate on this important Bill. I direct to your attention the fact that there is not a quorum present.

A quorum was formed.

Mr WEIDEMAN—Recently, the local community health centre in the area I represent was the subject of discussions with the Minister. The local members considered that its funds were not being expended in the interests of the community. The Minister sent in a regional team to investigate. Those involved in the examination of the funds of the community health centre included representatives from the local childhood development centre, the local council, the director and a member of the committee of management of the community health centre, as well as representatives from the regional office. Some eight bureaucrats were involved.

I have a document containing a range of recommendations on how the community health centre should be run in the future. I was the person who requested that the functions of the centre be examined, but not once was I asked to make an input. I
have now been presented with a list of recommendations and asked for my comments. However, I had no opportunity of making an input about local community attitudes, and so on.

The committee may say that the funds are not available; maybe that will be the excuse. A narrow approach is being adopted with respect to what the community wants. Perhaps two community health centres should be established, but no-one from the local community was asked to make an input. Honourable members should remember that Frankston has a population of 100,000 people. That is the important issue I wish to raise. With respect to community health, families, and so on, the department has kept to itself and has not enjoyed the benefit of community points of view.

The Labor government implemented the concept of district health councils. However, this has gone the opposite way to what was intended. Only one in twenty of the membership of the councils can be primary health providers. My understanding is that few private health providers take part in the councils; they are not welcome and they do not last. Therefore, the councils virtually become consumer-oriented discussion groups that criticise local primary health providers. They have become completely one-sided consumer-oriented groups, on the one hand, or completely professional groups on the other, and in between, is no-man's-land.

This represents a problem for the community. Community based committees should represent all the views in the community health area. Appointments should be made from the local providers and from the government rather than having twelve appointees from one narrow-based group.

Enormous changes have taken place over the past twenty years and it is always easy to criticise. The recent Four Corners program concluded that there was no solution. In that program, the police said that money would not fix the problem. It seems that this can be done only by administration and implementation. On that program investigations had been made into the death of the child who was the subject of the program, but the police had not seen a report. The Minister was prepared to see that a copy was provided, and he was not aware of the criticism of the police.

If one takes that situation as an example, one realises that careful examination should be made of this issue by welfare groups to obtain balanced reports. Perhaps the government should even appoint outside consultants to examine the situation. Apparently 50 per cent of reported cases of maltreatment are not being investigated. This is an important subject and governments involved in this area must treat children and parents with the respect they deserve. When officers go into people's homes they should be careful about the way they conduct themselves when dealing with family problems.

It is appropriate that the Bill should come before the House; the subject has not received much discussion since I have been in this place. It is necessary for ideas to be put forward. The message I want to leave with this place is that the Minister should set up an epidemiology or evaluation section as part of his department. All the programs of the various government departments including mental health, consumer services, health, and social welfare services should be evaluated. If that is not done in future we will have the situation we have now, where 50 per cent of cases reported are not investigated and funds will be spent in areas where there is no value for money.

I have been a member of many committees that have gone through the exercise of assessing whether functions are appropriate for particular areas. I hope in the future governments use the sciences available to make sure funds are spent wisely and programs are properly evaluated.
Mr W. D. McGrath (Lowan)—The Bill is an important piece of proposed legislation. As the honourable member for Frankston South said, there are no dissenting voices about the fact that the Bill should pass.

The proposed legislation establishes a framework for the operation of the Victorian Family and Children Services Council, which is to be chaired by Mr Justice Fogarty and which will attempt to come to terms with child abuse and child neglect. That is all very creditable, but once again we are examining the cure rather than prevention. In an article in the *Age* on Friday, 8 July 1988 under the heading "State moved to act on child abuse" the opening sentence states:

Child abuse is an ugly term that covers a complexity of evils, from shameful neglect to sexual interference, from emotional deprivation to violent beatings.

It is a little sad when one reads such sentences in one’s daily newspaper. It is an indictment of society as a whole that some people can go to such extremes and abuse their children. Although child abuse has been in existence for a long time, it appears to be a growing problem.

If one looks at the other side of the growing problem, the breakdown of the traditional family unit, one sees the trauma and distress which results in innocent parties being the victims of emotional frustration. There are highly volatile situations which affect innocent children. While the Children and Young Persons Bill (No. 2) considers a cure, we must step back and look at what we can do about prevention in this area that causes so much heartache.

Until 1985 a private organisation funded by government worked with the police. The Children’s Protection Society went out of existence because of pressure. As a voluntary organisation it found the load too heavy. The government stepped in and set up the child protection services in Community Services Victoria.

One of the greatest problems for child protection services is that they operate on a 9 a.m. to 5 p.m. basis. Previously those services were provided by the police, who work 24 hours a day. I suggest to honourable members that most of the incidents of child abuse take place outside the 9 a.m. to 5 p.m. time scale during the night. That problem created a significant load for the Police Force, whose members may have training in problems related to law and order but do not have the degree of expertise required to handle the delicate situations surrounding neglect and abuse of children.

I have been involved in an organisation, the Wimmera Community Care agency, which obtains 90 per cent of its required funds from the government. It has undertaken a public appeal in the Wimmera-Mallee area to raise $250,000. I was asked to chair the appeal, which I did. I can report to you, Mr Speaker, to the government, and to all honourable members that the appeal conducted over the past two or three months has been very successful and has raised its target of $250,000. The Wimmera Community Care agency is conducted by the Uniting Church in Australia. Like other church agencies, it has suffered a drop in the support it has been able to provide in the area of child protection because fewer people are participating in church programs than there were 20, 30 or 40 years ago. The decline in participation in church programs may be another reason for the increase in the problem the proposed legislation seeks to cure.

The Wimmera Community Care agency offers help to a number of families by providing family group homes, foster care and other programs that overcome problems at difficult times. It provides services at times of trauma associated with family breakdown and attempts to give some stability to the children involved. The problem must be dealt with with a great deal of delicacy to ensure that everything done is in the best interests of the children.
If one considers why there has been abuse of children after a family breakdown, in many cases it can be seen that the problem relates to alcohol abuse. People take excessive quantities of alcohol and suddenly they lose control, which results in family violence and child abuse.

Although I congratulate the government on having introduced the Children and Young Persons Bill (No. 2), I wonder why it has increased liquor outlets and liberalised licensing laws in Victoria. All honourable members would wonder the same thing when they acknowledge the role that alcohol plays in our community and the distress that it causes in so many areas. I am certainly not a wowsers by any means, but I can see that the liberalising of the liquor laws will cause more trauma to family life in Victoria. Perhaps two or three years down the track these words may echo somewhere around Victoria and the government may see the folly of its extension of the State's liquor laws.

As I said, welfare agencies working through church organisations have done a tremendous job over a number of years. Again, if one looks for causes behind the maltreatment of children, one comes back to the breakdown in the belief in basic Christianity. I am not here to give a sermon, but if one considers our society and the drift away from basic Christian beliefs, it is obvious that the drift has resulted in the community not being as solid as it was in its support for our fellow man. It is another matter which honourable members must consider.

The need to respect the rights of families and children is written down somewhere in general Christian beliefs. That respect has diminished considerably over the past ten or twenty years. The proposed legislation is based on a philosophy of society and our attitudes to each other. The government can provide legislation and can talk about establishing family and children's councils. All of those things can be done, but they are all only attempts to provide a cure; they do not consider the prevention of the problem. That responsibility lies with society as a whole. We must look at ourselves and find some way of encouraging people who have the responsibility and care of young children to have greater respect for the job entrusted to them.

Some three or four years ago, I saw some interesting articles written by Brother Alex McDonald, a Jesuit social worker who worked in the streets of St Kilda. As I was responsible for youth affairs for the National Party, I took the opportunity of contacting him and he invited me to come to Fitzroy Street, St Kilda. When I got there, I spoke to young boys sixteen and seventeen years of age and to young girls aged anything from thirteen to sixteen years. I spoke to one young lass in a coffee lounge and she told me that she came to St Kilda from Dandenong. She roamed the streets all night and was not game to put her head down in case she was taken off and molested. She slept on a park bench during the day. Her reason for going to St Kilda was to find company.

I spoke to one youth who came from Cobram in the north-east of Victoria and another who came from Echuca. Children from the country are coming to Melbourne to try to find someone with whom they can communicate. They are not going to St Kilda to enjoy the so-called excitement of Fitzroy Street. What came through to me was that they could not find love, care and devotion within their family units so they moved away from them and tried to find that care, attention and devotion in Fitzroy Street. It is sad that children look for that in a place like Fitzroy Street, St Kilda.

Society needs to look at itself and reflect on what it is about and where it is going with the children of the State. Every Parliamentarian who goes to a school to present a flag or speaks at a public activity where children are involved will use the catchphrase that children are our greatest natural resource. However, we must do more than just pay lip-service to that. We must encourage society to be more caring.
emotional pressures are placed on families, and support must be given to the family unit. When either partner walks out of a family unit where children are involved, a financial penalty should be placed on the partner who walks out. I know the Federal government is endeavouring to do that by taking a percentage from a person’s pay packet or welfare benefit if that person has walked out on a family unit. The penalty should be significant so that good financial support is given to a family from which one partner has walked away.

People in our society want all the privileges but are not prepared to accept the responsibilities. The Bill is a framework to provide the opportunity for better care, understanding and oversight in relation to child abuse or neglect. It is a start. Mr Justice Fogarty and the people who are working with him have a tremendous responsibility. It is the hope of all honourable members that in giving the government support for the proposed legislation, children will benefit.

An article in the Age of 8 July states:

Victoria reformed its antiquated child protection services several years ago, dividing responsibility between specialist sections of the Department of Community Services and the Victoria Police. This so-called dual-track system still has its loyal supporters, including the Minister for Community Services, Mr Mathews, but it is manifestly not coping satisfactorily with the workload upon it. If it were, how could nearly 700 children, declared by courts of law to have been abused or to be at risk, still be waiting for professional help? How could the average waiting time be twelve months for an abused child to be allocated a welfare worker?

Certainly there are problems. Many children are waiting for welfare workers to give them support and encouragement. This is an area where the opposition parties and the government can work together to provide a better environment in the community so that the children in our care for a time can be looked after. Parents have responsibility for children for a short period, perhaps sixteen or seventeen years, after which children make their own lives. However, while parents have responsibility for them, everything should be done to assist the children and to ensure that they are encouraged to become the special resource they are.

Mrs RAY (Box Hill)—I shall not reiterate what others have said in this debate, but I commend two of its salient features: firstly, the separation of children in need of protection from those who are criminal offenders, that is, the removal of those who have been offended against from those who are offending. Secondly, the range of alternatives now offered for dealing with both groups. The Bill makes provision for interim accommodation orders, which spell out the access provisions for families, the granting of custody to a third party for a year, supervised custody under the director-general and custody to the director-general for a specified time. With all those options, guardianship remains with the parents. Even under the permanent care placement with another family, parental access is retained.

The system largely replaces one where wardship removed parental responsibility and largely destroyed any hope of rehabilitating a child in his or her family. The Bill is premised on the belief that a child ought to be with his or her family. If that family cannot provide the right setting for growth and development, the extended family should be the first alternative tried. Failing that, a family environment with support should be the preferred option.

The importance of supporting the family as a whole has been recognised in other legislatures. In 1980, for example, in British Columbia the name of the Protection of Children Act was changed to the Family and Child Services Act. The Act was changed in more than name, but the name certainly showed that the focus was on keeping the family together. The statement of objectives in that Act are: to provide a range of services to the child and his family and/or to take such legal action as is required to
ensure a child’s safety and well-being and, where possible, to preserve the integrity of the family.

The same expanded options are also available in the clauses covering offenders. A child is able to give an undertaking not to offend again; and a youth attendance order may be given to a 15 to 18-year-old person. That order can involve up to 10 hours community work under the supervision of a case worker. A youth supervision order may also be imposed; that covers young children and is somewhat less stringent in terms of intense supervision.

It is commendable that a child under fifteen years of age can be sentenced to a precise period of detention in preference to receiving an indeterminate period of wardship. I understand that the provisions of the Bill will require more trained and very experienced staff. Skilled report writers will be required to assist the court when it is considering the appropriate dispositions. Certainly, it will require skilled supervisors and, most importantly, it will require the cooperation of skilled care givers in the community.

As other speakers have indicated, parenting skills appear to be in decline. Indeed, it is harder to be a parent than one would imagine. Many people need support and encouragement as well as quite specific training in order to be decent parents.

If the Bill is to be effective, the function of supporting families—whether it be the child’s own family or a substitute one—will be critical. Work needs to be undertaken to rehabilitate the family of origin as a priority. We must not concentrate all resources on substitute placements. Where the natural family is neither appropriate nor possible, recruiting of family placements in the community will not be a simple matter. The number of placement support workers will need to be increased and should be available to the families of origin, as well as to substitute families.

I briefly comment on the issue raised by the lead speaker for the Liberal Party: the matter of mandatory reporting. I make my comments in the context of the Cleveland incident. Lord Justice Butler-Sloss released her report in relation to that situation on 6 July last, while I happened to be in London. The editorial in The London Sunday Times of 10 July is a warning about the over-zealousness that can produce the opposite result to what is intended. Part of the editorial states:

In the course of this crusade the best interests of the children, on whose behalf everyone claimed to be acting, were lost from sight. For the most part, they were doomed to despair, as one doubtful clinical diagnosis followed another, children were taken from their homes, the responsible authorities fell out among themselves and public concern mounted. During the whole affair, as Lord Justice Butler-Sloss noted in the first paragraph of her report last week: “The voices of the children were not heard”. The Cleveland scandal has given new meaning to the antiquated British maxim that children should be seen and not heard.

...the official guidelines... issued by the Department of Health and Social Security in Britain state in clear and simple terms that the child’s welfare must be the overriding concern of professional staff and that the gathering of evidence of abuse must not become an additional source of abuse of the child.

I conclude my remarks by congratulating the Minister for Community Services and Dr Terry Carney, on whose very extensive report these progressive provisions have been based. I look forward to the passage of the Bill and to its faithful implementation.

Mr I. W. SMITH (Polwarth)—In relation to the debate on the Bill, I have the benefit of having had relevant experience. As you may recall, Mr Speaker, I was responsible for the introduction and guidance of legislation to establish the first social welfare Ministry in 1970 and remained the Minister until after the 1973 elections.

While I had had personal experience in family life and in the community, I had nothing like the breadth of experience that I obviously gained between 1970 and 1973.
The riding instructions given to me, as Minister, from the then-Premier were, "For Heaven's sake, get those children out of orphanages." The government of the time set about introducing a program of acquiring family group homes which were not only commercially desirable but also—and far more importantly—were the obvious answer for the majority of children who came into care.

The Bill addresses itself to those young people and children who, for some reason or another, need to and do come into the care of the Crown. It has always been lamentable that we do not do more as a Parliament about preventing that sort of situation. When I was the Minister for Social Welfare, it was difficult to acquire skilled trained people in the welfare area, such was the infancy of that effort, to come to grips with the breakdown of family life and the need to improve the domestic situation, particularly for children. Having faced the dilemma I could understand the belief that the best social workers in the community were the next-door neighbours.

I observed in its infancy the tendency for professional people to advise the creation of a larger, centrally-controlled bureaucracy, imposing standards on voluntary organisations and individuals in the community. Lamentably, that view has mushroomed through succeeding governments and Ministers, much against what I would have advised and, indeed, when we were in government, what I suggested.

It seems that there needs to be a harsh reversal of the government's approach not only to give lip service to the encouragement of voluntary organisations—and I commend the honourable member for Box Hill who alluded to that fact—but also to put its money where its mouth is and to equip those organisations with the wherewithall to localise help because no matter how unskilled a volunteer, his or her heart is more often than not closer to the right place than that of any professional who might be employed on an hourly basis. Although one will obtain a wider variety of standards in the prevention and curing of community problems, nevertheless one will have more people effectively advantaged by the greater use of voluntary organisations.

I should like to think that a change of government would bring a new emphasis by the Liberal Party to the encouragement of voluntary organisations in the community. However, many steps need to be taken before that occurs—a change in government and community thinking.

The community has gone flat out in urbanising people by putting them in close proximity to large central urban areas. However, it has lost sight of the fact that in many cases human beings need a sense of belonging in a particular community. The only instance where that process may have been reversed temporarily was in a previous government's initiatives about decentralisation.

With that conscious policy of decentralisation came the requirement and need for more jobs in smaller communities. Within those smaller communities was a far more effective and obvious community network of organisations which encouraged and advantaged the people who belonged to them.

Unless the government takes stock of this massive thrust towards centralisation and attempts to reverse the trend so that people once again are more conscious of communities and become more involved in those communities, the problem that the Bill attempts to address will simply become worse. One exception to that—and it is a very good one—is the Neighbourhood Watch program run by the Victoria Police Force. It is probably one of the few initiatives that have allowed people living in the same street to introduce themselves to each other, while congregating in a local hall to discuss problems facing them. Despite living in the same street for many years, many people do not know who their neighbours are.
Such schemes should be given high priority by the government. I do not suggest that large sums should be poured into them, but the government should encourage its agencies and local groups to meet and bring about a cohesion of people within communities. That will not result in the worst elements of community involvement, such as busybodies snooping around, but in people genuinely displaying goodwill towards their neighbours. There is no doubt that family breakdown can be avoided if one can discuss ideas with a neighbour, bounce them around a bit, and come up with a solution. In general, a problem shared is a problem halved. With that spirit there will be less family breakdown, less stress on children and less antisocial behaviour. There are many societies around the world, notably Japan and the People's Republic of China, where these traditional family and community values still exist. In those countries antisocial behaviour, criminal behaviour, vandalism and so on account for only a fraction of the problems experienced in our society.

If people believe they do not belong within a community, they will not respect that community. The Bill addresses only the correctional aspect rather than the preventive aspect, which is like sending a person to hospital after he or she becomes sick rather than ascertaining why that person became sick in the first place. This is probably the most costly aspect to deal with, but it must be the government's first priority because family breakdown and antisocial behaviour of young people already exists. Prevention is a long-term matter but it must be addressed vigorously.

Before the last Federal election I was interested to hear the Prime Minister promise that within two years no child would be living in poverty in Australia. I see no evidence of that pipedream being translated into reality. That is sad because poverty is often the cause of stress being brought to bear on one or both partners in a marriage, often resulting in a breakdown of that family and antisocial behaviour by the children. All honourable members will have witnessed that when dealing with the many problems facing their constituents.

If the Prime Minister's promise is to be realised, he should not be wasting any more time. One cannot reverse the position immediately when dealing with large urban communities. It is like trying to berth the Queen Mary with an oar. It is no good getting out the oar 5 minutes before the next Federal election. The Prime Minister's promise must result in some immediate tangible evidence if it is to be successful.

The Cain Labor government would be well advised to resist its centralist policy and to actively foster the remaining voluntary organisations involved in welfare in this State. That is the best community approach the government can take. I recognise that the Minister for Community Services has announced programs of support for such organisations. However, most of them are fragile organisations and that support is almost too little, too late for them.

The next Liberal government will place significant emphasis on having church and community organisations identifying their sphere of community interest and will equip them more adequately to operate within their local areas. It is difficult for honourable members studying this large Bill to be certain that the measure will work exactly as the government intends. There will inevitably be a period of trial and error, and further amendments will be made to legislation as the community proceeds along this path. From the contributions of honourable members from all sides of the House and from the Minister's enthusiasm in being prepared to visit areas of his responsibility, even so far away as the electorate I represent, I recognise that the spirit is willing. It is now a matter of philosophic approach and whether the Minister can persuade his government colleagues that the money spent and the benefits sought by recipients will be more effectively administered in an expanded voluntary sector rather than in an expanded government sector. I commend the Bill to the House.
Dr WELLS (Dromana)—It is a privilege to participate in the debate on the Children and Young Persons Bill (No. 2), which provides for the protection of children and their relationship to the law. In practice the Bill covers matters relating to disadvantaged children. The United Nations Declaration of the Rights of the Child in 1959 follows a similar 1924 declaration from Geneva. The declaration states, in part:

Whereas mankind owes to the child the best it has to give . . .

Principle 2

The child shall enjoy special protection, and shall be given opportunities and facilities, by law and by 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 considerations.

Principle 4

The child shall enjoy the benefits of social security. He shall be entitled to grow and develop in health . . . . The child shall have the right to adequate nutrition, housing, recreation and medical services.

Principle 6

. . . Society and the public authorities shall have the duty to extend particular care to children without a family and to those without adequate means of support.

Principle 8

The child in all circumstances shall be among the first to receive protection and relief.

Principle 9

The child shall be protected against all forms of neglect . . . .

Charles Dickens’s Oliver Twist in 1837 catalogued the conditions of many children in England; supposedly one of the most enlightened nations of its day. It jolted society then and has done ever since. The description of Oliver, still hungry after eating his meagre ration, going with his bowl in his hands to ask for more food is memorable:

Please, sir, I want some more.

The master was a fat, healthy man; but he turned very pale. He gazed in stupefied astonishment on the small rebel for some seconds, and then clung for support to the copper. The assistants were paralysed with wonder; the boys with fear.

‘What!’ said the master at length, in a faint voice.

‘Please, sir,’ replied Oliver, ‘I want some more.’

The master aimed a blow at Oliver’s head with the ladle, pinioned him in his arms, and shrieked aloud for the beadle.

Surely that could not apply in our society today. Does it?

An article in the Age of 8 August 1988 under the heading “Children doss down in mouldy city cellar” states:

Less than 500 metres from the Melbourne Stock Exchange, nine and 10 year-old children sleep on sodden mattresses in a cellar.

The sour smell of damp is everywhere, but the city’s street kids say it is better than being out in the cold.

The children—runaways, wards of the State and those who miss the last bus or train home from the city—get into the building through an open drain or through a manhole.

There is no light inside, and because both entrances lead to the cellar, many stay there in the mouldering furnace and storage rooms, rather than risk climbing stairs in the dark. The mattresses lie in slime and faeces.

The Australian of 5 July 1988 states:

At least 34 000 cases of child abuse were reported to State authorities in 1986–87, with about 60 per cent of those cases confirmed.
Between 80 and 90 per cent of young homeless people seen by some welfare agencies have left home to escape physical, emotional or sexual abuse.

Abusing families often "shop around" for hospitals and doctors to conceal cases of abuse.

Evidence suggests many physically abused children will suffer repeated batterings and up to 20 per cent of those receiving severe head injuries could be educationally handicapped for life.

The *Age* newspaper of 2 July 1988 under the heading "Child abuse cases shelved. Staff shortages, big workload blamed" states:

In May, the total number of unallocated cases was 1328, an increase of more than 200 from November last year.

According to documents, 257 children deemed by courts to be at risk have been sent back to their families without any professional monitoring because welfare workers have not been allocated.

Support for a Royal Commission or a top-level public inquiry into the system has come from the Victoria Police Assistant Commissioner, Mr Bill Robertson; the Chief Executive of the Royal Children's Hospital, Dr Barry Catchlove; the former police surgeon, Dr John Birrell; the present police surgeon, Dr David Wells; the Vice President of the Victorian Society for the Prevention of Child Abuse and Neglect, Mr Chris Goddard; a Geelong Paediatrician, Dr John Rossiter; the head of the Children's Bureau of Australia, Professor Peter Boss, and dozens of social workers, welfare workers, nurses, doctors and police who deal with child abuse.

At the top of the newspaper article, and I regret that it is necessary to quote them, are the opinions of responsible people:

CSV is rotten ... responsibility should be sheeted right to the top.
- Dr Barry Catchlove, chief executive, Royal Children's Hospital.

How many children have to suffer and die?
- Dr David Wells, police surgeon.

Governments have failed to take child protection seriously.
- Mr Bill Robertson, assistant commissioner, Victoria Police.

There is always room for improvement.
- Mr Mathews, the Minister for Community Services.

The last comment summarises the situation I wish to highlight.

I acknowledge that the government has an appreciation of the problems involving our young people, as have other parties in Parliament and other governments in this democratic country. The point I make is summarised by the quotation attributed to the Minister for Community Services. The Parliament of Victoria—and indeed Parliaments of Australia—does not have a sufficient appreciation of the nature and the severity of the problem.

I alert all legislators in this Parliament to this important Bill. I urge them to probe their memories, their experiences and their consciences to concentrate on this matter. The time has long passed the stage of tacking things up with little bits of solutions to a problem that is not being solved. We have heard that there are more cases now in Victoria of young people in proven situations of risk, suffering, and social injustice than there were last November who are unattended.

They, like Oliver, have said, "Please, sir, I want some more.” They want some more of the benefits of a so-called democratic society, a society which—not just the government but others in the community—trumpets social justice. Those who are well placed to act—legislators, well-to-do bureaucrats, well-to-do business people and others—should take action. The vast bulk of our society is well placed and it is to all of us that these children are saying, “Please, Sir and Madam, I want some more.”
We all salve our consciences, rather insensitive as they must be, by having small corrections made to the problem and saying, "Yes, that will do.", and in a democratic society, it is unavoidable that the government of the day carries the prime responsibility. The government cannot sheet the blame home to anyone else.

I say to legislators, if they are listening, that they should stir their consciences because they alone are the people among four and a quarter million Victorians who can say, "Yea, yea, and it will be so.", or they can say, "Nay, nay, and it will be so." They have authority to write the laws of this land, and only they can do so. It is to Parliament that millions of people turn to have corrected the things that must be corrected if it is to be truly a democratic society.

Thousands of people of good will and effort, and even sacrificial suffering in our community, do their best, but they cannot do what we can. The Bill does not go far enough and I hope to sheet that home. The treatment of children is the most sensitive barometer of the efficient functioning of any democratic society because children basically cannot speak up for themselves. No-one listens; they cannot vote; they can be and are ignored.

There is rage in our society at this time, of that there is no doubt. The media has done its job on this occasion, and I congratulate it for what it has done. One, among many I should mention, is Derryn Hinch for the stand he has taken.

_The sitting was suspended at 6.27 until 8.5 p.m._

_Dr Wells—Before the suspension of the sitting I said that there was a real rage in our society about maltreatment and insufficient care of many of our children. From the experience I have gained from 80 hourly programs on a weekly radio program I have on Port Phillip 3RPP I have learned that young people are incredulous at the way they are ignored and treated. I have spoken to approximately 350 young people in that youth hour program, and they have told me that they believe they have no rights and adults always speak for them. They consider the treatment meted out to them unacceptable to the point where they laugh at adult society. They accuse adults of saying one thing and doing another.

When one speaks to up to half a dozen eighteen-year-olds around a table, one quickly realises that they can sort out the principles on which society is based. They will tell one what the world is about and not what adults tell them. The inequalities in today's society are as wide as one can imagine.

Honourable members have heard about physical and sexual abuse, and prostitution of children. It is unacceptable that ten and twelve-year-old children are involved in prostitution. Honourable members do not hear enough about the housing needs of young people; about the crimes in which they are involved; about the educational deficiencies; and about the difficulties in finding jobs.

The epidemiology on pattern of development of child neglect and abuse is complex and different from what it was a decade ago. The government said that it has allocated much more money to child-care than the former Liberal government did when it was in office. That may well be the case, even allowing for inflation, but society is different from what it was ten or fifteen years ago. The nuclear family has emerged in great ascendancy and has become a social watershed. The nuclear family has been followed by relatively easy divorces that have led to the break-up of family units. These break-ups may be justified by the adults but only by the adults.

Single-parent families abound in our society, and on top of all this there are de facto relationships. Although one does not like to say it, there is nothing quite like caring for one's own children. Professionals in the field have told me that a considerable and
In looking closely at child abuse we should be finding the root of the real problems. Throughout our children continue to say to us, as Oliver Twist said, “Please, sir, I want some more.” We should not be nitpicking on the edge and then walking away from the problems. Children will continue to be battered and killed as we are walking away.

In the Dromana electorate there are at least 1200 single-parent families. Professional workers in that area tell me of children, especially boys, in their early teens who need help. Often they need a hand around their shoulders and someone to talk to. Having spoken to many of these teenagers on the air, I am aware of what youngsters and adults say: the children cannot get enough help, especially before the real problems start to emerge. In the year ended 30 May 1988, the Rosebud police station reported 79 offences that were committed by 55 human beings under the age of sixteen years.

They are nothing more than children at that age. Almost certainly they have not been brought before the court on a first offence and certainly not on a first minor offence. The example I give is of 80 offences by children recorded at one police station in Victoria. Victoria has 210 shires each with at least one police station. Are we considering 16 000 cases in one year of alleged offences by human beings under the age of sixteen years? If we are, who is at fault, the children or society? The answer is clear: the adults who run our society.

What do we need to try to solve the problem? We need an immensely broad scale attack upon the problem. Firstly, we need information. Calls have been made by senior people in our society for Royal Commissions, legal inquiries, or official inquiries. If those calls are swept aside by the government, it had best give good evidence to justify its decision because so many of the leaders of our society who are involved day by day at the coalface are saying that an inquiry is needed. Official people faced with the problems daily are saying that we need something as important as a Royal Commission. They are also saying that we need mandatory reporting.

I respect the opinions of people in this House who give varying viewpoints in debate, some in favour and some against. My viewpoint is that so long as we do not know the problems we cannot face up to them. If children are being battered, we need to know.

The second dimension to that is that after a child has been battered once, the chance is that child may be battered a second or later time and that, on the later occasion, may be killed. Indeed, some of these children are killed. The families of these children need help. Some form of mandatory reporting is worth trying. Victoria is one of only two States in Australia that does not have mandatory reporting of child abuse.

We need adult help and it is abundantly clear that the government does not provide it. There are not the people trained to be able to do the job at this time. It is not adequate for the Minister for Community Services to say that he is doing his best and providing what he can. If he cannot solve it in that way, he must think of some other approach to the problem because a lot of adults out in the community know the situation. Every parent does. Lots of retired people do. Lots of volunteers are available. What is needed is adequate money. The $7 million provided is but peanuts—to put it colloquially. The few more million dollars provided in the Budget is welcome, too, but $20 million will not solve this problem.
I shall speak further about money. We need an efficient management system. We do not have it but maybe we have taken a step towards it by placing primary responsibility in the hands of Community Services Victoria. That would seem to be a step in the right direction. It seems that the Police Force, up until now the other arm in the handling of child abuse, is laden with problems for which it has neither the time, the capacity nor, always, the professional training to handle, although police officers do a wonderful job when, in the middle of the night, someone has to rescue a child and do something about the situation.

Someone said earlier in this debate that the government's problem is "too little, too late." The government is in a real bind over this matter. The needs of this problem are similar to that of other government programs. When I sat and thought about it I reached the conclusion that we need new thinking plus money to tackle the problem. I suggest to the Minister that the government should seriously consider a broad scale usage of volunteers in the community. A lot of people know enough about the problem to be able to help.

A letter in the Age of 20 July was written by Brenda Grimwade, a social worker, who said the problem of lack of staff for child protection services could be alleviated by the use of carefully selected volunteers. She went on to say a lot about volunteers that members of Parliament would appreciate and support. That advice from a professional in the field is advice that we legislators ignore at our peril and at our children's peril.

It is clear to me that we need to get over the hump embodied in the attitude of the Minister which I quoted earlier in my speech, "Well, there is always room for improvement." Not only is there room for improvement but also there is a need for vast improvement. We need a major new approach to crash through and solve the problem in a significant way.

John Kennedy said, "We will put a man on the moon." He put his money where his mouth was. He had the expertise to harness the forces to do it, and he did. That is the sort of approach that is needed here. We talk about war only when someone threatens us with a gun. Our children are being threatened and beaten. Is that not war? We walk away from it and go home at night and forget about it.

The movement Big Brothers–Big Sisters Australia Inc. in the electorate I represent cares for young people, as do other organisations. They can provide an arm around the shoulder of a young person. That makes a big difference to individual cases. However, there are 1200 for whom I have not been able to do anything. When will society act on this matter and do something about it?

I suggest to the Minister that the approach the government should adopt can be measured for a start in terms of money. The government provided $7 million recently—under great public pressure. Another $14 million will be provided in the current Budget on a broad front. That will thin out when the money is distributed. In the same Budget is an allocation of $113 million to reduce the cost of motor car expenditure for car owners in Victoria and $77 million has been provided to pay off the Arts Centre in one go. That totals $190 million. They are both good initiatives but why should they receive priority over our children? Is 1 per cent of the Budget too much to put into a cause which involves between 8 and 20 per cent of our young people? In commercial terms, if those young people are rescued and educated, they will take their place in society well able to care for themselves, and social welfare will be cut because those young people will have their own incomes to spend in society. That would be an extremely profitable commercial dealing.

However, that is not the first requirement, which is to meet the responsibility of democratic government and of this government which says that it is committed to
social justice. Social justice requires more than $20 million a year to be spent on these children. The government can spend a couple of hundred million dollars on other things, which amount could have been halved or could have waited a bit longer without it mattering much. One hundred million dollars is not even 1 per cent of the Budget; it is something like 0.8 per cent. By any measure, that is not too much to commit to our children.

The government must change its tack considerably. It must lead society and act in a way that our children’s lives demand. Children are suffering every day. When they do not have the basics of life, does Parliament matter to them? Does it matter whether they can vote when they grow up? Does it matter whether Parliament passes some law relating to motor cars or to some other aspect of society or to proportional representation? No, these things do not exist. Democracy does not exist for a child who is battered or does not have a roof over his or her head at night.

When the legislators of this Parliament go to rest tonight in their comfortable, dry, warm beds, they should spare a thought or preferably shed a tear for the children asleep in parks and in slums, in discarded, abandoned, wet, miserable, dark buildings, maybe in drainpipes, certainly under trees and bridges and on park benches. That is no fable; that happens in Victoria. Imagine if one of those children were yours! Would you not be stirred to do something about it? It is the responsibility of honourable members to assume that those children are theirs and that they are responsible for them and must do something about them.

Current programs are inadequate. It is not good enough for this government to salve its conscience by providing $85,000 on the open market in Mornington or Dromana for a house for three or four children to sleep in at night. We have learnt that there are other ways to attack this problem. What about providing mobile houses in places where they are required? The amount of money being spent on those three or four children would provide housing for five times that number if it were spent wisely.

Remember the quote earlier that 80 to 90 per cent of young people who need homes do so because of abuse from within the family and they have no other choice. Girls in their early teens have said to me, “I had to go.” Young people need a roof over their heads. We do not do enough to deal with this problem.

In an Asian country I shall not name, 30 years ago I saw people sleeping in doorways and inside drainpipes that were yet to be installed. Now, 30 years later that sort of thing is occurring in our society. Young people are sleeping outdoors on winter nights. That is not good enough!

We not only need to prevent the battering of children and to provide them with housing but also we must provide the psychiatrists to help young children and counsellors to counsel teenagers who want a viewpoint from someone outside their own families. Community care organisations and police resources, even though those matters have been dealt with in the Budget, should be better provided for.

Voluntary organisations in our community need adequate support. They must be the most profitable organisations caring for young people on a $1 for $1 basis. A large number of these organisations are active in my electorate such as Family Action, the Peninsula Family Services Unit of the Mission of St James and St John, Big Brothers-Big Sisters Australia Inc., Peninsula Foster Care, the Catholic Family Welfare Bureau, Biala Peninsula Centre, Kindilian School Society, the Western Port Regional Youth Housing Group Inc., the Western Port Youth Refuge Inc., and the scout and guide movements as well as a range of other organisations. These organisations through their voluntary efforts and an injection of government funding work in this area.
As legislators we would be mad to squeeze these people financially, as there is no better use for the taxpayers’ dollars than they provide in caring for young people. We must step up our work in this area as it is not good enough for another year to pass while we wring our hands about the problem of young people. If 40 new workers are required they need to be found, and it is for the wit of intelligent men and women to work out how that can be done. There is no better investment in terms of our young people’s future than to solve their problems, thereby cutting welfare costs and making life happier for everybody.

Another problem that is emerging in society that affects our young people is that of AIDS. This has not affected young people generally as a community group, but it threatens young people in gaols. A radical new approach is required to handle the problem of AIDS. Should we place young people in gaols where they will be at risk?

The responsibility of a child is to grow and mature and then to contribute to society; but children who are in a drunken state on the street, who are involved in prostitution or breaking the law are the responsibility of adults. Parliament should examine the question of bringing the parents of such children before a court to explain why their children are in these situations. For example, a ten-year-old child should not be on the street at 11 o’clock at night, and a thirteen-year-old child should not be drinking alcohol in the street. It is time responsibility was taken for our children.

I urge the government not to walk away from the issue but to do something about it. The Bill requires amendment to ensure that parents realise that the rearing of children is a responsibility and that they should not be negligent. I should have cared to speak further about education being the only way to solve the problems of parents and their children.

There are other technical comments that I shall relate to the Minister about bail procedures, pre-sentencing and disposition reports, the appearance of children before a bail justice, the transfer of children to the remand centre in Melbourne and the assessment of evidence by the Family Court. These problems need further consideration. However, the big problem for society, Parliament and the government is to face up to our responsibilities and solve our children’s problems.

Mr WILLIAMS (Doncaster)—I support the intent of the Bill, which is to better protect the children of this State from abuse and degradation. In so doing, I pay tribute to the fourth estate in Victoria, particularly the Australian Broadcasting Corporation and Miss Sally Loane of the Age. I have no doubt that the media in this State have performed a role that the Opposition might envy by forcing the Cain government to do something about the appalling incidence of child abuse in Victoria.

The Minister for Community Services is a kindly man—I know he would do his best in this matter—but it is my view that but for the media publicity, his colleagues would not have come to his rescue on 7 July and provided $13·5 million to curb the appalling problem of child abuse in our society.

I agree with the Children’s Welfare Association of Victoria Inc. that it is time the Cain government took the matter of child neglect seriously. For the first time this is happening through the Bill and the announcement made by the Minister on 7 July. Unfortunately, there is still a long way to go.

Expert evidence from the United States of America, policewomen and others in this State who have given evidence before the Social Development Committee suggests that one in three of our children could be at risk of child abuse. That is an appalling statistic! I do not doubt that we have an horrendous problem on our hands. In the Age on Saturday, 2 July 1988, in a front page article under the headline “Child abuse cases...
shelved. Staff shortages, big workload blamed” Sally Loane exposed what has been occurring in this State:

Nearly 700 children, declared by Victorian courts to have been abused or to be at risk of being abused, have not yet been allocated professional help.

Documents from the Community Services Victoria show that as of this week 676 such children have been left without professional care because the Department of Community Services does not have field workers to allocate to their cases.

Eighty-one of the children are under four and 166 are under seven. The figures are for children who have been deemed by the courts to be victims of neglect or of physical, sexual or emotional abuse, or who are at least being investigated as victims of abuse.

Because of the workload, every day up to five additional children referred to Community Services Victoria as believed to be at risk of abuse are being refused help before they even get to the stage of court intervention. Some, if they are lucky, are referred to the police for help.

It is believed that children wait an average of 12 months before their cases are allocated to a welfare worker. Inevitably, many awaiting help are abused again. There are cases of children living in the same circumstances that brought them to court. When this leads to the children and families coming into hospitals and courts again, many say they have never seen a welfare worker.

In the past 18 months, at least seven children have died from abuse in the past 12 months.

It is no wonder experts such as Dr Barry Catchlove, the Chief Executive of the Royal Children’s Hospital, said:

Community Services Victoria is rotten... responsibility should be sheeted right to the top.

Dr David Wells, the Police Surgeon, asked:

How many children have to suffer and die?

Mr Bill Robertson, an Assistant Commissioner in the Victoria Police Force with some responsibility in these matters, said:

Governments have failed to take child protection seriously.

That is the problem that we are faced with. The Minister, in his former capacity as Minister for Police and Emergency Services, received a confidential police report that slammed Community Services Victoria for its inadequacies. The police report recommended that in the short term the Police Force should take over the responsibility for investigating child maltreatment because of the inability of Community Services Victoria to meet its responsibilities, either through ignorance or lack of manpower. It is appalling that the people best trained to handle child abuse are falling down on the job and that policewomen, whose expertise is in other fields, should be responsible for a social welfare problem.

Adequate resources must be provided to welfare agencies, particularly the volunteer agencies, that want to protect children. I have no doubt that senior police, including the Police Surgeon and junior police, are extremely concerned about the instances of child abuse in our society.

It is obvious that the Extended Family Care Branch of the Family and Children’s Services Division of Community Services Victoria, does not have the staff to cope with its child protection responsibilities. Many of the staff are either inexperienced, and junior or are burnt out and frustrated; consequently, young lives are lost needlessly.

The Treasurer, in his Budget speech, allocated $13·5 million to assist in this area, but that is not sufficient. New Zealand, with a population similar to that of Victoria, has allocated $30 million to this problem, despite its financial difficulties.

The proposed 24-hour child protection service in Melbourne and the major regional centres does not address the problem of providing immediate action when the violation
or injury of a child is reported. How will that service help that problem? All it means is that the details will be recorded.

The Minister for Community Services proposes to appoint 118 child protection staff, but he cannot fill the present positions that are vacant. Why do staff leave, and where will that extra staff come from? These people are obviously not available in Victoria and may have to come from overseas. It is extraordinary that with the number of unemployed young people in our society people from overseas have to be brought to Australia to fill these positions. Nurses from Scotland and Ireland were appointed to overcome the shortage of nurses in Victoria.

I support the proposed central register of child abuse cases that will be established under the supervision of the office of the Public Advocate. It is obvious that the present system of having members of the Police Force looking after child protection after hours and people from Community Services Victoria looking after child protection during working hours is not satisfactory.

I am also concerned about the concept of having expensive education courses to raise the awareness of child abuse in our community. Professional assistance may help, but the real problem is identifying and finding an effective means of solving this issue, and one does not need academic expertise to do that. The dual-track system that divides child protection services between members of the Police Force and Community Services Victoria is a tragic farce.

A senior police officer recently told the Social Development Committee that numerous welfare agencies and health carers were failing to report child abuse cases to the police. He said there was a lack of supervision of wards of the State. Other evidence presented to that committee indicated that the majority of children are abused by parents or close relatives—what an appalling situation!

Recent research conducted by the Royal Children's Hospital showed that from a sample of 104 cases of sexual abuse, the vast majority involved family or friends of the family. The tragedy is that, for various reasons, families are forced to close ranks to protect the offender. If an offender is prosecuted and gaol, it may mean that the family of that offender is forced into poverty because he is the family breadwinner.

In too many cases drink is the problem, not latent depravity. Child abuse offenders are regarded by other criminal offenders as the lowest type of criminal and are often savagely beaten in gaol. Few members of the family, including the battered wives or maltreated children, want to see a father, a grandfather or an uncle savagely beaten in gaol. Many child abuse offenders, when sober, may be regarded by their children as loving persons.

The system must cope with this difficult situation without involving the criminal law. I have no doubt that the criminal law procedure, which involves placing children on oath in an adversarial situation, is frightening for those children. Children are best examined through the medium of closed-circuit television, with skilled medical people and child psychologists being present to ascertain the truth.

I support the Minister and I know he does his best, but it is an appalling situation. I hope no honourable member, regardless of political persuasion, will slacken in any effort to cure child abuse. I know that some members of the Liberal Party are concerned about mandatory reporting of these offences, but I have an open mind on that issue. I am concerned that children who have been betrayed by their parents may place their trust in a schoolteacher or some other person, and if mandatory reporting is implemented the person entrusted with the children's confidence may be forced to betray that trust. With those reservations, I strongly support the Bill.

Mr HANN (Rodney)—My colleague, the honourable member for Swan Hill, has dealt with this measure in some detail. However, as the National Party spokesman for
the family, I should like to make some observations about the Bill and to express some concerns about family life in the community generally, particularly some concerns about a number of aspects of the way in which the present law has been operating, as well as the way in which Community Services Victoria has handled some of these situations.

In recent months and years, on a number of occasions I have been involved, as have probably many members of the House, in circumstances where families have come under the jurisdiction of Community Services Victoria. In some of these instances the department has possibly handled the matters in a reasonable manner, but certainly in two or three situations of which I am aware it has not done so.

One case occurred earlier this year when a young lad effectively divorced his parents. I was drawn into that situation, particularly when a legal challenge was involved. There is little doubt in my mind that it was a bad situation that should never have occurred. The child should never have been permitted to reach the point where the court upheld his "divorce" from his parents and his becoming a ward of the State.

The parents subsequently challenged that decision in the Supreme Court and the decision was overturned. However, the difficulty was that, in the meantime, because of the long period over which these procedures took place and the antagonism, anger and hurt on both sides, barriers had been built up which should never have been permitted to build up in the first instance. It is certainly hoped that the 21-day cooling off period and the mechanisms that people will have to go through under the provisions of the Bill will make it a little more difficult for that sort of situation to occur.

However, I should like to express some fairly grave concerns about the whole concept of legislating to enable children effectively to divorce their parents. The Minister has written into the Bill that, where there is a so-called irreconcilable difference between the parents and the child, the child can seek to divorce them through the court system.

In considering the whole question of family life in society today one may ask why honourable members have before them proposed legislation that is designed to protect children. The only reason is that there have been cases of child abuse in Victoria, especially in recent years. I suppose it is not something new, but it certainly seems to be an ever increasing trend. Even as far back as 1978 a report on maltreating families was prepared by the then Ministry of Health in Victoria. At that time, attention was directed to some of the problems associated with the people who were maltreating their children. The report states:

1. become parents while still very young or who are immature in relation to their chronological age;
2. have negative perceptions of and attitudes to their parents and unhappy or painful memories of their own childhood;
3. have negative attitudes and feelings about the conception of the child;
4. feel they have been physically or emotionally deserted by their partner;
5. have negative feelings about and negative attitudes to the child, or have ambivalent feelings.
6. have serious psychological or psychiatric problems, especially where these appear to have worsened as a result of conception, pregnancy or childbirth;
7. have serious social difficulties related to isolation, lack of support, financial or housing problems.

It appears that the greater the number of these factors present when a family is under stress, then the greater is the likelihood that the child will be maltreated.

The survey carried out by the Ministry of Health some ten years ago found that many of the families involved tended to come from lower socioeconomic groups; there was a high proportion of one-parent families; and there was a high degree of instability
both in the presenting family and in the parents' family of origin in terms of marital breakdown, separation from children, crime, violence and suicide. The report continues:

Some of the strains and stresses that were faced by the parents and which became intolerable for them are faced by a high proportion of young families in the community. These included: unplanned pregnancies, forced marriage, inadequate housing, poor communication between marriage partners, and financial strain, which often led to the father working overtime and being away from the home for long hours. The mothers complained of the features which constitute the syndrome "suburban neurosis". They were lonely, bored and frustrated, missed the companionship they had enjoyed when working and resented the loss of financial and personal freedom. They tended to be isolated from their families and from the community.

Attitudes expressed about the children tended to be punitive and controlling. The parents had not been realistically prepared for the less appealing aspects of child care such as broken sleep and cleaning up dirty nappies and vomitus. They had no understanding of the baby's level of development and no empathy with young children.

That is one of the serious problems faced in our society today.

Mr Crozier—Mr Speaker, I direct your attention to the state of the House.

A quorum was formed.

Mr HANN—The change in the structure of the family has been significant when one considers the modern-day family compared with the family situation that existed in the early years of this century. In those days one had extended families and there was a model for young parents to use for their own families. There tended to be large families that were less mobile in that the motor car, the aeroplane or modern fast methods of transport had not been introduced, so families tended to live relatively close to one another.

The current generation of families has tended to spread far and wide. I am sure most honourable members would have family members who live quite a distance away from them. That occurs in virtually every family. The difficulty with that is that it brings about problems of isolation for young couples in marriage and a lack of support that they would otherwise have had from their peers, fellow family members, grandparents, or uncles and aunts.

All this relates back to the change in legislation and the introduction of the Commonwealth Family Law Act in 1976. I believe the late Mr Justice Murphy has a lot to answer for in regard to the breakdown in family life in society today. What that man has done is a great tragedy, because he was the architect of the Family Law Act. More than half a million children in Australia have been affected by divorce since that time, as well as hundreds of thousands of adults.

Many of those children are in poverty today. They are in poverty as a direct result of the change in the law. There is no doubt that quite a number of those children are those who have come into the category of maltreated children, partly because of the economic factors. One of the major areas of maltreatment is neglect—the failure of parents to provide adequate food, appropriate shelter, and clothing for the children.

The whole question of the attitude to marriage in our society was certainly adversely affected by that change in the legislation and the introduction of the Family Law Act in 1976. Therefore, that effectively weakened the family structure. I am sure all members of Parliament would agree—I certainly hope they would—that the most appropriate structure for our society is the family, particularly for the protection and care of our children—the family generally and, where preferable, a two-parent family.

However, one recognises that in some instances that is not possible, for a range of reasons. It may be that one partner has died or there may be irreconcilable differences
within the marriage. The National Party recognises that some marriages simply will not work; but in recent years a large increase has occurred in the number of single-parent families, and that has added enormously to the problems being faced today.

There is an increase not only in single-parent families but also in blended families as a result of the divorce increase since 1976. The statistics show that by far the majority of children coming into the various refuges around the metropolitan area and country Victoria are children from those blended marriages where it becomes difficult for one or other of the partners to show the same love and affection for the child as is shown by the natural parents.

So in examining this whole question of how to tackle child protection, one must come back to the grassroots of the problem, which is in the family structure itself; and that is why the National Party, in the lead-up to the forthcoming election, will concentrate heavily on the family issue, and particularly on promoting a family policy. The major element of that policy will be to develop a positive focus on family and positive support measures for families.

Dr Coghill—How? What are you going to do?

Mr HANN—There ought to be a Ministry for the family to replace Community Services Victoria, which would effect a positive focus on family support rather than a structure which attempts to patch up the family situation after the trouble has already occurred. The honourable member for Werribee has young children and is a good family man. I certainly have admired his attitude, when I have seen him around the building, displaying care and love for his children; and I am sure he would support this National Party policy because it focuses on the family and the positive aspects of it.

Within that structure the National Party would consider the whole concept of child protection legislation coming under the auspices of a family Ministry. In fact, we would prefer to see a Bill along the lines of a family protection Bill rather than the Children and Young Persons Bill (No. 2) so that the focus was on the family rather than providing for the removal of children from their homes.

The National Party would seek to provide support for families, particularly for the two-parent, single-income family, which is under the greatest financial stress in society. When one examines the cost of housing, food, education, and the other expenses associated with children, one finds that it is obviously necessary to encourage a stable and secure family life to ease the financial stresses, and the National Party would be seeking to establish a family policy committee, in association with that Ministry for the family to give the Ministry guidance in relation to the policies that would be established.

The National Party would be looking to place emphasis on promoting these ideas in the schools. For example, emphasis in education could be placed on parenting; and earlier I mentioned that one of the biggest problems faced today by the families of the mobile generation is that they do not have the same direct links with their immediate family. A need exists for a stronger focus on the whole question of educating children in the school system in the techniques of parenting; and it is interesting to examine the “Position Statement on Child Protection Services in Victoria” from the Children’s Welfare Association of Victoria Inc. prepared in May of this year.

The association promotes a number of positive proposals which go to the core of the whole problem. The problem will not be solved simply by setting up a structure which provides protection for children once the maltreatment has occurred. We need to address the whole issue at the point of the family situation itself; so the association has come up with a number of initiatives which the National Party strongly supports.
One of those is to develop educational materials for parents, children and professionals that deal with the prevention of child abuse and neglect. The proposal states in part:

Public education will also be facilitated through conferences and workshops which serve as forums to exchange knowledge and experience and to develop cooperative efforts between agencies and individuals.

Assure that education about parenthood and associated topics is made available for all parents. Programs through family life education, parenting classes, maternal and infant health, etc. should be culturally and linguistically relevant and offered to all parents including prospective parents. These educational efforts should emphasise—

(a) planning for pregnancy as a starting point for prevention.
(b) support of mothers at childbirth and identifying at risk mothers before discharge from hospital.
(c) conflict resolution, stress management, etc.

Provide all children starting in primary school with education in parenting skills, child development, the problems of abuse, self-protection and prevention of such problems and what to do when these problems occur.

Educational efforts such as protective behaviours should be developed and implemented by the Education Department.

The development and implementation of community-based abuse and neglect prevention programs, including

—support programs for new parents.
—parent support and self-help groups.
—programs for abused children and young adults.

These are positive proposals which, if the government were prepared to implement them and give them a priority, may reduce the whole problem of child abuse in society. It is a sad and tragic situation when we reach the point where the child has been abused and, in some instances, it is too late; but in any case, the psychological damage that occurs after the child has been abused can have long-term ramifications for the health of the child. If Parliament intends addressing the issue on a positive basis, it needs to address the issue before the problem develops. To do that, we need to look seriously at support for families, and the National Party’s proposal for a family Ministry would have as its focal point families under economic and psychological stress.

That stress may be the result of physical illness, in which situation the parents could automatically go to the family Ministry. At present, because of the punitive nature of the system and the way in which Community Services Victoria has to operate, intervention is uppermost in the policy. In fact, in these stress situations there is often a reluctance on the part of people to go anywhere near Community Services Victoria.

I experienced this situation some years ago in one of the smaller towns in the electorate I represent where a number of single parents in a lower socioeconomic group would not even go to the local infant welfare centre because of their concern about the use of the word “welfare” and their fear that their children might be taken away from them if it were seen that they were not treating those children properly; and that is a sad situation.

It comes back to the whole perception of Community Services Victoria and to some of the attitudes that have been developed by a number of the officers within that department over the years.

In providing this positive focus on family policy through the Ministry for the family, the National Party would be seeking to create a caring situation. The policy would direct people from the Ministry to talk to students in schools in order to develop
One of the major problems associated with child abuse is alcoholism. When I entered Parliament a number of years ago I had no real understanding of the nature of the disease of alcoholism. In recent years I have been fortunate enough to attend regularly an annual mini-convention held in the township of Kyabram where several hundred members of Alcoholics Anonymous and Al-Anon come together in fellowship and have been able, through that fellowship, to cope effectively with their disease. Too few people understand that alcoholism is a disease. It needs to be recognised and coped with as a disease. People tend to hide from the nature of the problem, particularly when a family member is involved. People who are not alcoholics—those who do not have the disease—tend to be highly critical of those who are alcoholics. This relates to the old syndrome of an alcoholic being a drunk in the gutter.

When I first attended those conventions the point that came home to me was that alcoholism is a disease that can affect anyone in any walk of life. Honourable members need to tackle this issue to a much greater extent. In recent years the Victorian Parliament extended drinking hours to allow hotels to trade on Sundays and to remain open until 7 a.m. Young people are now staying out all night at discos and hotels, which is adding to the problem of alcoholism. In recent years, I have noticed a distinct increase in the number of young alcoholics. Young people of 18 and 19 years of age and younger teenagers are admitting they are alcoholics. It is a sad situation that leads into the other difficulty of child abuse that is being discussed this evening because many of the people who physically assault children, especially males, tend to be alcoholics.

An example of this was given to me recently concerning an alcoholic father who has consistently beaten his children over a long period. Some of those children are now beyond their teenage years, but it was a number of years before anyone else became aware of the beatings. A person suffering from the disease of alcoholism is not necessarily responsible for his actions. The government must tackle this area in relation to child abuse; it must seriously examine the problems of alcoholism.

Drug addiction is another problem. In many instances child abuse is the result of the drug addiction of young mothers who may neglect their children, not deliberately, but because of their drug addiction. Economic factors may also have a part to play. There has been a significant increase in the extent of poverty in recent years. The Budget presented this week has done nothing to relieve poverty. It has provided some financial relief for middle-income families but virtually no relief for families in poverty. Unless the problem of poverty is addressed, an increasing number of children will be abused, not because the parents deliberately want to neglect their children but because they cannot cope. There are many pressures on families. For example, a father, as a single-income earner, may work long hours to earn sufficient income to support his family, and there are stresses associated with working long hours.

I mentioned earlier that the concept of suburban neurosis was highlighted in 1978. Australia is one of the most urbanised countries in the world. The landmass of Australia is almost identical to that of the United States of America, yet seven out of ten Australians reside in the urban areas of Melbourne and Sydney, with the remainder of the population spread thinly across the rest of the nation. The process of urbanisation tends to depersonalise people. It is a sad situation. In many suburban areas people do not know who their neighbours are. In country areas people take a much closer personal interest in the people who live around them. Even in large provincial centres in country areas the lifestyle allows people to take more personal interest in other people than in the large urban centres. This issue needs to be addressed in relation to
the structure of families in society because this effect of urbanisation impacts on the family unit, which may give rise to child abuse, child neglect or child maltreatment.

It is a sad situation that people can live in a street for many years without knowing their neighbours—without even making contact with or speaking to their neighbours. An example was given to me recently of a lady who shifted from the country to an urban area. She went down the street talking to people as she went along and people looked at her suspiciously because they could not understand why a person should speak to them. It was some time before she was able to develop friendships with at least two or three neighbours who realised she was not trying to steal anything or take anything away. She was purely and simply sharing her friendship with them.

The issue of relationships in society needs to be addressed. Governments can address that issue in the structures they provide to support families. That is why the National Party believes the positive focus of the family policy should be on the family. It will be promoting the concept of a Ministry for the family to replace Community Services Victoria so that a positive focus is on the family, doing away with the concept of a punitive body that intervenes when there is a crisis, which tends to be the case with Community Services Victoria.

The National Party also wants to remove the Public Service concept that a day ends at 5 p.m. because, in many instances, a child who is being cared for by a social worker is left to its own endeavours until 9 o'clock the next morning. I am aware that some social workers are more dedicated than that example suggests, but I have heard many stories suggesting the way in which bureaucrats work. This is one of the difficulties of a Public Service agency. It is another reason why family support and protection should involve the use of private agencies to strengthen existing families and to provide the support that is necessary.

From my experience in the area of child neglect I believe it is best, where practicable, to try to keep the children in the family. It is preferable to do so than to place them in institutions and support structures. The policy should be to keep them in the family rather than take them out of the home to institutions, because such a move has a devastating effect on children. In many instances, it has long-term psychological effects on the child and such effects may add to the problems that have already been caused by the child abuse.

Mr RICHARDSON (Forest Hill)—The honourable member for Syndal has described the views of the Liberal Party Opposition on the proposed legislation. I intend to focus my remarks more precisely upon the outer eastern suburbs of Melbourne.

By any measure, the outer eastern region of Melbourne is, in child protection terms, a disaster. The government has an abysmal record in that regard.

The government has so neglected the children who are in need and who are in danger in the outer eastern suburbs of Melbourne that agencies are simply breaking down because they are unable to cope with the demands that are being made on them. The government must be condemned because, in this regard, it is a government that is driven by ideology rather than by compassion.

The government effectively put the Children's Protection Society out of business and, in its place, placed an army of bureaucrats who formed a body called a child protection service. That was a classic case of action by a government which is driven by ideology rather than by compassion.

The government is paranoid about volunteerism. It wants to do away with volunteerism; and it has been steadily working towards that objective ever since it
came to office. The great crime of the Children’s Protection Society in the government’s
eyes was that it was an agency which was made up mainly of volunteers. So it had to
go; and it had to be replaced by bureaucrats. The government argued that because
they were professionals, the bureaucrats in that child protection service within
Community Services Victoria would do the job so much better than the dedicated
volunteers had been able to do.

In January of this year officers of the child protection service in the outer eastern
region of Melbourne sent a memorandum to both councils and other welfare agencies
in the region saying the service could no longer cope with the situation that it faced
and that those councils and agencies should not send the unit any more referrals for
two months.

It is scandalous that a government agency should send a memorandum of that kind;
and it is scandalous that the media has only recently taken up the issue and displayed
some of the outrage which the members of the community of the outer eastern region
felt about such a disgraceful situation. So much for the professionals who were to do
the job so much better than the dedicated band of volunteers!

Another example of the way the government is bent upon the destruction of
voluntary agencies concerns the disgraceful way in which it has effectively put the
Blackburn South campus of the Mission of St James and St John out of business. The
mission cared for teenagers in a cottage-type situation. Those teenagers, who came
from disturbed and unfortunate backgrounds, were in grave need of the security
provided by the people who were dedicated to working for their welfare at the Mission
of St James and St John.

The government and the Minister have effectively put the mission out of business.
The mission has been closed down because the money to keep it going is no longer
available. That voluntary agency has been swept aside, and it is to be replaced by
foster homes and more professionals. It will provide a service which is less effective,
less efficient and a great deal more costly than that which it replaced.

All that the government provided to the Mission of St James and St John was the
funding for approximately 80 per cent of the salaries of the staff. But a voluntary
agency owned the premises and provided the volunteers who worked within the
system for no charge; and that voluntary agency paid for that part of the salary bill
which was not met by the government. It was a very effective, efficient and cost-
effective way of delivering a service, particularly when one considers both the skills
and the experience of those volunteers who worked for the Mission of St James and
St John. The government and the Minister are so paranoid about volunteerism that
the mission had to go.

Another voluntary organisation with which I have had a close association for many
years was on the brink of disaster. Only political pressure of the severest kind
brought the Minister into line, and the institution was saved. I am referring to the Forest Hills
Residential Kindergarten for Emergency Care, which has been in existence for 60
years. The kindergarten was established as a holiday farm for children who lived in
the inner city slums.

For the past 25 years it has provided emergency residential accommodation for
children who are in danger, as well as providing those children with an education
within a kindergarten environment. It is a unique service which has operated effectively
and efficiently. And when one considers the costs involved in the provision of child
care and child protection, it has operated very cheaply.

It is nonsense for the Minister to have consistently said that the kindergarten was
too expensive to maintain. The Minister decided that this wonderful institution,
which was situated in a farm setting, with ponies, ducklings, chickens, puppies, and kittens, as well as a host of interested volunteers who kept calling in to be with the children, and which cared for 15 children in residence and eight children as day pupils, had to go.

The Minister decided that the government would no longer fund that size of operation. He decided that its capacity would be reduced to eight residential places only. That decision would have spelt disaster for this unique institution which has been in existence for over 60 years.

The committee of management of the kindergarten had no option but to issue dismissal notices to all of the staff because there was no way the kindergarten could continue to operate under the terms of the offer which had been made to them by the Minister.

A public meeting was held on Thursday, 21 July. I do not know what the Minister thought would be the result of that public meeting. The meeting was not overly publicised, but more than 200 people crowded into the classroom in which the meeting was held at the kindergarten. All of them were concerned that the well-being of the children in their area was to be placed at risk because of the ideological drives of the government and because of its failure to understand the seriousness of what it was doing.

Two officers of Community Services Victoria attended the meeting. Those officers did the Minister no service on that night; and they provided no help whatsoever to the 200 people who were at the meeting—people who were concerned and frightened, and who became increasingly angry as the meeting proceeded.

The Minister was not well served, nor was the public well served by the people who represented the department at that meeting. I am told that they were, in fact, the No. 1 and No. 2 from the regional management of Community Services Victoria.

The Minister needs to look very carefully at the way his officers conduct themselves when they attend public meetings at which people are frightened, concerned and are getting angry. The officers need to ensure that they are helpful, not divisive, and they should be very careful to see that they do not try to confuse and conceal when they attend meetings such as the public meeting to which I have referred.

On that day—21 July—the heat had started to come on the Minister. There had been a series of radio interviews, particularly on radio station 3AW, in which the Minister did not acquit himself well, and in which the Minister engaged in deception that was discovered and, in the comments which were made by the broadcaster on the afternoon after he interviewed the Minister, it was made clear that the broadcaster was incensed that there had been an attempt to deceive him on the previous evening. The heat was coming on the Minister. He was anxious to reach a settlement. What happened then was one of the most disgraceful incidents that I have been aware of in all my time in public life in this place.

On 21 July an officer of Community Services Victoria was despatched in pursuit of the president of the management committee of the Forest Hill Residential Kindergarten for Emergency Care. The officer pursued this poor woman all around the eastern suburbs of Melbourne as he sought to find her and present to her a prepared letter that she was to sign and, by signing it, agree to accept the conditions imposed by the Minister. This was a disgraceful exercise.

The president of the management committee was found by the departmental officer. She was bullied and intimidated in a disgraceful way. She was not permitted to consult with her management committee. She was delivered an ultimatum: "Sign this prepared
letter in which you accept something or you get nothing." What option did she have? She could either accept conditions imposed upon her by the Minister, which were less than satisfactory, or she could refuse to accept these jack boot tactics but, by doing so, she knew she would be abandoning all those little children in need of care and protection who had found a safe haven at Forest Hill.

What could she do? Of course, she signed the letter. That occurred shortly after 6 o’clock. The Minister was interviewed once again on radio station 3AW and blandly assured the broadcaster that the matter had been resolved. He did not tell the broadcaster how the matter had been resolved. He did not reveal the bullying, the intimidation, and the duress that was applied to the president of the management committee of the Forest Hill residential kindergarten.

Until that day I had had a very high regard for the Minister for the way in which he administered this particular portfolio. I still have a high regard for the way he administered his previous portfolio, but no longer does he have my respect as the Minister for Community Services.

Mr Sidiropoulos interjected.

Mr RICHARDSON—You would not know what I am talking about, Theo!

The SPEAKER—Order! The honourable member for Forest Hill should use the correct form of address when speaking to other honourable members.

Mr RICHARDSON—Such was the pressure applied on the Minister and, indeed, such was the pressure applied to a local Labor member of Parliament who is struggling to hold his seat at the next election, that further submissions were made to the Minister and, grudgingly, he agreed to extend the residential component at Forest Hill from eight to twelve. For that, I thank him. We are grateful for that.

There will be many parents who share that gratitude. Mind you, Mr Speaker, there are many other parents who will be concerned that it is still three places short of what is presently provided and there is no day component in the offer that has been made. However, it is still better than the original offer, and for that we are grateful.

The Minister must remember why it is that little children go to the Forest Hill residential kindergarten. Little children go there because they are in danger, not just of being beaten and mistreated, but because they are in danger of being killed. At the public meeting on 21 July, a number of mothers spoke and described how they would always have a deep-felt gratitude for the Forest Hill facility because, without it, they were convinced that they would not just have harmed their children, they would have killed them. The Forest Hill kindergarten is that sort of a haven; it is that sort of refuge.

On the afternoon of 21 July I called at the kindergarten. At the time of my arrival three little children were brought in. Their mother had gone to gaol that day. There was no where else for them to go. There were no foster homes, and there were no other places that the Minister refers to blandly as “alternatives”. They just were not there. The children had to go to the Forest Hill residential kindergarten.

If it had not been there, what would have happened to those little children? What would happen to the little children who arrived in the middle of the night brought by the parents, or if they are found sleeping in a car, a park or dump bin somewhere because their parents are either drugged or drunk, or both? The children go to the Forest Hill facility. This has been going on in that form for more than 25 years. Care, attention, love, and affection have been given to little children in need for more than 60 years at this place, so we have the situation now where the facility is there. The
department does not own it; it costs the department nothing to have the physical facility in place.

All the government was being asked to do was to provide for the salaries for staff who were going to care for those little children in need. The government did not even provide all of the cost then. The government was not being asked to provide for everything. It was still being subsidised by the graduates' association of the Institute for Early Childhood Development, which is the organisation that owns and operates the Forest Hill kindergarten.

I cannot understand why the Minister's department insisted on eight places. The question was asked: Why eight? What is so magic about eight for Forest Hill? The answer given was, "That is the number we think is right for a foster care situation; that is what is right for a house." Their thinking was so blinkered that they could not transport themselves from the bureaucratic norm to which they were accustomed and made a leap in logic, applying their wits to a different situation. To his credit, the Minister for Community Services has been able to make that leap and apply some logic and, indeed, some compassion. He has extended the number from eight to twelve. As I said, we are grateful but I deplore any reduction at all and I am horrified that the exercise has been gone through. It was unnecessary and insensitive.

The pursuit of the president of the management committee around the suburbs to force her to sign a prepared letter is an absolute disgrace. I cannot imagine that it could have been the Minister's idea that that should happen, but it was done by people from Community Services Victoria. So much for the bureaucrats who are so much better than volunteers! After the next election, when my party is in government, we will be encouraging volunteerism; we will be using the dedicated and unselfish services of volunteers because they—unlike a socialist government—are driven by compassion and not by ideology.

Mr MATHEWS (Minister for Community Services)—I thank the speakers from both sides of the House for the bipartisan manner in which they have approached the debate on the Children and Young Persons Bill (No. 2). I think it was the honourable member for Lowan who emphasised in his contribution that the matters with which the Bill deals should not be the subject of party political divergence. By and large the course that the debate has taken faithfully reflected the view expressed by him. I go further and say that it was not necessary to agree with every word that was said by either the honourable member for Lowan or the Deputy Leader of the National Party in order to feel that the contributions they made during the debate on the Bill were distinguished by the thoughtful and reflective quality of the comments.

I shall reply to several points raised in the course of the debate. Firstly, in respect of the contribution honourable members have just heard from the honourable member for Forest Hill, I say to him in all sincerity that this government takes second place to none in the value it attaches to the work of volunteers in the community and in its desire to encourage, promote, and recognise that contribution by volunteers. It is my very strong belief that Victoria's social justice strategy cannot be translated into practice or its goals achieved unless the efforts of paid staff are complemented effectively by those volunteers and the greatest possible number of members of our community are helped to see the capacity they have to make a contribution in return for what they receive from the community through voluntary action.

That principle extends to the work of non-government organisations which exist primarily with paid staff. For some time now I have been engaged on an exercise through which the government is reviewing sector by sector the various non-government organisations which make so large a contribution to the well-being of our society, not least in the field of child-care and child protection services. The government
has already made substantial increases in the support available to alternative accommodation and to agencies providing alternative accommodation and care for children. We are currently examining those agencies and programs providing family support as well as the day training centres for intellectually disabled people. When we have made the appropriate adjustments in the support for those two groups, we will move on to other groupings of non-government organisations to ensure that they are in receipt of the level of support from the public purse which will enable them to carry on with their invaluable work.

I should say to the honourable member for Forest Hill that the account he gave tonight of dealings between Community Services Victoria and the President of the Forest Hill Residential Kindergarten for Emergency Care is at variance with the circumstances as I understand them to be.

It is my understanding that on the day in question the president of the kindergarten, Mrs Lerk, asked Community Services Victoria to provide her with its offer of support for the Forest Hill Residential Kindergarten for Emergency Care in writing and that the purpose of the call made on her was to deliver the letter for which she had asked. At the same time Mrs Lerk was asked if it would be convenient for the driver who took that letter to her to pick up from Mrs Lerk a response on behalf of the kindergarten as to whether the offer, which had been the subject of prior discussion and which was not novel to Mrs Lerk, was acceptable.

The driver was not an official of Community Services Victoria and, knowing him as I do, I know he is not a person to bully or intimidate, much less behave in a disgraceful way towards a woman. It is my understanding that the pursuit around the suburbs to which the honourable member for Forest Hill referred arose from circumstances in which the driver arrived at the place that Mrs Lerk had originally nominated for their meeting after she had gone on to another appointment. The driver—again, I understand, by arrangement—subsequently met Mrs Lerk at that place for the exchange of letters. There was certainly no sinister intention in that transaction. It was initiated at the request of Mrs Lerk herself and the exchange which eventuated was consummated with her agreement and cooperation, without pressure—to the best of my understanding—of any sort whatsoever. I pass those facts as I understand them to be on to the honourable member for Forest Hill because it may be that he has been misled about the matter he described to the House this evening.

Mr Richardson—It is not what she said.

Mr MATHEWS—Far from Mrs Lerk being asked to sign a prepared letter, as the honourable member for Forest Hill suggested, I have seen Mrs Lerk’s letter which is in her own writing and which occupies a sheet or more of paper.

I feel I should give the House an assurance that the government takes with the utmost seriousness its responsibility for seeing that effective protection is extended to the children of this State. It will do whatever is necessary to see that that protection is provided. The package of new measures for child protection which I announced recently is geared to seeing that that objective is achieved in full.

Honourable members may recall that that package falls into a number of parts: firstly, the government has recognised that Community Services Victoria, in order to fulfil its obligations in this vital area, must be able to both recruit staff of a high quality to provide child protection and to retain those staff, once recruited, while they grow in wisdom and experience in the child protection field. In the past it has not always been possible for that to occur because, on the one hand, salaries paid by Community Services Victoria were not competitive with those paid by agencies such as local government and the non-government organisations to which I have referred tonight,
and, on the other hand, there was no career structure to enable a worker in the protective services field to accept promotion within that field when it became due rather than to move to an administrative position elsewhere in Community Services Victoria or perhaps outside the department to some other organisation.

The Public Service Board has now agreed that by 30 September this year it will complete a root and branch review of the field work area of the Community Services Victoria. From that review will flow competitive salaries for field workers and a career structure that will enable promotion to be taken in the field work area.

Secondly, substantial funds of the order of $7.2 million have been made available so that Community Services Victoria will be able to fulfil its responsibilities in the child protection area in two respects. On the one hand, it will be able to respond immediately to every report of child abuse drawn to its attention and, on the other hand, it will be able to provide a 24-hour service in the metropolitan area, Bendigo, Ballarat and Geelong as a forerunner to such a service being provided to the State as a whole.

Thirdly, a central register of child abuse is to be established so that where children are the subject of reports of child abuse, it will be possible for protective interveners to ascertain whether a child has been previously known in the context of child abuse and may be the victim of further abuse. I believe the honourable member for Doncaster was under a misapprehension regarding a central register, especially concerning the role of the Public Advocate. The government has recognised that the establishment of the register of child abuse raises profound and delicate issues of privacy and confidentiality and that it is appropriate that there should be an independent auditor in the person of the Public Advocate to ensure both that the arrangements for the protection of privacy and confidentiality are proper and adequate, and that the implementation of those arrangements is monitored.

Fourthly, the government has agreed that there should be an extensive campaign of professional education—perhaps it is better described as professional consciousness raising—directed at those professional groups in the community who have regular contact with children, such as doctors and teachers and geared to enabling them to readily recognise the classical indicators of child abuse when they come to their attention and geared to making them alert to their professional and ethical responsibility to report cases of child abuse when they become aware that such abuse has occurred.

Finally, an extensive training program will be undertaken for protective staff within Community Services Victoria both to make sure their skills are appropriately developed and to ensure that they have the confidence in themselves to enable them to carry on successfully with this extraordinarily stressful and demanding work being asked of them without being the subject of burnout, as has occurred so sadly in some instances in the past.

The honourable member for Dromana questioned whether the money being applied for this purpose was adequate. I simply say to the honourable member that the money required to give effect to the various measures I have outlined tonight—together with the introduction of the 008 child line telephone service, which will enable cases of child abuse to be reported readily. advice to be obtained and the victims of child abuse to bring their predicament to notice without the hazards in which that might involve them is adequate. Indeed, one of the most outspoken critics of the government in this field, Dr Catchlove of the Royal Children's Hospital, has suggested that not only is the money appropriated for this purpose adequate but more than adequate and that the job might have been done for a smaller sum.
I round off where I began simply by thanking the House for the quality of the contributions that have been made in this debate and for the support, not to say the congratulations, which has been so freely offered to the government for this Bill.

The motion was agreed to.

The Bill was read a second time, and it was ordered that it be committed later this day.

The SPEAKER announced the presentation of a message from His Excellency the Governor recommending that an appropriation be made from the Consolidated Fund for the purposes of this Bill.

The House went into Committee for the consideration of this Bill.

Clause 1

Mr STEGGALL (Swan Hill)—The National Party does not propose to make any amendment but it believes an area in the Bill ought to be strengthened and its intention needs to be more pronounced. I refer to the fundamental role of the family in the area of protection.

One has to turn to clause 87 to find the subject mentioned; it refers to the “Court to have regard to certain matters.” The National Party suggests that consideration ought to be given to inserting in the purposes clause similar wording to that contained in the objectives referred to in the Minister’s second-reading speech when introducing the second Bill, and to provide for an extended and more flexible range of dispositions in each of the divisions of the court with the object of enabling children to remain at home, wherever practical.

I do not suggest that the wording be exactly the same but for the sake of those trying to understand the Bill, it should be mentioned in the purposes clause that the family is the main unit to be protected. I am sure that while the Bill is between here and another place suitable wording could be arrived at to achieve this objective.

The media coverage of the subject has been, and may continue to be, extensive but it sounds as though a Big Brother syndrome is being discussed, whereas the person involved in a child abuse case could have the child taken away.

The Bill introduces a whole range of new options for the court, many of which will be for protection of the child in his home, with supervision or assistance, and under a various range of options governing the actions of the parent or guardian, according to the discretion of the court. When one reads the Bill, one can easily miss the appropriate provision in clause 87.

Honourable members may remember that a clause in the adoption legislation referred to the interest of the child being always of paramount importance; a similar provision is not contained in this measure. That provision should be included in the purposes clause; that the Bill aims to strengthen the family unit. I refer to clause 87 (a):

In determining what finding or order to make on a protection application or an irreconcilable difference application the Court, as far as practicable—

(a) must have regard to the need to give the widest possible protection and assistance to the family as the fundamental group unit of society and, accordingly, must ensure that intervention into family life should be to the minimum extent that is necessary to secure the protection of the child; . . .

That is one of the key areas of the Bill and I should like the Minister for Community Services to give consideration to including similar terminology in the purposes clause
so that the first priority—to protect children and young persons, and to look after, strengthen and maintain the family units—will be adhered to.

The purposes of the Bill should be clarified; in that way, more people may understand that the protection of children provisions in the Bill do not necessarily mean, in the first stage, that the child is to be removed from the home. I think the inclusion of that provision is vital.

Mr COLEMAN (Syndal)—It ought to be placed on record that this is the No. 2 Bill on this matter. It was proposed to move 100 amendments to the first Bill but, to its credit, the government decided to print a clean Bill, rather than spending time having the Committee examine that considerable number of amendments.

The Committee is now considering the No. 2 Bill, incorporating more than 100 amendments. However, a further 99 amendments are to be presented this evening. Considerable criticism can be levelled at those responsible for the preparation of the Bill, remembering that the Bill has been in its preparation stage for three years. Considerable community consultation has been undertaken, yet tonight the Committee faces considering a further 99 amendments.

Many amendments are of a machinery nature, but a number refer to principles. It is difficult because of the way the new amendments have been presented, to return to those responsible for implementing the intent of the Bill in its present form, to ascertain their response to those matters that go to the principle contained in the amendments, and to ascertain whether they are acceptable in their new form.

I presume the Committee will move to a process of debating the 99 amendments. I am unsure how long that will take but I am sure little progress will have been made by the time this Chamber adjourns tonight.

I place on record that this procedure is a demonstration of the way the government operates, that the Bill, after having been rewritten once, now comes before the Committee, only to face the prospect of a further 99 amendments being made.

Mr MATHEWS (Minister for Community Services)—In reply to the honourable member for Swan Hill, clause 87(h) states:

must ensure that, if there is a conflict between the interests of the child and some other person, the welfare and interests of the child are the paramount considerations; ...

I think that is the wording that he was seeking; it gives effect to at least half of the purpose that he had in mind.

As to his comments about a statement of objectives at the beginning of the Bill, I should be happy to receive a form of words from the honourable member for Swan Hill, and to consider those words while the Bill is between this Chamber and the other place, with a view to finding a way so his wishes could be accommodated.

The clause was agreed to, as was clause 2.

Clause 3

Mr MATHEWS (Minister for Community Services)—I move:

1. Clause 3, lines 31 to 33, omit all words and expressions on these lines and insert—

   "Authorised bail justice" means a person who—

   (a) is appointed under section 120 of the Magistrates' Court Act 1988 as a bail justice or is a bail justice by virtue of holding a prescribed office within the meaning of section 121 of that Act; and

   (b) is authorised by the Attorney-General to perform functions for the purposes of the provision in which the expression is used.".
The amendment clarifies the definition of "authorised bail justice".

Mr COLEMAN (Syndal)—Amendment No. 1 moved by the Minister for Community Services, provides for the insertion into the Bill of the definition of "authorised bail justice." The amendment deals with provisions that will be covered under section 120 of the Magistrates Court Act.

The Liberal Party is in some dilemma, in that if one examines today’s Notice Paper, Government Business, Orders of the Day, Item No. 4 refers to the Magistrates’ Court Bill (No. 2). The Committee has been asked to accept a provision that is included in a Bill that has not yet been enacted and not yet debated in the House. That provision is to be incorporated in the Bill now being discussed, and that is an act of presumptiveness to the extreme.

Honourable members do not yet know the outcome of the Magistrates’ Court Bill (No. 2). The Committee does not know whether authorised bail justices will be put in place by that Bill. The time has probably come for the Committee to report progress to determine which way this issue should be handled. At present the Committee is being asked to determine the position of authorised bail justices with respect to provisions contained in the Magistrates’ Court Bill (No. 2). It is difficult for honourable members to do that when the other Bill has not been properly examined in this Chamber. Therefore, I move:

That progress be reported.

Mr MATHEWS (Minister for Community Affairs)—I suggest the Committee continue with its deliberations.

The Committee divided on Mr Coleman’s motion (Mr Fogarty in the chair).

Ayes 33
Noes 41

Majority against the motion 8

AYES
Mr Austin
Mr Brown
Mr Coleman
Mr Cooper
Mr Crozier
Mr Delzoppo
Mr Elder
Mr Evans
Mr Hann
Mr Jasper
Mr John
Mr Leigh
Mr Lieberman
Mr McGrath (Lowan)
Mr McNamara
Mr Macellan
Mr Perrin
Mr Pescott
Mr Plowman
Mr Reynolds
Mr Richardson
Mr Ross-Edwards
Mr Smith (Glen Waverley)
Mr Smith (Polwarth)
Mr Steggall

NOES
Mr Cain
Miss Callister
Mr Cathie
Dr Coghill
Mr Cunningham
Mr Ernst
Mr Fordham
Mr Gavin
Mrs Gleeson
Mr Harrowfield
Mrs Hill
Mr Hill
Mrs Hirsh
Mr Hockley
Mr Jolly
Mr Kennedy
Mr Kirkwood
Mr McDonald
Mr Mathews
Mr Micallef
Mr Norris
Mr Pope
Mrs Ray
Mr Remington
Mr Roper
Mr Rowe
Mrs Setches
Mr Sheehan
Mr COLEMAN (Syndal)—What has been played out is the arrogance of the government. The definition of an authorised bail justice is to be inserted in the Bill. It would assist the Committee if it could be explained who is an authorised bail justice and where the head of power is that provides this person with the ability to perform the function we are expecting of that person. That is the crux of the matter.

Although there has been some speculation as to which way the government’s legislative program might run, in this instance not only is the Minister for Community Services out of step, but also the government is out of step in the way it has set its legislative program. The Children and Young Persons Bill (No. 2) is Government Business, Orders of the Day No. 2. Orders of the Day No. 4 is the Magistrates’ Court Bill (No. 2) which provides for the appointment of bail justices. That is extremely and extraordinarily presumptive. The Children and Young Persons Bill (No. 2) anticipates the progress of the Magistrates’ Court Bill (No. 2). That Bill may never proceed. There are many instances in this Chamber where Bills are listed on the Notice Paper but they are never debated.

The Children and Young Persons Bill (No. 2) creates an office to be known as an authorised bail justice; if the Magistrates’ Court Bill (No. 2) does not proceed, an authorised bail justice would have no function or power of appointment. The Minister’s amendment No. 1 defines an authorised bail justice. The purpose for which the motion to report progress was moved was to enable the government to put into place the necessary systematic arrangements through the Magistrates’ Court Bill (No. 2) for the appointment to proceed. The Opposition has no option but to vote against the amendment.

Mr WHITING (Mildura)—This issue is one of concern to all members of the Committee. The Minister’s amendment forecasts proposed legislation at a later stage. We shall get ourselves into a mess if we continue along these lines. There is no guarantee it will happen, but it is possible.

I remember what happened with the Health (Radiation Safety) Bill in 1985 when two Bills were before Parliament at the same time and they presented the same problem as the amendment moved by the Minister for Community Services. The matter in 1985 was raised with the Standing Orders Committee of Parliament and, so far as I know, it has been unresolved partly because the Committee has not met recently. It is probably unwise to proceed at this stage with any further discussion.
Will the Minister explain what he hopes to achieve with his amendment? Will he put it to one side and come back to it later when a better result can be achieved?

Mr MATHEWS (Minister for Community Services)—The honourable member for Syndal asked for the definition of a bail justice. That definition can be found in clauses 120 and 121 of the Magistrate's Court Bill (No. 2), which read as follows:

(1) The Attorney-General may appoint as many bail justices as are necessary to perform the functions of bail justices under the Bail Act 1977.

(2) A person who has attained the age of 65 years is not eligible to be appointed as a bail justice.

(3) Every person who is appointed as a bail justice must, before acting as a bail justice, take an oath of office in the prescribed form and manner.

(4) A person who is appointed as a bail justice may resign from office by delivering to the Attorney-General a signed letter of resignation.

Certain office-holders to be bail justices.

(1) In this section “prescribed office” means an office in the public service that is prescribed as an office to which this section applies.

(2) A person who holds a prescribed office is, by virtue of holding that office, a bail justice without the need for any appointment under this Act.

(3) A person who is a bail justice by virtue of holding a prescribed office—

(a) must, before acting as a bail justice, take an oath of office in the prescribed form and manner; and

(b) is, while acting as a bail justice, entitled to be paid such remuneration and allowances as are from time to time fixed by the Governor in Council.

Mr COOPER (Mornington)—I find this an extraordinary defence of amendment No. 1. The Minister is telling us what is proposed by the government, but we are now being asked to accept the Minister's word that bail justices will be appointed under proposed legislation that has yet to be debated by this Parliament. That Bill could be amended and it may not even be brought forward by the government; it may not be accepted by Parliament, or it may not be proclaimed into law.

As the honourable member for Syndal has said, this is the most extraordinary way of going about producing legislation. Honourable members are being asked to prejudge a measure that has yet to be debated, yet to be passed, and yet to be proclaimed.

It is not a small point; it is a major point when one considers the ramifications of what bail justices will do. I direct the attention of the Committee to clause 129 of the Children and Young Persons Bill (No. 2), and I am sure there are other clauses that could be drawn to the attention of the Committee. Clause 129 relates to what happens to a child in custody being brought before a court or a bail justice, and subclause (2) provides:

A child taken into custody under this Part must be—

(a) released unconditionally; or

(b) brought before the Court; or

(c) if the Court is not sitting at any convenient venue, brought before a bail justice—

What happens if we do not have bail justices? What happens if the proposed Magistrates' Court Bill (No. 2) is not proclaimed or is amended in such a way that bail justices do not come into being?

The situation then is that a child who is taken into custody will be either released unconditionally or brought before a court. That is not what the Bill is about.
The Bill purports to deal sensitively with children in those situations. That is why it provides for bail justices and why it specifically suggests that when a court is not sitting at a convenient venue some other way of dealing with a child will be found rather than bringing him or her before a court. If there is no need to detain the child, the child will be released unconditionally.

This provision needs to be cleaned up prior to the Bill proceeding. The Opposition is not taking this stand simply for the sake of holding up the Bill; it is saying that the government needs to reconsider its position. Currently the position of the government is nonsense. The Committee is now being asked to consider the creation of an Act of Parliament of which an essential part will depend on bail justices who do not currently exist within the law and may never exist within the law.

Now is the time to withhold the measure for a day or a week to allow all parties to resolve the matter satisfactorily. It will not be resolved during debate in the Committee stage. All parties should get together and sort out the problem. The Minister for Community Services continues to stonewall on this issue. The Committee will not achieve anything with this clause or this Bill if he continues in that way.

Mr LIEBERMAN (Benambra)—I am also gravely concerned about the position in which the Committee now finds itself. The Committee is proposing to pass a Bill that deals with the freedom and rights of certain young people and then to refer it to another place. However, as it is currently drafted, the Bill is dependent and contingent upon the enactment of another Bill, which has not been passed through Parliament. Only the most arrogant government in any system like ours would ever contemplate forcing through Parliament a clause that is contingent on another Bill that is not being debated cognately. Honourable members know full well that the Bill that is not being debated may not be enacted in the form proposed by the government.

All honourable members are aware that the composition of the Upper House is such that on occasions it may vote against a government proposal. I am not suggesting that it will in this case but it is a possibility. It is realistically wrong to continue to ask the Committee to accept this clause in view of the burden that exists. The government should have enough insight to indicate its preparedness to defer the debate on an important and sensitive area of law and policy that affects children and their rights until consultation between the parties takes place and a correct procedure is devised. If it is too late to arrange for the Bills to be debated cognately, the solution lies in the government giving an undertaking about proclaiming or not proclaiming the measure, depending on the outcome of another measure.

I share the concern expressed by my colleagues on this issue. I do so not in a vexatious way; Parliament must maintain standards. Surely members of the government would agree with me. It is not a matter of being difficult or argumentative; it is a matter of respecting Parliament and the people and also recognising that a problem exists. Honourable members should have enough wisdom to pull back until the situation can be resolved.

Members of the Opposition have expressed their goodwill and have indicated they are prepared to discuss the matter in an effort to resolve the problem. They are not saying that they are not willing to discuss the matter with the government, because the Opposition does not want Parliament to degenerate into one that proceeds on the arrogant belief that proposed legislation that has not been debated will be passed and assumes that any Bill being debated, which is dependent upon another Bill, can be safely supported or not supported. That assumption undermines the standard of Parliament to the point where community standards are lowered.

People are crying out for their Parliamentarians to maintain standards and to set examples. The law is being treated with disdain. Parliament is being asked to assume
that a debate that has not yet taken place need not worry any honourable member because he is to assume Parliament will act as a rubber stamp on an action by the government. That would be an example of Parliament presuming and acting in a way it thinks best while ignoring the principles of safety, justice and fairness. The overview provided by Parliament is fundamentally the only way to protect the people. If it is vigilant, it can protect the individual; in this case it is protecting young people. We cannot allow them to be taken for granted.

Mr WHITING (Mildura)—If the amendment is accepted, it will be a Clayton’s amendment because the Magistrates’ Court Act 1988 does not exist. The only Magistrates' Court Act on the statute book is dated 1971. The presumption that the Magistrates' Court Bill (No. 2) will be passed to cover this particular definition of an authorised bail justice is a travesty of debate in Parliament and of this Committee. I hope the Minister has enough sense to realise that fact and to act now to hold the measure over until the problem is resolved. This may be until the Magistrates' Court Bill (No. 2) is passed by Parliament. Until such time, Parliament is being demeaned by the action proposed this evening by the government.

Mr MATHEWS (Minister for Community Services)—I thank the honourable member for Mornington for his assurance that there is no desire on the part of the opposition parties to delay the passage of the proposed legislation. I also thank the honourable member for Benambra for his assurance that he has no intention of being vexatious about this clause and for his kind offer of assistance in finding an acceptable solution to the difficulties that he has highlighted.

The point made by the honourable member for Mornington is well taken. Obviously, it is necessary that if a bail justice does not exist, an equivalent official should be available for the purposes of clause 129. It should be possible for all parties to resolve the matter while the Bill is between Houses by writing into the clause an acceptable backup arrangement, which would provide that in the unlikely event of bail justices not becoming available for this purpose through the future legislative processes of Parliament, a justice of the peace or some other person could serve instead.

I hope the explanation and suggested process suits the convenience of the Committee as I believe in commonsense it should.

Mr COOPER (Mornington)—It seems to me that the Minister thinks it is satisfactory to resolve this matter while the Bill is between here and another place. I refer the Minister to the remarks made by my colleague, the honourable member for Benambra, and supported by the honourable member for Mildura, that it would be arrogant in the extreme for this Committee in dealing with the matter to assume that another Bill that has yet to be debated by Parliament will be passed without amendment and proclaimed as law.

I do not accept that the stance being taken by the Minister is correct. In fact, it is deliberately flouting the processes of Parliament. We are being asked to accept a matter when it is not within our power to do so. We are being asked to accept the definition of authorised bail justices in the Bill. That definition states that they are “authorised bail justices in accordance with the definition under the Magistrates’ Court Act 1988”. At this stage, that measure is not an Act; it is a Bill which has only just been introduced into Parliament. It has not been debated, passed by Parliament or proclaimed into law.

It is the belief of Opposition members that the time to make an adjustment is not when the Bill is between here and another place but before the Bill proceeds any further in Committee. If the Minister is prepared to agree to that, he will have the full cooperation of the Opposition.
Mr MATHEWS (Minister for Community Services)—The debate has proceeded so far on the basis of a bipartisan spirit. I would not want that spirit to be disrupted in any way. Given the feelings which have been expressed by honourable members opposite, I suggest that progress be reported.

Progress was reported.

ADJOURNMENT

Victorian Tourism Commission chairman—Education maintenance allowance—Croydon Ballet Society Inc.—Government land sales in Doncaster—Templestowe area—Annexation of Naring area—Pedestrian traffic lights for Ferntree Gully Road, Scoresby—Sale of non-registered medicines by health shops

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

That the House do now adjourn.

Mr PESCOTT (Bennettswood)—I raise a matter for the attention of the Minister for Tourism. In his absence, I ask the Minister for Industry, Technology and Resources to refer the matter to him. It concerns the work of the Chairman of the Victorian Tourism Commission in New South Wales in January this year. On New Year’s Day this year, the Chairman of the Victorian Tourism Commission, Mr Nordlinger, travelled to Merimbula where he owns a holiday house. On 15 January he travelled from Merimbula to Moruya.

Under the Freedom of Information Act I obtained certain claim forms showing that in March this year the same Mr Nordlinger approved payments to himself of $580 for a mileage allowance for this car, worked out at a rate of 40.2 cents a kilometre for 1444 kilometres of travel.

I ask the Minister to inquire into the trips made by Mr Nordlinger and to explain to the taxpayers of Victoria what official business Mr Nordlinger had in Merimbula and Moruya at that time. Mr Nordlinger did not claim expenses from Melbourne to Moruya, so the logical assumption is that he was in Merimbula for the entire period of that two weeks before he went to Moruya.

In connection with the same matter, the Chairman of the Victorian Tourism Commission travelled to a different part of New South Wales later in that month.

Honourable members interjecting.

The SPEAKER—Order! the honourable member has raised a matter about the mileage claimed by a departmental person. I ask the honourable member to advise the Chair whether the second point he is making relates to the same matter.

Mr PESCOTT—The matter I wish to raise with the Minister relates to the work of the Chairman of the Victorian Tourism Commission in New South Wales during January this year. One trip was made at the beginning of January and a second trip was made on 22 January during which time the chairman went to Sydney between the dates of 22 and 27 January to attend the bicentenary celebrations on Sydney Harbour on Australia Day. Honourable members will recall that that was the day the tall ships arrived in Sydney Harbour.

Through freedom of information I have obtained access to a general claim form which indicates that the chairman travelled by car from Melbourne to Sydney on Friday, 22 January. The actual Australia Day celebration was held on the following Tuesday. I ask the Minister to inquire into the official work conducted by the chairman during that long holiday weekend.
I also ask the Minister to inquire why the hotel bill claimed was for five nights when in fact the accommodation covered only three nights and to inquire into the mileage claimed for this trip.

The allowance approved by Mr Nordlinger for the trip to Sydney was $1414 whereas the regulation allows only $700. Can the Minister explain why the taxpayers must pay more than twice the amount set down by regulation for this trip? Did the Minister approve all the work done in January by the chairman in New South Wales? Does the Minister believe Mr Nordlinger needed to observe something special at the beach resort of Merimbula in New South Wales when Mr Nordlinger made no similar trip to any beach resort in Victoria?

Mr EVANS (Gippsland East)—I direct to the attention of the Minister Assisting the Minister for Education a matter in relation to the payment of the education maintenance allowance. I refer to a letter from Mr Jeff Crosbie, Acting Manager, Grants and Allowances Unit of the Ministry of Education, which was written to the Principal of the Bombala High School in Bombala, New South Wales:

I refer to my letter of 26 April 1988 concerning applications for Education Maintenance Allowance from Victorian residents with children attending a school located in New South Wales.

As previously stated, the Minister for Education may grant the allowance on behalf of a student who is under 16 years of age, attends a State school or registered school and the student's parent is an eligible beneficiary within the meaning of the regulations.

A decision has been made that this refers to students attending Victorian schools only. As Mrs Holliday and Mrs L. Daley's children attend a school in New South Wales, they are therefore not eligible for payment of the allowance.

Could you please inform Mrs Holliday and Mrs Daley of this decision.

In my many years of experience I have never before come across such an outrageous and unjust decision as is indicated in the letter. The sole reason why these and 30 other children attend school in New South Wales is that the Victorian government does not provide them with accessible schools in Victoria. The nearest high school is at Orbost, which is approximately 100 kilometres away with two and a half hours of long hard driving. It is, therefore, totally inpracticable for these children to attend the high school in Orbost.

A number of children attend primary schools in New South Wales because the Victorian government closed their primary schools in Victoria and, therefore, there is no opportunity for these children to attend Victorian schools.

It is totally outrageous for the government to say that these Victorian students will be denied the allowance when it has failed to provide them with education facilities. This has occurred at a time when the government claims that it is interested in small-town people, isolated communities and people on low incomes. This illustrates the concern the government has for isolated people!

If the government does not provide the educational facilities for these children within the State, therefore requiring them to travel to New South Wales, the government should pay these children the equivalent of the cost of educating them in Victorian schools. The figure is readily available. These parents are entitled to expect that that money should be spent on their children's education; not only does the government not provide the facilities but also it denies those children access to this allowance.

This is an outrageous decision. It shows apathy and a total lack of concern by the government for people living in extremely remote areas.
The road access to Orbost for people in these areas is via the Bonang Highway. It is ridiculous and it is a malapropism for this road to be called a highway: it is a shocking mess.

These people do not get radio or television services. They do not have access to Victorian hospitals. For the government to rub salt into the wound by refusing to pay the allowance is plumbing the depths of its apathy and lack of concern.

Mrs SETCHES (Ringwood)—I direct to the attention of the Minister for the Arts the Croydon Ballet Society Inc. which rents the Croydon Hall in Mt Dandenong Road from the Croydon Leisure Centre for its classical ballet and Jazz ballet classes.

Mrs Penny Long, the vice-president of the society, has asked for assistance in relation to the society's fiscal position because in February 1988 the society was advised by the leisure centre committee of management that the society's rent would be increased for the use of the premises.

In 1986, the society was paying $1055 a year for the old premises in Railway Crescent but with the new premises the rent for 1987 was $5579. It is estimated that the rent for 1988 will be increased to $11,130.

In 1987 the society had 100 pupils who were each paying approximately $42 a term for their classical ballet and jazz ballet lessons. This year fees were increased to $62 a term but the families are finding these fees too expensive when they are trying to make ends meet and, as a result, the society has only 90 pupils this year. The society has lost a number of its students because of the increase in fees resulting from the increase in rent. The society is in a crisis situation.

The society is a non-profit community based organisation, and the fees paid by students are its only form of income. In fact, the society is overdrawn at the bank and teachers have had their pay cheques returned. The society cannot afford to pay the enormous rent for the Croydon Hall.

I commend the ballet society for its endeavours to teach children who may be not so gifted but who may require help with their coordination, and I also commend the assistance the society gives to students from one-parent families. The society has persevered with these students. Last year the Croydon Ballet Society Inc. was successful in obtaining $700 from the Ministry for the Arts. It requests the Minister again this year to examine this worthwhile community group which teaches 90 students from approximately 85 families with a view to ensuring that it is able to meet its fiscal needs while it negotiates with the Croydon councillors for a reduction in rent for the hire of the Croydon Hall.

The school has been running since 1963. It has given notice to me and to the community that it will be closing its doors if it does not receive financial assistance from either the Ministry for the Arts or rent relief from the Croydon council. I request the Minister to consider its plight.

Mr PERRIN (Bulleen)—I raise a matter for the attention of the Minister for the Arts in his capacity as the representative of the Minister for Education. I direct to the attention of the Minister a block of land in Blackburn Road, East Doncaster, that is proposed to be used for the purpose of a joint primary-secondary school for the City of Doncaster and Templestowe. The school is to be called the Doncaster East Heights School. The government owns 2.6 hectares of the land required for these two schools and needs 9.3 hectares of land before the schools can proceed.

The land required to be purchased is owned by a private person, and that person's land has been zoned for public purposes, but he is attempting to have it rezoned so that it can be sold for a housing estate.
On 1 February 1983 the then Director-General of Education indicated to the City of Doncaster and Templestowe that the Education Department intended to purchase the whole 9.3 hectares of land for the establishment of those schools. The promise to purchase that land has not been kept and the viability of the proposed schools is in doubt.

The government has sold many parcels of land that were originally purchased for proposed school sites: 5 hectares in Porter Street, Templestowe, was sold for $3.2 million; 6.1 hectares at the corner of King and Taunton Streets, East Doncaster, was sold for $1.2 million; 5.8 hectares in Pleasant Road, Bulleen, acquired for a secondary school, was sold for $6.5 million; and 2.1 hectares in Smiths Road, Templestowe, which was to be used as a primary school site, was sold for $1.7 million.

Approximately $14 million worth of land has recently been sold by the Ministry of Education. Further, land in Reynolds Road, Templestowe, was sold for $7 million; railway land was sold for $10 million; and approximately 2 hectares of land in Reynolds Road and Anderson Creek Road was recently sold to the City of Doncaster and Templestowe. Approximately $30 million worth of land in the area around the City of Doncaster and Templestowe has been sold recently.

On 20 May 1988, the Eastern Metropolitan Region undertook an assessment of the area and wrote to the City of Doncaster and Templestowe. As a result of the review, the region concluded that a new primary school was not required in this area.

One of the honourable members for Templestowe Province in another place, Mr Miles, raised this matter with the Minister for Education last night. The Minister answered his query and said that the secondary school will not proceed. The Eastern Metropolitan Region states that the primary school will not proceed and the Minister now says that the secondary school will not proceed—obviously those schools will not be built.

A public meeting has been held in the area and the community wants both schools to be built. They want the government to acquire the remaining portion of land from the orchardist so that the schools can proceed.

I have lodged with the Clerk a petition that will be presented tomorrow that contains the names of 300 petitioners who want the schools to proceed. This area is developing rapidly and housing estates have not yet been developed. There is a need for schools in the area, but the government has sold off land. The people of Doncaster and Templestowe require those schools to be built and I ask the Minister to purchase the land forthwith.

Mr JASPER (Murray Valley)—The matter I raise for the attention of the Minister for Local Government concerns a vote taken last Saturday in the Naring area of the Shire of Cobram to determine whether that area should be excised from the Shire of Cobram and annexed to the Shire of Numurkah.

The Minister is aware that representations have been made by people in the Naring area seeking to transfer from the Shire of Cobram to the Shire of Numurkah. Following an investigation, the Minister recommended that the people be canvassed to ascertain their views. Further representations were made to the Minister by the representatives of the Shire of Cobram and a number of interested people in the Naring area, who indicated that they wished to remain within the Shire of Cobram.

Subsequently, a petition was raised in which 10 per cent of the voters within the Naring area registered their objection to being incorporated into the Shire of Numurkah. The Minister decided there should be a poll of the 156 eligible voters. A poll was conducted last Saturday and 132 ratepayers voted; 68 were in favour, 61 against, and
3 votes were informal. Approximately 51 per cent of those ratepayers have requested to be annexed by the Shire of Numurkah. Taking a percentage of the total votes cast, 44 per cent support the annexation.

I ask the Minister to give an indication of what action he believes should be taken because of the closeness of the vote. In examining this issue the Minister could consider the representations of the Shire of Cobram and a number of ratepayers within that area who believe the shire could be successfully divided so that part of the Naring area would be annexed by the Shire of Numurkah and most people wanting to remain within the boundary of the Shire of Cobram could remain in that shire.

I seek that indication from the Minister, and I ask him to say when a response will be provided to both the Shire of Numurkah and the Shire of Cobram.

Mrs HIRSH (Wantirna)—I raise a matter for the attention of the Minister for Community Services representing the Minister for Transport in another place. The matter I raise concerns the strongly expressed need of the people of Scoresby for pedestrian traffic lights in Ferntree Gully Road near the corner of Borg Crescent.

Borg Crescent, Scoresby, is a residential area fronting onto Ferntree Gully Road. Many children living in the Scoresby area need to travel down Borg Crescent and cross Ferntree Gully Road to catch a bus to school.

There is a large industrial development on the south side of Ferntree Gully Road and many residents of Scoresby have to cross the road to get to their workplaces near Borg Crescent.

A petition bearing 505 signatures has been prepared by the residents of Scoresby to be presented to the Minister for Transport. The signatures have been carefully and conscientiously collected by Mr G. George of 2 Sally Francis Court, Scoresby. Mr George has worked extremely hard to make representations to the Minister on behalf of Scoresby residents for the installation of pedestrian traffic lights on Ferntree Gully Road.

In his letter, of which I have a copy, Mr George has pointed out the extraordinary dangers faced by children and adults in trying to cross Ferntree Gully Road either to get to school or to the workplace. Traffic counts are not as high as they could be because, as expressed by Mr George, parents are too afraid to allow their children to cross that road; they drive them to school instead.

Ferntree Gully Road is very dangerous. It has a high vehicle count, which has been made less so by the recent duplication instigated by the Victorian government. Such duplication has occurred on other major roads in the Wantirna electorate, which, until the election of the Cain government, remained untouched for some 20 to 25 years as other development took place.

Mr Leigh interjected.

Mrs HIRSH—The roads in the Wantirna electorate have finally been duplicated so that people are able to drive to and from work in some comfort. However, as Mr George has pointed out in his letter and as Scoresby residents have expressed in their petition, the safety of children and other pedestrians needing to cross Ferntree Gully Road has now become a paramount issue.

On behalf of the Scoresby residents, I strongly request that consideration be given, as a matter of urgency, to the placement of pedestrian traffic lights in Ferntree Gully Road near the Borg Crescent crossing. The 500 parents of children in the area who have to cross the road to get to school have made a number of strong requests in this
regard and, on behalf of those residents, I fervently ask the Minister to please provide the pedestrian traffic lights for the safety of families in the Scoresby area.

Mr WEIDEMAN (Frankston South)—I ask the Minister for Community Services to take up my matter of concern with the Minister for Health in another place. I refer to health shops and other health services that provide medicines such as Alcusal, Broncostat, and many other non-prescription items which have not been registered in this State but which are sometimes registered in other States.

I understand that the Pharmacy Board of Victoria and pharmacists generally have said that the relevant legislation has not been effective in this area. They say that it is the responsibility of the board to ensure that pharmacists obey the law in this State, which I have no doubt they do, but if health shops are selling non-registered medicines it is up to Health Department Victoria itself to take that action.

I understand that a memorandum about the matter has been in existence in Health Department Victoria for more than two months, yet no action has been taken. The matter has been raised on many occasions and it is of serious concern to pharmacists and members of the medical profession as well as others who have to provide prescription medicines, yet health shops are selling such products without being challenged. If a product is released on the market without regulation a serious situation is created.

I ask the Minister to take up the matter as a matter of urgency to ensure that the law is observed and that people who are selling and providing to health shops and other outlets in this State non-registered medicines such as Alcusal, Broncostat, and other preparations are prevented from doing so in future.

The SPEAKER—Order! The honourable member’s time has expired. The time for raising matters on the adjournment has expired.

Mr MATHEWS (Minister for Community Services)—The honourable member for Frankston South raised with me the issue of the conduct of health shops selling non-registered medicines and the need for Health Department Victoria to interest itself in that matter. I shall certainly direct that matter to the attention of the Minister for Health, together with the recommendation that the honourable member has made.

The honourable member for Wantirna directed to my attention the need for the installation of traffic lights on the corner of Ferntree Gully Road and Borg Crescent in Scoresby. Of course, her raising the matter reflected her constant solicitude on behalf of all her constituents, particularly where road safety is concerned. The honourable member for Wantirna is clearly of the view that these traffic lights are necessary for the protection of schoolchildren using the crossing and she was able to bring forward an impressive list of petition signatures to that effect. I believe I can safely say to the honourable member that her request and the request of the petitioners that she cited tonight will receive early and sympathetic consideration from the Minister for Transport.

Mr WILKES (Minister for Tourism)—The honourable member for Bennettswood raised with me a claim for travelling expenses by the Chairman of the Victorian Tourism Commission, which information he received under the freedom of information legislation. I shall have the matter investigated fully and quickly and provide him with an explanation to which he is entitled.

Mr CATHIE (Minister Assisting the Minister for Education)—The honourable member for Gippsland East raised the issue of the non-payment of the education maintenance allowance to school pupils living in isolated regions in Victoria who have to attend schools in New South Wales. The honourable member went on to
quote from an official letter saying that that allowance is paid and applies to Victorian schools only. I shall raise the matter with the Minister for Education and obtain a response for the honourable member.

The honourable member for Ringwood raised the issue of—

Mr LEIGH (Malvern)—On a point of order, Mr Speaker, since the honourable member for Ringwood is no longer in the House, I wonder whether it is relevant for the Minister to reply.

The SPEAKER—Order! The honourable member for Malvern will find himself in some bother if he continues to raise frivolous points of order.

Mr CATHIE (Minister Assisting the Minister for Education)—The honourable member for Ringwood raised the problems being faced by the Croydon Ballet Society Inc., in providing both classical and jazz ballet lessons at the Croydon Leisure Centre and the fact that the society is seeking further financial assistance from the government because its rent has increased substantially. I am pleased to note that the government has assisted that worthy group in the past, and I shall inquire whether it is possible to provide further assistance to it.

The honourable member for Bulleen referred to a block of land in Doncaster that is presumably zoned for public purposes and was originally intended for a school. He also quoted from official correspondence from the Eastern Metropolitan Region, which has recently conducted a review of needs within the region and has indicated that no primary school is required. The honourable member also indicated that, because of growth in population and new estates in the area, there could well be a need for schools to be built in the future; and again, that is a matter which I will ask the Minister for Education to review.

Mr SIMMONDS (Minister for Local Government)—The honourable member for Murray Valley raised the question of the annexation of an area of the Shire of Cobram to the Shire of Numurkah. He also indicated that 10 per cent of the people concerned, 156 eligible voters in all, sought a poll on the issue and that the poll resulted in a “yes” vote of 68 to 61. It is an interesting concept that if a poll is taken in which the result is narrow, one should not consider positively the issue in the manner in which the honourable member has put the case, on the basis that it is a close vote.

I should be pleased to hear any views the honourable member may have as to what should happen in that area. I am more concerned with the cost of any relevant change and the fact that ratepayers who indulge in border hopping are not necessarily adding to the structure of local government in Victoria.

The motion was agreed to.

The House adjourned at 11.12 p.m.
Thursday, 11 August 1988

The SPEAKER (the Hon. C. T. Edmunds) took the chair at 10.34 a.m. and read the prayer.

ABSENCE OF MINISTERS

The SPEAKER—Order! I advise the House that the Minister for Labour and the Attorney-General will be absent from the House today on account of illness.

QUESTIONS WITHOUT NOTICE

VICTORIAN TOURISM COMMISSION CHAIRMAN

Mr PESCOTT (Bennettswood)—I refer the Minister for Tourism to my request yesterday for information concerning excessive travelling expenses paid to the Chairman of the Victorian Tourism Commission, Mr Bob Nordlinger, for several trips to New South Wales in January this year. Is it a fact that Mr Nordlinger flew his own private aeroplane to Sydney rather than using his car, as claimed, and approved payment to himself of $1414 when the return air fare for two on commercial aircraft would have been $640?

Mr WILKES (Minister for Tourism)—The honourable member for Bennettswood raised this matter with me on the motion for the adjournment of the sitting last night. I informed him that I would have the matter investigated, and I propose to do so.

VICTORIAN ECONOMIC DEVELOPMENT CORPORATION

Mr ROSS-EDWARDS (Leader of the National Party)—Will the Minister for Industry, Technology and Resources advise the House why he or his department did not inform the board of the secret agreement of 6 November 1987 to sub-underwrite the Wallace International Ltd float at any subsequent board meeting up until 19 February 1988?

Mr FORDHAM (Minister for Industry, Technology and Resources)—It was obviously the responsibility of the General Manager of the Victorian Economic Development Corporation to notify his own board of the circumstances concerning that week. The then general manager has since contacted me and apologised to me and to the board for failing to do so.

NATIONAL WAGE CASE

Mr ERNST (Bellarine)—Has the Treasurer received advice about the financial implications of the pending national wage case; if so, will he inform the House of the steps that have been taken by the government to provide for any increase?

Mr JOLLY (Treasurer)—I understand the national wage case decision will be handed down tomorrow. As most honourable members will be aware—certainly on this side of the House—the Treasurer’s Advance in the 1988–89 Budget is designed to meet the additional costs of the national wage case. The Liberal Party has been dopey enough to suggest that somehow a slush fund has been built into this year’s Budget. In
fact, the Treasurer’s Advance of $148.8 million is less than in previous years. For example, this year it is 1.8 per cent of outlays; in 1985-86 it was 1.9 per cent; in 1983-84 it was 2.3 per cent; and in the last Liberal Budget in Victoria—probably the last ever by a Liberal government—it was 3.8 per cent. In other words, the Treasurer’s Advance is now 53 per cent lower than it was under the Thompson government. The dopes in the Liberal Party have suggested that this is a slush fund.

Mr Reynolds interjected.

Mr JOLLY—I shall not include the honourable member for Gisborne for the purposes of this discussion. But with respect to the question asked by the honourable member for Bellarine, I point out that the national wage case decision will be handed down tomorrow. All honourable members should appreciate that there will be a significant increase in wages flowing from that decision. For every 1 per cent increase provided in a national wage case decision, there will be a $35 million cost to the 1988-89 Budget. One does not have to be a genius to work out the implications of a 2 or 3 per cent increase; but if one can work it out, it is obvious that one would not be a member of the opposition parties because they cannot do so.

Yesterday, in answer to the question asked by the honourable member for Brighton, I pointed out how incompetent, inept and dishonest the Opposition was, and this clearly demonstrates that view. For the benefit of the honourable member for Brighton, because he appears not to understand and needs daily tuition, I repeat: the allocation to the Treasurer’s Advance is 1.8 per cent of outlays; under the Thompson Liberal government it was 3.8 per cent. In other words, it was 53 per cent higher than it is this year.

VICTORIAN TOURISM COMMISSION CHAIRMAN

Mr PESCOTT (Bennettswood)—I refer to the previous answer given by the Minister for Tourism about travelling expenses paid to the Chairman of the Victorian Tourism Commission. Has the Minister approved the use by Mr Nordlinger of his own aeroplane for which he charges a car-mileage rate against his travelling allowance; or did the Minister’s predecessor, now the Minister for Industry, Technology and Resources, ever do so; and would that approval extend to visits to Merimbula, where Mr Nordlinger has a holiday residence?

Mr WILKES (Minister for Tourism)—I have already advised the honourable member for Bennettswood that answers to the matters about which he is seeking information will be supplied to him after an investigation. I am not in the business of prejudging anybody. After I have made suitable inquiries and received answers to the questions raised by the honourable member for Bennettswood, he will be informed, and not before.

VEHICLE REGISTRATION FEES

Mr HANN (Rodney)—I refer to the government’s announcement in the Budget that private vehicle registration fees are to be abolished. Will the Treasurer advise the House whether primary producer vehicle registration fees will be abolished and, if not, why not?

Mr JOLLY (Treasurer)—As the honourable member for Rodney should appreciate, the 1988 Budget is a responsible family Budget. Part of that family package is to further slash motor registration fees for private A class vehicles because they are vehicles that are used by families in suburban and in country areas.
Not only is the government reducing vehicle registration fees by a large amount in this Budget—in some cases it will mean total abolition in 1988-89—but also early next financial year motor registration fees for all private vehicles classified private A will be abolished. That is a further significant contribution by the government to the families of Victoria, and it is one of the reasons why Victoria leads the way in Australia.

PUBLIC HOSPITAL PATIENTS

Mr REMINGTON (Melbourne)—Will the Premier inform the House what recent advice he has received indicating the success of measures taken by the government to increase the number of patients being treated in Victoria’s public hospitals?

Mr CAIN (Premier)—Victoria has a first-class hospital system that is currently working at record levels. In 1987-88, 586 000 Victorians were admitted to public hospitals.

Honourable members interjecting.

Mr CAIN—Honourable members who are interjecting should listen to the figures, and they may learn something. It was a massive increase of 58 600 on the previous year and 45 000 more than any other year. Last year the government undertook to treat an extra 25 000 patients and, clearly, that has been more than doubled.

Honourable members interjecting.

Mr CAIN—If honourable members can add, twice 25 000 is 50 000, and the government has put through 58 600, more than double the number the government said would go through the public hospital system. I say to the Deputy Leader of the Opposition—who is particularly vocal this morning—that the government over the past few months has rendered obsolete the nonsense the Opposition’s health spokesman talked about.

An honourable member—What nonsense!

Mr CAIN—The honourable member says “What nonsense!” The only people who will lament are those vested interests that his party sets out to protect—the only ones. The Opposition said that under its scheme hospitals would treat an extra 20 000 patients a year, but the government has already achieved twice that—I repeat, 58 600. So much for that promise!

Mr Brown—What about the waiting list?

Mr CAIN—The Deputy Leader of the Opposition wants to talk about the waiting list; let us look at the waiting list for elective surgery. In the past eighteen months the number on the list has decreased by 13 000. I know the Opposition is concerned about the waiting list but let us discuss waiting times, which are more germane to the question than the waiting list. The average waiting time has been reduced from 2-5 months to 7 weeks. Even the honourable member for Malvern should be able to understand that!

Now most patients can, in less than one month, locate a hospital for the elective surgery they need. I ask honourable members to contrast that fact with the ill-conceived announcements of the Opposition. The Opposition wants to provide incentives for people to take out private insurance. It does not seem to realise that any new health insurance contributors with pre-existing conditions must wait twelve months before they are eligible for insurance benefits. Think about it for a moment! The Opposition
is condemning anyone on the waiting list to wait another twelve months before becoming eligible for reimbursement from a health fund.

Mr Cooper—You have got it wrong.

Mr CAIN—if I have it wrong, tell me. That is the story the Opposition neglected or refused to tell those who may be so gullible as to listen to its claptrap. People on hospital waiting lists now would not benefit from the scheme proposed by the shadow Minister, Mr Birrell.

Mr Brown—Rubbish!

Mr CAIN—the Deputy Leader of the Opposition says, “Rubbish!” That is the position; they will have to wait another twelve months before they qualify.

Mr DELZOPPO (Narracan)—On a point of order, Mr Speaker, the Premier is obviously debating the question when he contrasts and comments on the policies of the Liberal Party. I refer you, Sir, to Standing Order No. 127 and ask you to bring the honourable gentleman back to order.

The SPEAKER—Order! I advise the honourable member for Narracan that it is not obvious to the Chair that the Premier is debating the subject. The honourable member would be aware of the barrage of interjections from the Opposition benches. The Premier has been led away from the subject by the interjections, which he should ignore. I ask the Premier to return to the point.

Mr CAIN (Premier) —We have steadily worked to improve the system and that hard work is paying off. Currently, almost 14 000 nurses are at work; that is 1605 more nurses than three years ago. There are 150 more doctors treating patients in 176 more hospital beds than one year ago. That is the proof of what needs to be done in Victoria’s health system. It is acknowledged throughout the world that the demands on all health systems are increasing enormously because of sophistication in medical science. Victoria is responding to that demand better than any other State in the country.

The Opposition wants to prop up a discredited health system while excluding people from benefits provided by the Commonwealth under Medicare. The Opposition would exclude Victoria from Commonwealth contributions by implementing what it suggests.

At the end of the financial year, an additional 374 hospital beds will have been opened. The honourable member for Frankston South might believe it is good that 100 beds will be opened at Frankston Hospital. That is terrific! He did not get that under the former Liberal government. In those days there was a hole in the ground in Frankston, and the honourable member lost his seat for a number of reasons, one of which was that the former Liberal government delivered nothing in Frankston.

The SPEAKER—Order! The Premier is now debating the question. I ask him to round off.

Mr CAIN—I was saying, Sir, that an additional 100 hospital beds will be opened at Frankston Hospital, 111 at Maroondah Hospital, and 163 in the first stage of the Maribyrnong Medical Centre. That record speaks for itself. The government is demonstrably meeting the health needs of all Victorians.

All the members of the Liberal Party can do is talk claptrap about propping up what was a rotten and discredited system. For the past three years, the government has continued to build on a system that has responded well to the needs of the community. Yet the Liberal Party wants to return to the past and to exclude the State from Commonwealth assistance. Members of the Liberal Party have acted as crass amateurs in this area; and they are setting out to destroy the good system that we have.
The government is meeting the demands which people have for health care; and the people of Victoria are recognising that. They will reject as nonsense the policies proposed by the Liberal Party.

VICTORIAN ECONOMIC DEVELOPMENT CORPORATION

Mr MACLELLAN (Berwick)—Is the Minister for Industry, Technology and Resources able to confirm that the week before the meeting of the board of the Victorian Economic Development Corporation on 19 February, legal advice was obtained from Madden Butler Elder and Graham, a firm of solicitors, which advised officials of the VEDC that the commission could get out of sub-underwriting the Wallace float? Why was that advice not tendered to the board at its meeting on 19 February? Is this another matter for which the former general manager would apologise to the Minister?

Mr FORDHAM (Minister for Industry, Technology and Resources)—The legal opinion referred to by the honourable member for Berwick was first raised in the House last Thursday by the Deputy Leader of the National Party.

In responding to the Deputy Leader of the National Party’s question, I said I was not familiar yet at the time of answering the question with the details of that opinion. I also said it was not my practice to talk about legal opinions in the House. However, as the matter has been raised again——

Mr Hann—It was Tuesday; you should get your days right.

Mr FORDHAM—I think you will find that it was Thursday. Certainly, it was last week.

Since the matter was raised by the Deputy Leader of the National Party, I have re-examined the file and I have re-read the opinion, an opinion that was received dated 28 January.

That opinion contained advice to the board concerning the circumstances which have been alluded to by previous speakers. I understand that, in fact, contrary to the comment made by the honourable member for Berwick, the opinion was tendered at the board meeting.

MULTICULTURALISM

Mr SEITZ (Keilor)—Will the Minister for Ethnic Affairs tell the House whether he has had discussions with the ethnic community in Victoria about seeking its assistance in promoting multiculturalism, and what the results of those discussions have been?

Mr SPYKER (Minister for Ethnic Affairs)—As the Minister for Ethnic Affairs, I have regular discussions with the ethnic community. In particular, I have had lengthy discussions with the ethnic community since the latest furore about multiculturalism hit the headlines.

The ethnic community has expressed both anxiety and concern about the way in which that debate has been conducted. It has not been of any benefit to those people in the ethnic community who were either born in Australia or born overseas.

Following those lengthy discussions the ethnic community has asked the government to continue to develop positive policies to ensure that the services which are needed for the integration of the members of the ethnic community continue to be provided. I am delighted to say that there has been a 25 per cent increase in the budget of the
Ethnic Affairs Commission, which will assist greatly in ensuring that services are provided for the continued integration of members of the ethnic community and that those people will have an equal opportunity of obtaining the types of services which the rest of the community enjoys.

A significant increase has been made in the Budget for language services with the allocation of $770,000 for people wishing to obtain a reasonable command of the English language to assist with their skills.

Another important area is legal interpreting services. It is essential that people appearing before the courts or at police stations have a full understanding of their rights and obligations.

I am concerned that the debate currently being held in the community is being destructive to our country and our State. I have no objection to debate about the level of immigration, or about what immigration numbers should be allowed, but we must be careful about creating unnecessary division in the community. That does no good either to those born in this country or those born overseas.

I have assured the ethnic community with which I have had regular meetings that the government is committed to a multicultural society. The Ethnic Affairs Commission has introduced programs into the education system from which not only people of non-Anglo-Saxon origin will benefit but also young Australians who have taken on these programs enthusiastically at both primary and secondary level. I am pleased that that has taken place.

In addition, lengthy consultation has taken place with Health Department Victoria to ensure that ethnic communities understand their rights in relation to health. That is in marked contrast to our predecessors who allocated a total budget for ethnic affairs of only $1 million. The government has considerably extended that allocation.

I congratulate the Minister for Industry, Technology and Resources on the work he has done for ethnic affairs. A number of publications from the State Electricity Commission and the Gas and Fuel Corporation have been written in many languages to ensure that members of ethnic communities can avail themselves of the rights to which they are entitled, along with the rest of the community.

**VICTORIAN ECONOMIC DEVELOPMENT CORPORATION**

**Mr E. R. SMITH** (Glen Waverley)—I ask the Minister for Industry, Technology and Resources whether he can confirm that officials and staff of the Victorian Economic Development Corporation have been instructed to sign undertakings that they will not talk to the media about incidents involving the Minister’s behaviour in regard to the Wallace International Ltd sub-underwriting agreement.

**Mr FORDHAM** (Minister for Industry, Technology and Resources)—I should have thought it was inappropriate for public servants not only to talk to the media on this subject but also, because of the nature of their employment, to talk on any issue other than through the Minister or the Minister’s office.

It is certainly true that the Victorian Economic Development Corporation, following recent events, has considered the issue of confidentiality, given the commercial nature of its organisation. If the Leader of the Opposition wishes to take credit for the steps that are being taken—and I am not familiar with the detail of them—so be it on his own head.
FOOTYBET

Mr W. D. McGrath (Lowan)—I ask the Minister for Sport and Recreation whether it is a fact that football receives little or no distribution from Totalizator Agency Board surpluses even though the investment on Footybet has increased considerably through the TAB in recent times.

Mr Trezise (Minister for Sport and Recreation)—The honourable member for Lowan is correct; football does not receive a percentage return under legislation governing distribution of the turnover in betting in the same way as the three racing codes. I presume that when football betting first commenced under the previous Liberal government approximately ten or twelve years ago it was only a public relations exercise to encourage interest in betting on the game through the Totalizator Agency Board. At that time, interest in football betting was very low; I understand a loss was incurred.

In the year that Labor came to office, or a year or two before, the turnover on football at the TAB was less than $200,000, which probably did not pay for the costs incurred. When the government came to office, I was approached by officers of the TAB who sought to have football betting on the TAB discontinued because of the lack of public interest.

The government decided to try a new method in order to generate public interest. This year, under the government's new method, turnover on the TAB for football betting will be approximately $6 million, which is 30 times more than it was under the previous Liberal government.

I have not yet addressed the issue of the return to the Victorian Football League. In the first year the government was in office, I was approached by Dr Allen Aylett about an agreement that approximately 3 per cent of turnover be given to the league, as it was by the previous Liberal government; I think the amount was $100,000. Having checked the figures for sports allocations, I agreed that that arrangement should continue.

Honourable members should be aware that, although the league does not receive money directly from the TAB, it does receive an annual amount of approximately $150,000, being 3 per cent of $6 million, from the sporting distribution in the Department of Sport and Recreation.

If the Victorian Football League or football people generally want to speak to me about an agreement for direct funding that could be included in legislation or dealt with in some other way, I am happy to talk to them.

METPLAN

Mr Gavin (Coburg)—Can the Premier advise the House on progress towards the finalisation of the Metplan process for determining the future of Melbourne's public transport?

Mr Cain (Premier)—I thank the honourable member for Coburg for the question and his continuing interest in transport, in which area he has demonstrated a great degree of skill and expertise—qualities that are not reflected opposite by the shadow Minister for Transport.

In 1982 the government inherited a pretty run-down system; it was a mess. Honourable members should consider what passengers had to ride in—there were all the old red rattlers.
Honourable members interjecting.

Mr CAIN—They were museum pieces. The transport system has been dramatically turned around in the past six years. Honourable members should compare the present system with what we inherited. Children go to school now in air-conditioned trains. Do honourable members opposite not like that; do they think the red rattlers were better for them?

Honourable members interjecting.

Mr CAIN—What is it to be? I am saying that the system is dramatically improved. Passengers travel in air-conditioned trains.

Mr Brown—When they run!

Mr CAIN—The honourable member wants to shut the joint down. If what I read is true, the Opposition wants to go into the trenches as soon as it can with as much as it can. The Opposition wants to shut down the system.

The release in May of Metplan for public comment by the Minister for Transport is the right way to go about it. Metplan sets out a series of clear proposals for the future of the public transport system. It clearly demonstrates the difference between the government and the Opposition. The government has long-term plans. I think the Opposition should read the Sydney Morning Herald to see what Nick Greiner has got up to see whether it can do better! Metplan is being sifted through by public comment and it will ensure that the government goes ahead with a progressive public transport system.

The Opposition has no policy yet, but from the kinds of leaks and comments that have been made about it, it seems the Opposition wants to shut down the service if necessary.

Mr Brown—Who said that?

Mr CAIN—The Opposition wants to close down the system. It wants to close down the rail system after dark; is that right? The Opposition wants to close down some lines after dark. If I am wrong, tell me!

The Liberal Party wants to sell off the Met buses. Does the Opposition have an answer to that? No; there is silence! The Liberal Party wants to blanket the city with freeways.

Mr Brown interjected.

Mr CAIN—The record shows the difference between how the Liberal Party ran transport and how it is being run now. Under the Liberal government the deficit increased by 34 per cent between 1978–79 and 1981–82.

Mr Brown—What was the loss?

Mr CAIN—Just listen to the difference! Under this government, between 1982–83 and 1987–88, the deficit has decreased by 10 per cent in real terms.

Mr Brown interjected.

Mr CAIN—When one examines fares one finds that under the Labor government there has been a nil increase in 1988–89.

Mr Brown—that is not true.
Mr CAIN—Under the Greiner government in New South Wales fares have increased by 12·5 per cent. Fares under the Lindsay Thompson government in 1981–82 increased by 18 per cent—better than the Greiner government.

Honourable members interjecting.

Mr CAIN—The government has upgraded railway stations during the past six years by spending $40 million, and $6 million more will be spent in the current Budget. A new station has been opened at Frankston, and Ginifer and Mitcham are under construction. Do honourable members know how much was spent on upgrading railway stations in the last year of the Liberal government in 1981–82? It spent $200 000. That is what the Liberal Party thought about the system.

Patronage under the Labor government has increased by approximately 14 per cent; it was falling under the Liberal government. The fact is that the Liberal Party does not want a public transport system; it wants freeways. It favours those who have access to motor cars and it has no regard for the old, the young and the disabled, who do not have access to motor cars. The Liberal Party has no regard for computers—I mean commuters. The government has used computers effectively to streamline management and to reduce the transport authorities.

Mr Brown interjected.

Mr CAIN—The government has reduced the number of transport authorities from nine to four. The Deputy Leader of the Opposition may huff and puff as much as he likes.

Mr Brown—What about the 400 extra managers?

Mr CAIN—The Deputy Leader of the Opposition has a problem; he has not yet got a policy—-

Mr STOCKDALE (Brighton)—On a point of order, the Premier appears to be quoting from a document, and I ask that he identify the document. I ask him to tell the House which government car he was riding in when he wrote it.

The SPEAKER—Order! In respect of the first part of the point of order I ask the Premier to respond, and I disallow the latter part.

Mr CAIN (Premier)—I am using some notes that have been prepared to ensure that the figures are put correctly. I was indicating how much better the government has done with the management of the public transport system than did the Liberal government.

As I look across to the Opposition benches, and because of our economic strategy and the success of our policies on public transport, I realise that it is no wonder that Opposition members are sitting up like delegates at an undertakers' conference. I have never before seen such a dismal lot. Look at them! The government is steadily building up a transport system of which the State can be justly proud.

Mr BROWN (Gippsland West)—On a point of order, Mr Speaker, the Premier has not identified the source of the document to which he is referring. I ask: was the document prepared by Barry Donovan, who receives more than $60 000 a year, or by one of the other more than 400 stream-lined managers who have been appointed to the transport authorities?

The SPEAKER—Order! The honourable member is using a point of order to make a statement. The Premier identified the notes to which he referred, and I do not uphold the point of order.
PETITIONS

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

Mining operations in water reserves

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

The humble petition of the undersigned citizens of the State of Victoria, residents in the Bendigo area, showeth that the aforesaid citizens are gravely concerned that proposed mining operations inside the Spring Gully water reserve, or removal of old mine tailings from that reserve would necessarily involve the risk that our drinking water supply will be polluted.

Your petitioners therefore pray that you will:

(1) direct the refusal of permission for Western Mining Corporation to carry out mining operations inside the Spring Gully water reserve;
(2) direct the refusal of permission for any other proposal which may be made to mine in or remove tailings from that reserve; and
(3) amend the State environment protection policy for the waters of Victoria so as to prohibit all mining operations in all water supply reserves.

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

By Mr Kennedy (1009 signatures)

Erection of primary-secondary school

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

The humble petition of the undersigned citizens of Victoria showeth that there is a need for the establishment of the primary-secondary school, in Blackburn Road, East Doncaster, to be named Doncaster East Heights.

Your petitioners therefore pray that the State government acquires the remaining land necessary for this school and commences to build and open the school.

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

By Mr Perrin (311 signatures)

Brothels

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

The humble petition of the undersigned citizens of the State of Victoria showeth:

That we are opposed to the adoption by the State government of any recommendation of the Neave report into prostitution which will allow brothels as a permitted use in its planning scheme.

Your petitioners therefore pray that the State government abandons any intention to force a city or municipality to provide for brothels as a permitted use in its planning scheme.

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

By Mr Norris (134 signatures)

It was ordered that the petitions be laid on the table.
MORTUARY INDUSTRY AND CEMETERIES ADMINISTRATION COMMITTEE

The cost of funerals: procedures and options available

Mr KIRKWOOD (Preston) presented the tenth report of the Mortuary Industry and Cemeteries Administration Committee on the cost of funerals: procedures and options available, together with appendices and minutes of evidence.

It was ordered that they be laid on the table, and that the report and appendices be printed.

LOCAL GOVERNMENT BILL (No 2)

This Bill was returned from the Council with a message relating to amendments. It was ordered that the message be taken into consideration next day.

LOCAL GOVERNMENT (CONSEQUENTIAL PROVISIONS) BILL

This Bill was returned from the Council with a message relating to an amendment. It was ordered that the message be taken into consideration next day.

CONCURRENT DEBATE


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

That this House authorises and requires Mr Speaker to permit the second reading and subsequent stages of the Appropriation (1988–89, No. 1) Bill and the Works and Services (Ancillary Provisions, 1988–89, No. 2) Bill to be moved and debated concurrently.

The motion was agreed to.

ADJOURNMENT

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

That the House, at its rising, adjourn until Tuesday, August 30.

This is the normal procedural motion.

The motion was agreed to.

TRAINING INITIATIVES AND SKILL CENTRES

Mr MICALLEF (Springvale)—I shall move:

That this House congratulates the government for the continued development of training initiatives and skill centres which are producing a skilled work force to meet the challenge of the introduction of advanced technology and the restructuring of industry by—(a) expansion of existing industry training network; and (b) designing a comprehensive and integrated system of skilled training for industry, plus the development of a metals industry advanced training centre.

The SPEAKER—Order! The honourable member has amended his motion in his reading of it. I do not know whether he did it deliberately or whether he overlooked a line. Will the honourable member advise the House what his intentions were?
Mr MICALLEF—I have not amended the motion; I rearranged the wording.

Mr LIEBERMAN (Benambra)—On a point of order, Mr Speaker, the honourable member now says to the House that he has read the motion in a form different from the motion listed in his name, Notices of Motion, General Business No. 1 on the Notice Paper. The House should not proceed with the motion until the matter is clarified. If the honourable member proposes an amendment to the motion there are forms of the House for him to follow.

The SPEAKER—Order! I ask the honourable member for Springvale formally to move the motion as circulated.

Mr MICALLEF (Springvale)—I move:

That this House congratulates the government for the continued development of training initiatives and skill centres which are producing a skilled work force to meet the challenge of the introduction of advanced technology and the restructuring of industry by—(a) expansion of existing industry training network, including the development of a metals industry advanced training centre; and (b) designing a comprehensive and integrated system of skilled training for industry.

Although the notice of motion was placed on the Notice Paper approximately twelve months ago, it is now more relevant than ever. The recent Budget speech emphasised the fact that industry training should be expanded and developed further to meet the needs of the State.

Victoria has an impressive record as a leader in manufacturing and advanced technology, and further infrastructure is required to support the needs of manufacturing industries. Key elements of the Treasurer's Budget seek to stimulate the manufacturing industry and to boost State exports.

Mr LIEBERMAN (Benambra)—On a point of order, Mr Speaker, I do not wish to unduly restrict the honourable member, but he should be aware, and I ask you, Mr Speaker, to consider directing him, that he is not to refer to the Budget speech of the Treasurer in the debate as specifically as he has. The Opposition does not mind a passing reference, but his continued reference to the Budget speech is not appropriate.

The SPEAKER—Order! I uphold the point of order. The honourable member should not anticipate the Budget debate in his remarks on the motion.

Mr MICALLEF (Springvale)—I was referring to an article from last Friday's Age, which was a response to the Treasurer's statements. The aim of the government strategy is to stimulate the manufacturing industry and to boost State exports. That is an admirable aim. The plan entitled Victoria Trading on Achievement was released earlier and received widespread coverage in the Age of 6 August.

The article refers to the international trend from heavy industry and manufacturing to new technologies. That is evident. Before I became a member of Parliament, I was an official with the Amalgamated Metal Workers Union. Between the years 1980 and 1983, the manufacturing industry suffered a downturn. Many hundreds of thousands of metalworkers became unemployed during that period. It coincided with conservative governments in power at both the Federal and State levels, and they set the pattern.

The challenge for the government is to make the State more competitive, both nationally and internationally, and the government's plan sets that program in train. It refers to establishing high technology ventures for the development of high and new technology within Victorian manufacturing. The press has welcomed the plan—the Age certainly has—and industry also welcomes it.

The article in the Age also refers to setting up a strategic research fund that, over a five-year period, will provide $33 million to develop basic research. That is an area in
which Victoria is falling down, and it has not been in line with what is happening overseas. Unless we are prepared to fully fund research and development programs, Victoria will not be able to maintain its competitiveness nationally and internationally. It is a welcome move by the government to stimulate that research and development. The results will certainly benefit Victoria.

The article also refers to payroll tax deductions for exporters. That is another way of stimulating the development of new export-oriented industries, and that is commendable. The investment program has been expanded and urban development is a factor. The government has plans for the establishment of technology precincts and a planned approach to restructuring industry, which is important.

Over the past eighteen months I have been involved at the local level in the development of a technology park in an area of Springvale called Redwood Lakes. The Redwood Gardens estate, which has previously been established, is a pacesetter. It takes into account the environment, the nature of the industries that may develop and it offers support structures for industries so that when they move into the industrial estate, they feed off each other, grow together, and support each other. Redwood Gardens is a successful estate and people are coming from all over the world to see it.

The government has another plan to develop a further industrial estate on 130 hectares of land, and the Springvale City Council is involved with that. That council must be commended, especially its chief executive officer, Mr Ian Tatterson, who has been fully supportive of the development. The aim of the council’s industrial parks strategy is to achieve a phased series of high entity integrated industrial estates along the western side of the Mornington Peninsula Freeway. That is where the future development and expansion in Victoria lies, and it is commendable.

The purposes of the program are, firstly, to ensure that industrial development in prominent locations along major tourist and commuter routes aesthetically enhances those routes. In other words, the industrial estates must be part of the community. That is another area where the government is taking into account the community, both environmentally and with the aim of living and working together, which is the theme of the plan.

Secondly, the program aims to make the best possible use of highly accessible locations. In other words, the work will now be close to where people live, and that is obviously desirable for a number of reasons. Thirdly, the program will provide environments conducive to attracting high technology industries. The program will encourage those industries to congregate in one area, and the benefits of that are obvious.

The proposed park will have links with Monash University and institutes of advanced education, such as the Chisholm Institute of Technology, and that is a desirable approach.

Honourable members interjecting.

The ACTING SPEAKER (Mr Stirling)—Order! Members of the Opposition are out of order and out of their places.

Mr MICALLEF—They are out of place and out of step. It is sad that the rural rump and the ignorant sections of the Liberal Party are so out of step with Victoria and its industry. The Age newspaper devoted a whole section to what the government is doing, but members of the Opposition are making fun of the proposals.

The only area from which strong criticism came was the Australian Chamber of Manufactures and the Victorian Employers Federation; they saw the plan as an election ploy. The government has become used to hearing people like Ken Crompton, a failed
lawyer who has become an industry spokesperson, criticising the government on any initiatives it takes.

Mr LIEBERMAN (Benambra)—On a point of order, Mr Acting Speaker, the motion deals with training initiatives and skills centres. The honourable member for Springvale, who moved the motion, has the opportunity for Springvale, who moved the motion, has the opportunity of developing his case. However, he is concentrating on personal attacks on individuals who cannot respond in this place. The honourable member should be brought back to the motion.

Mr CATHIE (Minister for the Arts)—On a point of order, Mr Acting Speaker, the honourable member for Springvale was developing his case; he was describing what technology precincts are about and, in doing so, he made a passing reference to the attitude of some people in the community towards those developments.

The ACTING SPEAKER—Order! I do not uphold the point of order. I had some difficulty hearing the honourable member for Springvale above the noise coming from the Opposition benches.

Mr MICALLEF (Springvale)—I reiterate my remarks that the rural rump and sections of the Liberal and National parties believe this motion is a joke. The Age newspaper fully supported the government’s initiatives. The editorial in the Age of Monday, 8 August states:

Victoria is leading the rest of Australia in the growth of exports, the key to revived economic health and prosperity. This is due both to comparative advantage and good management. The Cain government has been the first post-war government in Australia, Federal or State, to develop a sophisticated economic strategy for economic growth.

It is in that context I am talking about economic growth and I am developing my case in relation to skills training and the infrastructure necessary to meet that growth.

I can understand the ignorance of conservative members of Parliament who do not understand the relationship between economic growth and development of new technology and the need to train a work force to meet the needs brought about by that new technology and economic growth. I certainly understand the ignorance on the other side of the House and it is very sad that this group of members of Parliament masquerades as an alternative government. The editorial continues:

The statement, Trading on Achievement, emphasises the importance to export growth of research and development, better understanding of the burgeoning information and communications technologies, assistance and incentives to private enterprise to seize export opportunities, the value of efficient urban infrastructure, and the development of education and skills.

That backs up the point I am making. Even the Age editorial refers to both the development of technology and the need for skills training and education. That is well understood by the writers of articles in the Age; it is well understood by industry people who attended the government’s launches; and it is understood by people in the universities and educational institutions of Victoria. But it is certainly not understood by the National Party and sections of the Liberal Party. The editorial goes on to say:

The success of the strategy will depend very much on the response of industry and the rest of the community to the new opportunities and challenges signposted by the government.

It will be very sad if, in continuing to produce these positive statements by the government, I am not attacked by the reactionary sections opposite. If I am supported by them I will wonder what I am doing wrong! I am quite happy for the reactionary elements in Parliament to attack those initiatives because those people are so out of step that they set themselves up as a joke in the eyes of the community.

Publications such as Australia Reconstructed, which was produced by the Australian Council of Trade Unions, have shown that the trade union movement is responding...
to the introduction of new technology and the restructuring of industry in Australia. The whole world is getting ready for this new era, except those in the rural rump who wish to live on the sheep's back forever. Perhaps the new technology in the wool industry will help them make a few extra dollars but, in the long term, it certainly will not make Australia sufficiently competitive on the international market, especially when the Common Market is wreaking havoc in primary industries.

I had the benefit of touring around Europe, and I signal a warning to those who rely on the primary industry sector: for Australia to remain competitive on the world market, it must keep spending money on research and development; it must continue to develop and expand its industrial base to be a significant competitive force in the world. When I was in England I visited a country town called Peterborough, which is approximately 60 miles from London and which has been able to make the transfer away from its rural base to an industrial base. It has developed its own series of technology parks and is run by a Labour mayor called Charles Swift. That town has been able to bridge the gap between a rural and a manufacturing base. A whole new technology precinct has been set up in the town, including incubators, and so on.

I now turn to training. In 1987-88 there was a record number of apprenticeship commencements, which is indicative of the support for industry training given by the Victorian government. The number of apprentices who commenced training in 1987-88 was 16,074. That is a significant number. A new record for the total number of apprentices in training was set. In that year, the total number of apprentices in all years of training was 46,101. The Minister for the Arts, who was then the Minister for Education, ought to be very proud of that record.

During the 1987-88 financial year there was an increase in the number of young people involved in group training in Victoria and a number of existing group apprenticeships were extended; an extension took place in the Australian traineeship system. Therefore, both the group apprenticeship and trainee systems have been expanded to take into account the increased interest in and support for training.

An industrial agreement was recently reached with the Federated Clerks Union of Australia to clear the way for another area of industry training in the traineeship system. The traineeship system is continuing to expand with the support of the government. There have been some excellent results in that area.

In December 1987 the State Training Board was established to take over the functions that were carried out previously by the Technical and Further Education Board, the Industrial Training Commission and the training division of the Department of Labour. In effect, all the bodies dealing with employment training have been placed under the one umbrella, which is desirable.

In the 1970s I spent many years working on standing committees of the Industrial Training Commission. Although such committees did an excellent job at the time, time has caught up with them and there is now a need to move into a new phase where there is proper coordination of industry training networks. The Minister must be commended for introducing measures to ensure that the level of training meets the needs of the modern era.

The new structure will provide a new and clearer focus for the development of skills training in Victoria. The background I have just given explains exactly what I am talking about, especially the coordination aspect. The new structure provides a unique opportunity of bringing industry and the total State training system much closer together. This will ensure that skills training is in line with the needs of industry.

Another component of the arrangements is the fact that a number of people from both sides of industry, the unions and the manufacturers, are representatives on the
State Training Board. The board is chaired by Ivan Deveson from Nissan Australia, who has a good reputation and is highly regarded in industry. As the Minister says, by interjection, Mr Deveson is doing a tremendous job, and the fact that the training initiatives are receiving support from industry speaks for itself. Obviously, industry will reap benefits from the increased standard of training as it is developed in Victoria.

Another member is John Halfpenny, who has made a significant contribution to training in Victoria. Significant progress has been made towards the establishment of an industry training foundation; the tripartite arrangement will consist of representatives of industry, government and the trade union movement. The foundations are being established in key industries to enhance the skills development process.

Such establishments follow the European, and particularly the Scandinavian experience, where tripartite bodies have been established to involve all the major players in the development of programs. The players in those tripartite arrangements work through the problems, develop policies and have a responsibility to implement those programs. Such arrangements would be far more satisfactory than what previously existed. The conservative governments have never understood and probably never will understand the need for these arrangements. Programs were previously developed and implemented by forcing them upon the major players; the conservative governments wondered why they received an adverse reaction when those arrangements had not been jointly developed.

Already three foundations have been established—the engineering, building and construction, and tourism foundations. The concept of the foundation has been developed and pioneered in Victoria; although new, the objectives are properly directed. At present, feasibility studies are being undertaken by officers of the State Training Board with a view to extending the foundations to other industries, including textiles, clothing and footwear, timber, and community services.

The board has initiated a major review into industry training advisory arrangements. The correct information needs to be available for the foundations through the establishment of a comprehensive advisory network. The State Training Board inherited a fragmented training arrangement consisting of 106 committees. I was a member of one committee and, although it did the job at the time, a new era has emerged in which advisory arrangements have been streamlined. The benefits of that move will be evident in the near future.

The State Training Board is to issue discussion papers designed to establish small networks of specialist industry advisory committees which will not be established on the basis of members having a good time, or being appointed because of status. Membership will comprise not only people representing the tripartite arrangement but also other interested persons who are able to make a contribution to those networks.

Earlier this year, the board established the Northern Metropolitan College of TAFE, comprising the Collingwood, Preston, Epping and Diamond Valley campuses. A major consideration in the establishment of that college was to build a close relationship between the engineering skills foundation and the TAFE college training network. The engineering skills training centre will be able to produce the necessary skilled work force. The government is consolidating the various TAFE sectors into the one college, in an effort to upgrade the TAFE sector after the fragmentation that previously existed.

I shall refer briefly to the metals and fabrication industry career and development program, which has now reached the second phase involving the engineering skills foundation. That typical tripartite committee was established in January 1987; at that time, representative bodies included the Metal Trades Industry Association of
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Australia, metal trades unions and the Minister for Labour. I was fortunate enough to be selected by the Minister for Labour as his representative on that training committee.

The aims and objectives, as stated by the foundation, were to achieve:

(a) The development of a comprehensive and integrated system of training and career development for the Metal and Engineering Industry, building on existing work undertaken in this area.

(b) The enhancement of the existing industry training network and the development of a multi-campus centre for advanced manufacturing technology for the industry incorporating AMTEC, CSIRO, TAFE and selected industry training network facilities.

That aim has been achieved by the development of the Northern Metropolitan College of TAFE.

The third aim and objective, as outlined in the establishment of the training career project document issued in January 1987, was:

(c) The establishment no later than November 1987 of a foundation or other appropriate vehicle to receive and expend funds contributed by government, industry and other sources in furtherance of these aims and objectives.

The foundation has now been established and the objectives have been partly achieved. The steering group comprised representatives from the Metal Trades Industry Association of Australia and the metal unions. The two people primarily responsible for overseeing the program were Bob Herbert, of the Metal Trades Industry Association of Australia, and John Halfpenny, of the Amalgamated Metal Workers Union, both of whom deserve much acclaim for achieving the aims of that initial steering group.

Barry Ridgeway from the Metal Trades Industry Association of Australia and Ed Scott from the Amalgamated Metal Workers Union were appointed project officers. Both men have extensive industry and training backgrounds, although from different ends of the spectrum; both have worked extremely hard in their capacities as project officers to develop training programs.

A chart was compiled in the early days of the operations of the foundation, explaining the proposals in a simplistic and colourful way. I hold up that chart for the information of honourable members. It referred to a broad-banded training program in which the emphasis was to cut across traditional demarcation lines within training, in both trade and non-trade areas.

It allowed them to have specific trade and non-trade areas in which to do some basic training together, which then allowed them time to develop the areas in which they wanted to specialise at a later stage. This concept has attracted a lot of attention, concern and criticism. The problem is that people within both the trade union movement and manufacturing industry become used to an existing training system and are concerned about change. Change is unsettling and a job had to be going in both areas to promote the new scheme.

The program is designed to provide for the continued updating of skill elements and new technology, a skill career structure for all participants, the promotion of the metal and engineering industry and accurate career information for students and teachers. All of those areas were problem areas within the metal industry. A lot of wastage occurred in that industry. People went through training programs and, because there was not seen to be a career structure, they were doing a certain amount of training but then leaving the industry. That was costing the community and the industry dearly in terms of resources because obviously to retrain new people to meet the loss of trained people takes considerable resources.

This concept enabled the workers to slot in and slot out so that when they achieved a certain level of training they were able to go into industry and then slot back into the
training system and upgrade their skills. As the opportunity arose for them to train to a higher standard they were able to take that opportunity and slot back into the structure.

One concrete move taken by the steering group was the establishment of a pilot program which is now running at the South West College of TAFE at Portland. I had the fortunate experience of visiting that college with the Minister responsible for post-secondary education and the honourable member for Thomastown. The South West College of TAFE has campuses at both Warrnambool and Portland.

The program began earlier this year. Towards the end of last year when it was established, some problems arose about whether all the pieces could be put together, including the development of the premises and getting a group of participants together; but it was done magnificently by the people at the South West College of TAFE and the program seems to be running well. The college has the latest in computerised lathes and technology, and is an excellent example of what can be done in a tripartite situation, the three groups concerned being the government, the trade unions and industry.

On 22 July this year the steering group held its eighteenth meeting, so it has met many times and a great deal of work has gone into developing the program. The chairperson on that day was Mr Bob Herbert from the Metal Trades Industry Association of Australia. The project was established eighteen months ago as a joint initiative of the Metal Trades Industry Association of Australia, and the metal trades federation of unions, and the Engineering Skills Foundation (Vic.) has formed priorities in four broad areas for the program. I shall quote from a document stating the objectives of the program:

- Developing and promoting broad based methods of training; development of a multi-campus approach to advanced manufacturing technology training, and cataloguing Victoria's advanced manufacturing technology public training sector resources; promotion of engineering careers—a careers package has already been developed and distributed—and eliminating personnel wastage from industry.

The project was developing interviews and carrying out evaluation of apprenticeship attitudes on the job, as many people leave their trade at the completion of or during their training; so it is important to ascertain, at the apprenticeship or training stage, the reasons why people are anticipating leaving, as well as to develop programs to entice people back into the industry. This shows the level of work being done and the calibre and understanding of the complex issues with which these people are dealing.

During that same meeting Mr Terry Moran from the State Training Board made the comment that State training now came under one body and that training should be industry directed. He said it was essential to overhaul the industrial advisory committees and that a proposal to do so would be available in about two weeks.

He said that within the initiative, the State Training Board wanted to limit the number of foundations to about twelve. This would require the training foundations to cover broadly based industry sectors and would necessitate a sharing of resources, where appropriate. The sharing of resources is particularly relevant in areas such as advanced manufacturing technology. Those sorts of aims are commendable, and once again those comments were made at a steering group committee meeting where trade unions, government, and industry representatives were all working together to develop a training network to support the development of the Victorian Government's economic plan.

Another program being undertaken by the South West College of TAFE is the encouragement of recruitment of women into the training program. After listening to some of the disgraceful contributions by the conservatives in debate on the Public
Authorities (Equal Employment Opportunity) Bill yesterday and their attitudes towards equal opportunity for women in training. I fully support and commend the Victorian government, the State Training Board and the steering committee—which I guess is predominantly made up of men in a predominantly male-dominated area—on their encouragement of women into training programs. One wonders about a system in which men in a predominantly male-dominated area are encouraging women to take up training in areas that are traditionally male dominated.

The South West College of TAFE is piloting a full-time off-the-job program for the Metal Industry Foundation. I have explained that before. The training program is for first-year apprentices from a range of metal trades. Currently the program includes fitting and machining, metal fabrication and automotive mechanic apprentices. It provides apprentices with a broader overview of metal industries than their individual trades allowed. They also obtain skills across the total range of trades plus an introduction to computer technology, industrial design, basic electronics, industrial equipment safety, communications, and other things. It is, therefore, evident that it is a fairly comprehensive training scheme. Having groups from all the various areas being trained together is a significant step. Participants are apprenticed in the normal way but are released full time by their employers to attend the program.

Because of the breadth of the program in Victoria and additional support available to participants, if necessary, the program is an ideal vehicle for successfully introducing young women into the non-traditional trade areas, and for establishing employer confidence in the skills of young women as apprentices. A special program was developed to encourage women to participate. Funds support was requested of local industry to assist with placing advertisements in local newspapers and initial counselling to enable a female careers adviser to be released from normal duties to concentrate for three weeks on matching potential apprentices with employers because we have an untapped resource within the community with respect to women and training. Not enough women are encouraged to participate in training programs, and as much as 50 per cent of community resources may be untapped. It is excellent that this problem is now being addressed. Once women take part in these training programs, ongoing counselling and support will be provided because of the pressures placed on those commencing work in non-traditional areas. One can understand the need for quotas in proposed legislation.

Another supplementary training area for the South West College of TAFE involves skill centres, a number of which are currently operating in industries. The broad aims of these programs are, first and foremost, to increase the quality of apprenticeship training; secondly, to reduce the cost per hour of effective instruction; and, thirdly, to increase the number of apprentices in training. Those three aims are important.

Apprentices are being trained in industries where there is not high quality instruction and where there is a lack of machinery and latest technology. The result is a less well trained worker. If a large group can be trained together, the cost per individual is reduced significantly. Of course, the ability to train more people at the one time also increases the quality, which is an important factor.

These aims can be achieved by developing industry training networks and intensive training components of industry and apprenticeship courses. The various committees are designed to improve the quality of training by coordinating between large and small firms, which can release apprentices to take part in training programs. There must be better coordination within skill centres to ensure that appropriate training programs are offered. One recent criticism has been that packages have been designed in isolation and there has not been proper coordination of the programs. It is important that intensive training should occur because it will improve the quality of the training,
which can be measured by skilled and certified tradespeople. The mix of off-the-job instruction and work done on the job is important.

I have been involved in training apprentices in industry. The honourable member for Lowan may laugh, but I was a very competent instructor of apprentices. During my former working career I trained 50 or 60 apprentices, and they have all done well in industry since leaving my responsibility. That was one of the more creative phases of my life before entering Parliament. I am proud to say that I am one of a number of honourable members who were involved in useful functions before being elected to this House. Not all honourable members have been used car salesmen or auctioneers. Some made significant contributions to the community before entering Parliament.

Skills can be taught to potential apprentices after they join programs. Training in skill centres anticipates the development of future industry, so the programs are established to accommodate the developing trends in industry rather than the out-of-date concepts young people are often taught. The ability to provide them with skills they will require in the future allows them to compete successfully in the marketplace. At the end of a course at a skill training centre—I suppose it is equal opportunity for all—apprentices can be trained to a high level so that they can quickly find work in the competitive world.

The impact of these new training programs on awards is important. The restructuring of industry will create some industrial dislocation. The community, the government, and Parliament must be prepared for that industrial dislocation. A newsletter called The Metal Worker, issued in January 1988, contains some interesting information. It refers to new skills and more pay as being the goals for 1988. Some cynical people say that workers are always demanding the best wages they can for the work that they produce. It is only natural that that occurs, but one reason for the wastage in the metal industry is poor wages. One often sees former metal tradespeople driving taxis or working as real estate salesmen. Employers privately say that one of the real problems in the industry is that remuneration for a highly skilled and competent tradesman is not very high compared with what one can earn as a truck driver or performing other mundane tasks. It is difficult to understand why a person performing a mundane job can take home more money than a highly skilled and competitive tradesman. It is important for honourable members to take that into account.

The Metal Worker, the voice of the union, states:

Restructuring of the Metal Industry Award (MIA) is the main objective of the AMWU in 1988.

Unions are ready to come to grips with the restructuring process. It continues:

The union wants the award rewritten to give all metalworkers—from process worker to toolmaker—the opportunity of a career path to more highly skilled, better paid and more secure jobs.

So the trade unions have taken a responsible approach to this problem:

The MIA currently has more than 300 classifications and 1800 different award rates, some with differences as low as a few cents.

That is an obviously inefficient way of organising awards:

Therefore we are seeking an MIA which helps to minimise unnecessary demarcation disputes.

Unions have often been criticised for fighting costly demarcation disputes. The restructuring of the award and the broadbanding of training will assist the industry to deal effectively with that problem. The article also states:

Provides a career structure within the industry.
That is important. The unions are coming to terms with the loss of workers within the industry and the long-term future of the industry. Those leaving the industry have no future. The article continues:

Assists broadening of the skills base and broadbanding.

The new Engineering Skills Foundation (Vic.) is a tripartite body that will initiate the training programs. The article continues:

Encourages workers to constantly develop their skills, in return for higher pay.

Unions are now making demands for on-the-job training programs so that they can continue to develop on-the-job skills. It is commendable that the Amalgamated Metal Workers Union is taking a positive and effective approach to the restructuring of industry. The Federal metal unions and the Federal Employment, Education and Training Department, and Industrial Relations Department are talking about developing training programs. At the Federal level, they not only have to coordinate unions and Federal metal industry employers, but they also have to coordinate components in every State, and that makes their job more complex and difficult to achieve.

Victoria has an excellent blueprint program that is up and running, and the Federal government will take note of that. National project officers have been appointed in various States to look at the complex issues of awards, restructure, skill classifications and development of traineeships. There is a feeling of excitement about the new era that Victoria and Australia are ready to move into. Work is being done to develop training and career development programs to accommodate that objective.

I shall quote the Victorian Human-Centred Manufacturing Program paper. It is a brief submitted by John Mathews, project director of the Resources Coordination Division of the Ministry of Education. It is an interesting brief that looks at the future of the State. It states that there is a need for drastic change in Australia’s manufacturing industry. I have spoken enough about those changes that are beginning to happen and the accommodation of those changes by the tripartite groups within industry. The brief states:

The need for drastic changes in Australia’s manufacturing industry is now widely acknowledged, to bring us up to a position that is competitive with the major industrial powers in Europe, North America and Japan.

That is important. The brief continues:

This involves not just the introduction of advanced technologies, but also changes in our systems of work organisation, and a commitment to education and training as an essential component of the production process.

The brief then goes on to talk about tripartite foundations. It continues:

What is needed now, is a clear demonstration, backed by government commitment, that the skill-based, human-centred approach to computer integrated manufacture . . .

In other words, the development of computer-based technology that is not only to replace or deskill process workers but also to assist workers to understand that computer technology complements or enhances or develops their skills and retains jobs which maintain their career development. That is important. The introduction of high technology in various areas has been regarded as a labour cost-cutting factor. Yet it is a fact that computers do not buy goods; workers do. A skilled work force must continue to be developed.

The brief refers to the European-based ESPRIT program. It states:

The “Human-Centred CIM Systems” ESPRIT project work is focused on people working within and managing manufacturing cells.
In other words, it develops small units of people to work as a team and they develop a program in a multi-skilled concept. The brief continues:

The human-centred approach will attempt to shape technological advances for use as tools by the human operators. It should provide a framework for the incorporation of advances in advanced manufacturing technology as they occur and result in a growth in productivity and competitiveness in Europe.

It is an exciting program and has the full support of the trade unions and employers within that area. The brief continues:

The project started in May 1986 and the first phase, which will last for three years, with a total effort is 60 man-years. The partners are based in three countries: Germany, Denmark and Britain.

The technology-based program is more international than national. That is a lesson for Australia to broaden its outlook to stay in the race in maintaining the development.

I am proud of the government's record in developing initiatives. The Minister for Labour introduced some of these programs, and I am proud to be part of them. Parliament should acknowledge the contribution by the government in developing these programs. The government is setting the pace for the plan, the network and the program. It is developing a system that will eventually encompass the whole of Australia. New South Wales, with its new Premier who has gone about emasculating a number of the programs that were previously established, eventually will accept the tripartite initiatives that are being developed in Victoria. Those initiatives will fit in with the ten-year industrial plan that the government is developing and delivering. I am proud to be part of that process.

Mr LIEBERMAN (Benambra)—Honourable members who have been in this place for more than a few years generally have a well-founded suspicion when a Notice of Motion, General Business, is moved on a Thursday by a member of the government to congratulate the government on its initiatives. For that reason I have taken pains to check out a few facts so that I can respond on behalf of the Opposition and balance the debate.

The government claims that it has made tremendous progress and great achievements yet the sad fact is that, despite its six years in office and all the rhetoric, it has not implemented systems and policies to provide the necessary skills in the TAFE and non-TAFE sectors. This is despite the huge expenditure of taxpayers' money to fund numerous inquiries and to appoint bureaucrats and officers in the upper echelons of the TAFE sector. The government made announcements with much fanfare and, shortly after new systems were implemented, we were told that they were not working and that a review was necessary. That creates uncertainty in the minds of everyone in industry, the community and teaching areas while the government tries to adopt another strategy. In the meantime, bureaucrats who have been appointed on high salaries move sideways until their futures are determined.

I shall refer to some examples. This is not rhetoric; it is on the record. Honourable members have only to consider what has happened in the TAFE sector. Over the past six years the government has made it harder for everyone, especially employees and employers, to implement the initiatives necessary. All Victorians and Australians want their State and country in proper shape to face the competitive world. The doubts and uncertainties are regrettable.

Therefore, I move the following amendment to the motion moved by the honourable member for Springvale:

That all the words after “House” be omitted with the view of inserting in place thereof the following words “notes the government's attempts to develop training initiatives and skill centres but regrets the government's failure to make adequate provision for training of a skilled work force”. 
I shall use examples to illustrate the failure of the government in providing an adequately skilled work force.

I have a copy of a letter published in the *Age* of 3 February 1988 from a mother who expresses alarming concern about the difficulties her son experienced. I shall make the letter available to the Minister responsible for post-secondary education and the honourable member for Springvale. Mrs Judith Adams of Woodend wrote:

If there is a shortage of building tradesmen, why is it so difficult for well-educated suitable school leavers to get apprenticeships in the trade?

She referred to a local paper report that showed the Woodend Shire Council had encouraged growth in the building industry by increasing the number of building permits issued and then she said:

My son successfully completed VCE in 1987 and had purposely planned his curriculum since year nine to suit him for the building trade. He is an applicant for a group apprenticeship in carpentry in the local region.

The field has been narrowed from 40 applicants interviewed to two.

She said that a decision would then be made between them based on the results of examinations. The letter continued:

I spoke with the CES coordinator who did the interviews and he told me that any one of the applicants would have been an excellent choice. His word for the situation was "scandalous".

Despite enthusiastic young Victorians seeking apprenticeships in a trade—in this case the young lad had prepared himself for an apprenticeship since year 9 at a secondary school—there are too few opportunities for apprenticeships and training places for apprentices to give boys like this lad a fair go. That is why the Opposition has moved its amendment.

Although it is important to acknowledge that progress has been made in these areas, it is also important to acknowledge that adequate resources need to be provided to back up the rhetoric that has been forthcoming from the government. The Minister responsible for post-secondary education referred to the increase in apprenticeships in the past few years.

Mr Cathie—In the past four years.

Mr LIEBERMAN—I acknowledge that the number has increased and that pleases me. However, the 1987 annual report of the Industrial Training Commission of Victoria stated the following on page 1 in its foreword:

The statistics demonstrate the importance of apprenticeship both as a structured system of training for producing a skilled work force and as a source of both training and employment for the young people in Victoria.

The annual report claims the statistics:

...cause the commission to seriously question the proposition put by a few that apprenticeship is outmoded, irrelevant and an anachronism from the past.

Nevertheless the commission is very much aware of the need to not only build on the strengths of the apprenticeship system but to simultaneously initiate measures to update training in line with changes in technology and the restructuring of industry; to increase opportunities for young women and those from disadvantaged groups; and to increase the flexibility of the system.

Of particular concern in the latter regard is the susceptibility of apprenticeship intakes to economic downturns. In the past year only 5676 apprentices completed training. This was 3407 (37.6 per cent) below the 1985–86 figure and the lowest output since 1968–69.

Mr Cathie—What year was that?
Mr LIEBERMAN—The annual report is for 1987 but no doubt the figures relate to the previous year. I shall make the report available to the Minister. The figures are there and that is why it was necessary to move an amendment to the motion. The whole debate must be put in the right context.

If the government of the day is to be so bold as to allow one of its members to move a motion that congratulates the government, it should be prepared to acknowledge that it has not achieved the progress that it ought to have in the past six years in these areas. The system still has grave deficiencies and the unresolved issues are causing uncertainty. To further illustrate the problems caused by the uncertainty and the failure of the government to resolve the problems in this difficult area, I refer honourable members to a case that was reported to my colleagues in February 1988 involving TAFE courses in mechanical engineering—that is, refrigeration engineering—at the Royal Melbourne Institute of Technology. The person involved reported that his class of fifteen students had been told the previous night that courses would be discontinued because funds were not available.

Mr Cathie—Those courses have all been reinstated.

Mr LIEBERMAN—But the students were told that the institute was $800,000 in the red and that priority had been given to apprenticeship courses.

The teacher of the class told the fifteen students involved that he thought a total of 100 students would be affected by the crisis. The teacher was a responsible person who, because he was concerned, wanted to lodge his complaint about the problem.

The Minister, by interjection, says that those classes have been reinstated. I do not doubt what the Minister says; and I am pleased that those classes have been reinstated. The report by that teacher does not represent an isolated case. It is an indication of what is happening within the system throughout the State.

I assure the Minister that I am willing to accompany him on his travels throughout the State to investigate this matter. There are countless examples of people being unable to obtain places in such colleges and institutions because there is not sufficient money to fund the necessary places.

In some cases students have doubts about whether the courses they have undertaken will be continued in the following year because of the funding problems to which I have referred. I have been given an example of the problem by a builder who has taken on an apprentice but who has been unable to place that apprentice in a carpentry and joinery course in a TAFE college. I have been told that at the beginning of the year Preston TAFE had 150 places available to students in that course but that 75 of those places were reserved for students on the previous year's waiting list. Therefore, it follows that only 75 places were available to prospective students.

Therefore, some apprentices who had obtained the appropriate secondary school qualification missed out on technical training at the beginning of their apprenticeships. All honourable members will be aware that in some trades it is necessary for technical training to occur at the same time as the commencement of practical work.

I have a letter from an officer of the Students Representative Council of the Royal Melbourne Institute of Technology. The letter is dated 26 May 1988, and it refers to the crisis in this area which is occurring at RMIT.

The letter states:

We wish to bring to your attention a recent decision by RMIT to once again discontinue the provision of repeat classes for RMIT air conditioning/refrigeration and optical fitting and surfacing apprentices, ostensibly because of budget restrictions.
I am willing to make the letter available to the Minister. The letter further states:

As compensation, RMIT is offering the air conditioning/refrigeration apprentices the opportunity to return to RMIT for an extra year after the normal conclusion of their course in order to repeat any module failed.

The letter then refers to the severe crisis and the resolutions that have been proposed to deal with it. The letter is signed by Helen Kennedy, who is the Student Rights and Information Officer of the Students Representative Council.

The letter illustrates the uncertainties and the problems which occur constantly within the system, despite the Minister's expressions of concern—although I admit that when these problems are reported to the Minister, he does whatever he can to overcome them.

The government should not congratulate itself on its rhetorical achievements without taking account of the enormous problems which are faced by colleges and institutions throughout the State. The government has not taken action to deal with these problems. I shall give the House examples of the action which should have been taken so that honourable members will know where the Opposition stands on this matter.

I have a copy of a memorandum from the Victorian TAFE Students and Apprentices Network. It is an open letter and it carries the address of their head office, which is situated at 82 Johnston Street, Fitzroy. The letter is dated 26 April 1988 and it refers to changes made to the State Training Board. In part, the letter states:

The 180 000 clients of the TAFE system are being forced to pay illegal fees and charges and it seems no-one is prepared to do anything about it.

Mr Cathie interjected.

Mr LIEBERMAN—I shall tell the Minister what the students think. Honourable members should listen to what people in the real world are saying about such matters before they start to impose their views from above, as it were. The letter further states:

After five months of pursuing every channel within the TAFE system including the office of the State Training Board and all its relevant divisions, Mr Ian Cathie's office and Ms Caroline Hogg the Minister for Education's office, all we've come up with is a series of broken commitments. We have been shuffled from one office to the next, all of which seem to be occupied by an ostrich that buries its head in the sand as soon as fees and charges are mentioned.

The letter continues in colourful language, and although I do not necessarily subscribe to the way in which the views contained in the letter are expressed, I shall quote them to the House because they represent what students are saying:

As each TAFE provider sinks further into financial disaster, illegal fees and charges rise to levels as high as $1000 and take new forms—materials fees, administration levies, enrolment charges or pay-by-the-hour repeat modules for apprentices.

If apprentices are saying such things and colleges are taking action such as proposing the introduction of fees, it is an indication of the desperate straits in which the system finds itself. The system is not being properly led from the top. The government's rhetoric is doing little to solve the problem.

Indeed, the government's rhetoric is the cause of even greater problems because, although the government attempts to convince people that problems do not exist, the students and apprentices who wish to enrol in courses are unable to do so. The colleges have to cope the excessive flow of government rhetoric, yet they do not have the resources to match that rhetoric.

By interjection the Minister says that he will soon make a Ministerial statement about the budgets and the audit reports of the various colleges. I hope he will make that statement soon because all honourable members would be interested to hear it.
Despite its rhetoric, the government is yet to implement a cohesive and dynamic program to guide the development of the colleges of technical and further education. The administration of both apprenticeships and traineeships is sadly in need of urgent review. In many cases both adult training and retraining programs are inappropriate. Those programs are not equipped to cope with present-day demands and they should have been reviewed by now.

The government has a major responsibility to ensure that the State training systems can respond quickly and effectively in meeting the training needs of both industry and the community. That is a responsibility that the Liberal Party shares with the government. The motion moved by the honourable member for Springvale seeks to congratulate the government on its achievements in this area. Although I am sure the government recognises its responsibilities in the development of a skilled work force, the government has not developed a system to quickly and efficiently meet the training needs of both industry and the general community.

The government has been given the resources by Parliament to take such action. But the government has mucked it up on a number of occasions because of the way it has attempted to restructure the various training programs to which I have referred. The constant reviews have caused confusion, chaos, and delay.

The government must ensure that industrial awards, structural adjustments in industry and the economy and development of new industry takes place to meet the challenges being faced by this State. We have a common bond with the government on that issue. However, the government has conducted countless reviews, formed committees and made appointments followed by more reviews. All that has done is retard the progress of these projects.

It is almost the end of 1988. The government was first elected in 1982 and, despite all of the commitments made by Federal and State governments and the awareness by Federal and State Treasurers and everyone in industry and commerce about the need for action, the government still has not implemented systems that enhance participation in apprenticeship and traineeship systems within industry and for students.

The government recognises that that needs to be done and has kept saying that it will be done but the fact is that it has not yet implemented the systems to enable it to be done. The government should have recognised also the need for change to existing systems and should have ensured that they were tackled quickly and efficiently. It should have ensured that backup systems required by industry and by students were put in place to ensure a real increase in quality and quantity of private training in this State.

I am sure the honourable member for Springvale, with his experience as a teacher in the apprenticeship area, would support private training programs. It is a tragedy that private training facilities have not been developed quickly enough, or at all in some cases, to complement public training programs.

Mr Cathie—Have you been out to the Ford skills centre?

Mr LIEBERMAN—No, I have not been invited.

Mr Cathie—You should have been. Don’t worry, I shall be going out and you can come with me.

Mr LIEBERMAN—we can go together. I am not criticising the government for establishing training centres because that is a worthwhile initiative, but this debate should be kept in context. I did not start this debate, the government did. The government has led with its chin and it is congratulating itself. Good on the government for establishing these initiatives. The trouble is that the government has not put in
place the systems needed to ensure the success of these programs even though it had the opportunity of doing so.

A review and rationalisation of the committees to revitalise the industry training system is long overdue. Believe it or not, despite almost six years of commitment, promise, rhetoric and budgetary provisions, Victoria still has 106 advisory committees currently attempting to revitalise the industry training system. I wonder what those committees cost. It is nonsense to allow 106 committees to continue.

Mr Cathie interjected.

Mr LIEBERMAN—The government has had plenty of time to do something about it and now that an election is looming it says it will do something about it. Something should already have been done. I know it is a difficult task but people in the community, in business and commerce, and in Parliament know the reason something has not been done is because the government is paralysed and unable to take strong action, especially in relation to certain union principles and demarcations.

Mr Sidiropoulos interjected.

Mr LIEBERMAN—The honourable member for Richmond knows full well that Victoria has been tragically affected by the excessive and unreasonable controls and demands of irresponsible unions and union leaders in this State who have caused havoc. They still paralyse the State when they want to and, unfortunately, they dominate the government.

That is why there are still 106 committees. Some of them do excellent work but others dither and do nothing but preserve institutions, customs, and cosy situations that have been built up over the years and that prevent the community from meeting the challenges that are being faced.

I am annoyed when the government congratulates itself for its achievements in this area because congratulations are not due and will not be due until these challenges are met. I know the government is tackling them now and I know that the Minister is doing his best. The fact is that the Minister has been prevented, as were his predecessors in the Ministry of Education, from achieving these things because of restrictive work practices and excessive and unreasonable demands by irresponsible union leaders.

Some of these 106 committees overlap and duplicate the work of others. Some do not have clear objectives. Yet they currently have control of the industrial training system.

Mr Cathie interjected.

Mr LIEBERMAN—The Minister says that it is a top priority of the training board.

Mr Cathie—It will be done by agreement with industry.

Mr LIEBERMAN—I commend the Minister for saying it will be a top priority. The point I am making is that it should already have been done. To have so many committees currently operating, despite the major economic, social, and educational research and the papers that have been made available in the past six years, is a disgrace. The government should have concluded the work of some of those committees by now. That is why the Opposition's amendment is framed in this way. The Opposition regrets the government's failure to run with the ball it was given by Parliament. The government has received funding from the Commonwealth for many areas of education and the Opposition has adopted a non-party political attitude to allow those funds to be used by the government in tackling these programs.
The Opposition’s amendment is necessary because of the failure of the government to implement these programs. The operation of the committees fails to reflect the high national priority that has been accorded to industrial training. That is why the Minister has said today that the State Training Board has this as a top priority. Good on the Minister! He has my support in doing that.

If Cabinet had supported the Minister Assisting the Minister for Education and his predecessors in the education portfolio matters might not be as bad as they are. Unfortunately, in 1988 approximately 100 committees have not yet finished their work. The Opposition will support their work so that their reports may be issued quickly.

There is an urgent need for an authoritative mechanism, which the Minister should support. The mechanism should be dedicated to achieving essential changes to labour market and training advisory structures, which the Minister would also support. There is a long overdue and urgent need for changes to improve the skills acquisition and formation processes for the Victorian work force.

At the moment industry does not have the capacity to ensure that the State training system delivers the types of skills development urgently required in today’s modern productive economy.

Mr Cathie—That is not what industry is saying to us!

Mr LIEBERMAN—The system must be capable of dynamic and responsive action to achieve urgently needed changes. The State Training Board would agree with me and would also agree that action must be taken immediately.

There is no argument about what needs to be done in the broad sense. The government has led with its jaw in this debate, seeking congratulations because it has recognised the need for something to be done, but it has not done anything in the nearly six years it has been in office to achieve the necessary results.

The existing industry structures must be changed, so that they reflect the structure of national economic priorities for industry restructure and are not dominated by selfish, entrenched and narrow attitudes imposed by some—although I emphasise not all—trade unions. There must be adequate authority to act and full accountability required so that policy for change is delivered efficiently by those people who know what is required, not through great bureaucratic mazes which cause delay, frustration, and loss of morale. I reiterate that above all there must be accountability for decisions made and policies advanced.

Mr Cathie—How do you do that?

Mr LIEBERMAN—There are many ways to do it and I am happy to help the Minister if he wants help.

Mr Cathie interjected.

Mr LIEBERMAN—that is a good initiative and I have acknowledged it.

With the new mechanisms, there should be direct links between TAFE colleges and industry so that they can work together directly, without the bureaucracy they now have to tackle.

The Minister knows in his heart from his travels around the State that constant frustration is experienced by people at the coalface and by people in industry at not being able to implement policies and initiatives quickly enough. The problem should have been tackled and resolved instead of being made worse. There is no doubt that the two major reviews undertaken by the Cain government since 1982 in the field of
technical and further education have created more problems, delays and uncertainty for people at the coalface.

The Minister should talk to the people who have the responsibility of developing and delivering courses, and he should ask them about their frustrations. Those people are crying out for as much autonomy as possible and they are willing to be accountable for their actions. They have been frustrated too often and for too long. There are dedicated people in the technical and further education system who are ready to run with it. The Opposition seeks to support them. Those people should be given the responsibility and authority that they should have had years ago. The government must establish partnerships between industry, colleges of technical and further education and other educational institutions.

The honourable member for Springvale spoke about the tripartite agreement with which he is associated. I was able to be briefed on that project by the Chief Executive Officer of the Metal Trades Industry Association of Australia. I was thrilled to see the details of the plan referred to by the honourable member for Springvale and, since the briefing, I have mentioned the plan in speeches I have made to different groups in the community as an example of the sort of thing we need to do. The plan has my full support and blessing; it is very exciting. It is to be hoped that the plan will be used as an example and picked up by other groups.

I congratulate the Metal Trades Industry Association of Australia and its associates, those in the trade union movement and members of the government who were involved in achieving the establishment of the plan. What a pity it had not been done earlier. We must give responsibility and authority to the people who are crying out for it. We must support them and allow them to act because they know what is needed.

I refer to another matter which I cannot substantiate because I do not have the necessary research facilities. I acknowledge that what I say may not be entirely correct. It appears that Victoria is not equipped to tackle all of the programs and initiatives which could be tackled in the Victorian economy and that it is missing out on and not maximising the possible financial support it could get from the Federal government. As I said, my assertion is unproved, but it bears consideration and discussion.

When the Liberal Party is in government, it will ensure that every $1 of Federal funding that is available in those areas is maximised and used for Victoria so that industry, the community at large, employees, and the colleges involved can get on with the job of providing the new education systems required.

Unfortunately, when compared with other developed countries, Australia's system of training has not achieved adequate industry participation or an adequate level of expenditure on skills development. All Australians have to face that fact. Industry has not yet been offered an adequate system designed to encourage it to invest its own funds—as the metal trades industry is now prepared to—on training and skills development in partnership with the taxpayers in those programs. The matter needs urgent attention. An environment must be created in which industry and students at secondary level are encouraged to consider the proposal.

Mr Herbert of the Metal Trades Industry Association of Australia briefed me. I was concerned to learn that it was the association's belief that many children in secondary schools would not consider embarking on an apprenticeship or technical training course of any shape or form because they do not know what is offered.

Mr Cathie—You should see the video.

Mr LIEBERMAN—I have seen the video; it is very good. It is a tragedy that Victorian children have that attitude in 1988. The unemployment rate among young
people—especially in country Victoria—is extremely high. It is a pity that students in high and technical schools do not know what is offered in the apprenticeship and technical training programs. They are unaware of the career structures available to them. Students are coming out into the world and discovering the opportunities they have missed, of embarking on a happy and productive life working as skilled tradesmen in Australian industry.

I have been told that approximately 500,000 positions are vacant for skilled people in the metal trades industry in Australia. If people were employed in those positions, unemployment would be wiped out. The tragedy is that unemployed people are not skilled and industry cannot fill the vacant positions.

The government has the effrontery to lead with its jaw in the debate and seek congratulations for the current situation. This is not the time for congratulations; it is the time to note progress. I am happy to note the government's progress, but it is essential that the government not delude itself that it has achieved what it should have achieved. It has not. The government has been guilty of contributing to delay and to the uncertainty that exists in Victoria in education. The government should not be proud of that.

In accordance with Sessional Orders, the debate was interrupted.

The SPEAKER—Order! I shall resume the chair at 2 p.m. when government business will take precedence. When the honourable member for Springvale's motion and the amendment moved thereto is next before the House, the honourable member for Benambra may continue his speech.

The sitting was suspended at 1 p.m. until 2.5 p.m.

PERSONAL EXPLANATION

Mr WHITING (Mildura)—My motion was to be moved to give notice of a disallowance of a regulation but the Minister for Police and Emergency Services and officers of his department have been extremely helpful to the Legal and Constitutional Committee and they have done that. Therefore, there is no further need for this notice of motion to stay on the Notice Paper.

STATE INSURANCE OFFICE (AMENDMENT) BILL

The debate (adjourned from March 31) on the motion of Mr Jolly (Treasurer) for the second reading of this Bill was resumed.

Mr ROSS-EDWARDS (Leader of the National Party)—The National Party supports the State Insurance Office (Amendment) Bill. It is a small but necessary machinery Bill.

I wonder what the future of the State Insurance Office will be. I shall be interested to hear from the Treasurer later in the debate about that matter because the Bill will affect the future of the SIO. Its former role has been changed to a great extent, particularly in regard to motor accident and workers compensation insurance. Now there is no reason why the SIO should not compete with private industry; it has now the opportunity of competing on an equal basis.

For many years the SIO had all the unpopular business that brought no profit but it had certain advantages. It should now compete with private insurance companies. I shall be interested to hear the Treasurer give some indication of how the change of role, by force of circumstances, has affected the running of the SIO.
The Bill provides for the appointment of two additional board members. The Treasurer in his second-reading speech said this would allow:

... a greater diversity of backgrounds and further specialised skills to be represented on the board.

I hope that will be the case. It is entirely in the hands of the Treasurer and the government as to who those people will be.

I compliment the government on some of its recent appointments. I have been critical when the government has sacked good board members and appointed party stooges. I do not forgive the government for what it did when for no reason at all it sacked Mr Strickland, a fine Victorian, a former Chairman of the Exhibition Trustees.

It is important that the government appoint two outstanding people to the board of the SIO who will bring special expertise to that office. Obviously that is needed, otherwise this provision would not be in the Bill. Obviously, there is a weakness in the board. Naturally it is not possible to get the names of the people involved, but I ask the Treasurer: what special skills will be brought to the board to give it greater expertise in the future?

The Bill also provides for the State Insurance Office to operate on an equal footing with private industry and to not have an unfair advantage. That is an admirable aim. I hope the government will endeavour to achieve that end.

The insurance industry in Australia has been efficient and was able to ride through the difficult period that it faced over the past ten or fifteen years. The industry does not mind competing with a government insurance office, providing that office does not receive significant advantages from its association with government. I hope the Treasurer can assure the House that the State Insurance Office will not receive any special advantages from the provisions in the Bill.

A further provision in the proposed legislation is that the life insurance operations of the State Insurance Office will operate from a different fund. This provision applies to private companies and the proposed legislation brings the State Insurance Office into line with those private operations. It is a necessary provision because, for obvious reasons, it is essential that separate accounts are kept for life insurance business and that the profits and losses of the two sections are easily assessable. The premiums for life insurance policies should in no way be a subsidy or backstop for the general business of the State Insurance Office. The Treasurer should inform the House what progress has been made with the life insurance business of the State Insurance Office. It is a new activity of the office and there is no reason why it should not be successful.

A non-socialist private enterprise government of the future will scrutinise most carefully the activities of the State Insurance Office to ascertain whether it should be sold to private enterprise. That decision will be based on the performance of the office. I have some regard for the State Insurance Office. It has been handicapped over the years and it has had its hands tied behind its back. It has been asked to provide insurance cover that other companies did not want to provide and to take government directions, all of which have affected its profits. The State Insurance Office will be a free agent and, if anything, because of its association with government will have some advantages over other insurance groups. Its performance will decide its destiny.

I shall not say that the State Insurance Office is on notice but, in effect, it is, because it has long been the policy of the Liberal Party to privatise the State Insurance Office. The National Party has held back from going that far, but will not tolerate an inefficient State Insurance Office in the future. I hope the efficiency of the office will improve and that it is successful. If that happens, it is more likely to survive in the future.
The National Party supports the Bill and I shall be interested in the comments of the Treasurer when he answers the questions I have put to him during the course of my speech.

Mr STOCKDALE (Brighton)—I apologise to the House, the Treasurer and the Leader of the National Party for the fact that an outside commitment prevented me from being here when the debate commenced.

The Liberal Party will also support the Bill, which, basically, does four things: it increases the State Insurance Office board from five members to seven members; it separates the life insurance fund from other funds; it applies the Borrowing and Investment Powers Act to the State Insurance Office investment powers; and it includes certain transitional provisions.

The Opposition understands that the provision to expand the board is to allow the Treasurer to supplement the board with expertise from the private sector, and that provision commends itself to the Opposition. The Liberal Party believes the board needs private sector expertise, because it is another competitor in the general insurance industry, having lost some of the previous specialist functions that separated it from other participants in the industry. In that competitive environment, the State Insurance Office should not be dependent on the resources of the public sector alone for effective management. The addition of the new board members, if I can use the term, new blood, can only be good for the State Insurance Office.

The separation of the life insurance fund from other funds reflects arrangements imposed on private insurers under Commonwealth legislation. It is an important feature of the legislation that governs the State Insurance Office that so far as practicable it attempts to replicate the commercial environment of private industry insurers. The State Insurance Office, by force of its own Act, is obliged to comply with the spirit and, indeed, the letter of the legislation which would apply to a private insurance competitor. The Liberal Party is strongly committed to that provision.

It is an important principle that when government agencies compete in the private marketplace, they ought, so far as practicable, to do so on terms that oblige them to compete fairly. There are, of course, aspects in which the State Insurance Office competes with private enterprise on unfair terms. I instance one clear example of that: the office's frequent reliance in marketing products and services upon the fact that it is government guaranteed. The government guarantee gives it a significant edge in the marketplace; it trades on that edge considerably and is an unfair basis of competition. The State Insurance Office is not competing on a level playing field, as has been said in more modern times.

The third provision is the application of the Borrowing and Investment Powers Act to the State Insurance Office. The Opposition, as I said in the debate on the Borrowing and Investment Powers Bill, has some reservations about the width of the powers that that Act confers on statutory authorities, particularly the very wide discretion and controls it vests in the Treasurer. Those powers have, in the past twelve months, led various authorities into error in their investment practices. It is now well established by reports of the Auditor-General, extensive public debate and debate in Parliament, that a number of the statutory authorities pursued investment policies which have proven to be imprudent. They successfully committed themselves to high-risk investments, particularly equity investments.

The Opposition does not maintain that equity investments per se are inappropriate for statutory authorities, but statutory authorities should be required to ensure that the balance of their portfolio is prudent, so that the interests of taxpayers, their customers, and other people with financial interests in the activity and security of the authorities are protected at all times.
The State Insurance Office is not one of the authorities which was excessively committed to stock market investments. The dangers of the breadth of the powers in modern legislation enacted by the government is clearly illustrated by the excesses of WorkCare.

WorkCare has excessive investments in high risk areas, particularly equities and property trusts. That fact has since been admitted by the Treasurer restricting the authority to invest in those areas since the stock market crash of October 1987. The Opposition would not wish to see the State Insurance Office go down the same track; it does not wish to see its financial viability and the security of its services to its customers undermined by risky investment practices.

The fourth area of the Bill deals with transitional provisions, and discussion of them is not required. I shall, however, refer to the nature of this statutory authority. The Liberal Party has said that it is prepared to return to the private sector government activities where there is not sufficient public benefit to warrant their continued operation. The State Insurance Office is one of those which the Opposition has identified as being open to consideration on that criterion.

Mr Jolly—Are you backing off?

Mr STOCKDALE—I am certainly not backing off; I am saying that the Opposition has included the State Insurance Office among the examples of authorities that the Liberal Party would consider returning to the private sector. At one time a logical argument for retaining the State Insurance Office within the public sector was that it provided a peculiar investment in the insurance industry. When statutory insurance schemes, particularly compulsory insurance schemes like third-party motor vehicle insurance and workers compensation insurance, were conducted by insurers, including the State Insurance Office, there was justification for having an insurer of last resort and a government insurer that could take over in the event of failure by any of the private sector participants.

However, that rationale is no longer applicable. Under the new scheme, the third-party insurance activities of the State Insurance Office have been transferred to the Transport Accident Commission, and the workers compensation business, following the introduction of WorkCare, has been transferred to the Accident Compensation Commission although, as honourable members know, the State Insurance Office acts as a claims administrator under the WorkCare scheme.

Both those compulsory insurance areas are now operated by other statutory bodies which have the overall responsibility for conducting the public sector activity within those areas. They effectively have a government imposed and legislatively maintained monopoly to operate those compulsory insurance schemes. There is no longer a rationale for the State Insurance Office to stand behind those schemes. Apart from running off its remaining business under the old scheme, the office has no involvement in those activities.

As I said before, the State Insurance Office has become one more general insurer operating in an intensely competitive area of commercial activity. There is no longer a legitimate rationale for maintaining a government-owned public sector insurance company. Indeed, it competes unfairly in many respects, most particularly in that it is not bound directly by the Federal legislation that binds private sector competitors. For that reason, the Liberal Party believes it is not appropriate that the office be maintained. Moreover, there is ample evidence that it does not operate as efficiently as it would if it were under private ownership.

Many of the inhibitions that apply to the public sector generally apply to the State Insurance Office. I instance as an example the longstanding complaint of the office
that it is inhibited in responding to the commercial environment in which it operates because it is subject to the Public Service Act. Over many years the State Insurance Office complained about the inflexibility which resulted from that arrangement. It is only one example, however, of the fact that public sector activities almost inevitably suffer from disabilities which their private sector competitors do not and from which the public sector companies would be free if they operated in the private sector.

Victoria has a rich and diverse private insurance industry. It is closely integrated and has a powerful capacity to adjust to changing circumstances to meet the needs of the Australian community and to maintain a proud place in not only Australian commerce but also worldwide commerce. Many of the participants in the upper level are internationally reputable companies operating throughout much of the world. It extends all the way to smaller companies that even have mutual and cooperative arrangements so that they are able to meet any needs Victorians may have for insurance service or involvement. There is simply no need for a State-owned, government-owned insurance company.

A State-owned company does not provide any discipline on the market which the remainder of the market cannot provide and to which the market would not be subject were the State Insurance Office not a government-owned body. The Bill is fundamentally based on the concept that the State Insurance Office is another commercial entity operating in an intensely competitive private insurance industry.

The second element of the Bill, which deals with splitting the life insurance fund from the other funds of the State Insurance Office, is put forward by the Treasurer as being based on the concept that it ought to operate in the same commercial environment. It is only a small but logical extension of the principle already enshrined in the Act and which runs through the Bill to move to the position of returning the State Insurance Office to the private sector.

The Liberal Party will take that small, logical step. The end result will be an improvement in the public sector and, most particularly, a large improvement in the operation of the State Insurance Office, a more rewarding working environment for its staff, a more innovative and exciting commercial environment in which its staff can work, and better service for the customers of the office. I am sure many honourable members would have heard complaints from customers of the State Insurance Office about administrative deficiencies, disputes about products, and their entitlements. I am not suggesting that such complaints are confined to the State Insurance Office, but it is not operating in the same commercial environment as its private sector competitors and it trades extensively on its government guarantee.

The Liberal Party believes returning the State Insurance Office to the private sector will provide a better deal for the Victorian taxpayer, for the staff and management of the office and, ultimately and most importantly, it will have a strong public benefit in making the office more responsive to the market, less reliant on the peculiar advantage it has of a government guarantee, more concerned with the commercial viability of the product it sells, and more responsive to the needs and aspirations of its customers. For those reasons, and because the Bill heads in that direction, the Liberal Party strongly supports the measure.

Mr PERRIN (Bulleen)—I support the remarks made by the honourable member for Brighton and the Leader of the National Party. The Bill has three aims: firstly, to increase the number of board members of the State Insurance Office from five to seven; secondly, to separate the life insurance fund from the other funds to reflect arrangements made under Commonwealth legislation; and, thirdly, to apply the Borrowing and Investment Powers Act to the investments of the State Insurance Office.
The expansion of the board from five to seven members is warranted and is accepted by the Opposition. I should like business people to be appointed to the board. The State Insurance Office would welcome having strong commercial interests because, like the honourable member for Brighton, I believe it is about time the State Insurance Office was transferred to the private sector. The preparation for that will be to ensure that the board is as capable as the boards in the private sector of running a commercially viable insurance business.

The latest available annual report of the State Insurance Office is for the year ended 30 June 1987, so it is a year out of date. However, the report shows that the office has changed quite considerably in recent years. It has lost its workers compensation role; it was the insurer of last resort. It has lost its third-party insurance role as well. Therefore, the State Insurance Office is basically left with two types of business, the commercial business and the life insurance business. The office is not on a level playing field with other insurers in those areas of business. The fact that it is government guaranteed puts it in an advantageous position.

I should like to comment on some of the financial aspects of the State Insurance Office. The annual report to which I referred shows that the office made an extraordinary profit of $1.426 billion in 1986–87. That occurred as a result of the third-party insurance system being transferred from the State Insurance Office to the Transport Accident Commission. However, one should not get too excited about that situation because, prior to that time, the State Insurance Office had accumulated losses of $1.535 billion; therefore, the extraordinary profit that was made and recorded in the accounts for the year ended 30 June 1987 has merely wiped out the huge losses of some $1.5 billion that had been incurred predominantly in the third-party insurance area. The fact that the third-party insurance system got into such a bind is a reflection on the government's policies and, because the whole system was run by the State Insurance Office, the office had to pick up the tab.

Honourable members well recall that prior to the last election, when some of us tried to announce in the public arena the actual losses on third-party insurance and to obtain the annual report of the State Insurance Office, the government covered that up. Let that be on the government's head.

The State Insurance Office has extensive investments, although they are predominantly not on the stock exchange, but there have been some implications for the stock exchange investments it does have. The latest available annual report for the year ended 30 June 1987 shows that the State Insurance Office included in its books some $63.5 million of appreciation of investments. As a member of the accounting profession I know that when one marks up the book values of assets one is not normally allowed to include them in the profit. To his credit, the former Auditor-General qualified the accounts of the State Insurance Office for that year:

As stated in note 1 (b) (i) to the financial statements, the State Insurance Office has, in 1986–87, adopted market valuations for investments held at balance date with the difference between the book value and market value being recorded as income for the year. In my opinion, this accounting treatment is warranted in organisations such as the State Insurance Office, which have long term liabilities for outstanding claims, in order to more accurately report the performance of the office by matching, in the profit and loss account all gains on investments in the year against the increase in outstanding claims in the year. However ...

And this is the key point—

... such treatment is a departure from Australian Accounting Standard AAS 10 "Accounting for the Revaluation of Non–Current Assets", which requires the net revaluation movement to be taken to an asset revaluation reserve.

The Auditor-General was really saying that, for the first time, in 1986–87 the State Insurance Office changed its accounting policies, breached the accounting rules by
which every other insurance office in this State has to abide, and brought into account some $63.5 million worth of paper profits by marking up its investments.

The former Auditor-General ought to be congratulated. He has left that position and, in my opinion, has been promoted; he is now head of the Premier's Department in the Greiner government of New South Wales. I am sure Mr Greiner is more than happy to have in his employ an eminent person like the former Auditor-General of Victoria. Mr Greiner is certainly very fortunate because the former Auditor-General was first-rate. He was not afraid to bring to the notice of Parliament matters in which he believed Parliament would be interested.

Since 30 June 1987 there have been some interesting developments. Honourable members must thank the former Auditor-General for bringing to the attention of Parliament the extent to which the State Insurance Office was overexposed with its investments on the stock exchange and how the office was affected by the stock market crash in October 1987. I refer to the Auditor-General's second report for the year 1986–87, which was produced in April this year. At page 12 of that report, the Auditor-General directed to the attention of the people of Victoria the fact that, because of the stock market crash in October and because of the overexposure of clearly unsatisfactory investments on the stock exchange, the State Insurance Office incurred a loss of some $35.5 million overnight; the book values were wiped off by some $35.5 million.

It is obvious that, if the office has changed its accounting policies and taken in the profit in 1986–87 when the asset values were increasing and the stock exchange was booming, when the stock market values drop, as they did in October 1987, those losses need to be brought to account. I hope there is not another change of accounting policies in the State Insurance Office and that it decides not to bring the losses to account even though it included the profits in the previous year.

According to recent press reports, Wall Street is beginning to become decidedly shaky again. The stock exchange reports that I have received show that the Melbourne Stock Exchange situation could be very easily classified as nervous and there is a potential for further losses on the stock exchange.

When one examines the figures one notes that, as at 31 December 1987, the State Insurance Office still had $26.8 million worth of investments in the stock exchange; it is clear that there is a potential for further losses should there be a drop in the stock market. The State Insurance Office made a loss of some $35.5 million after the October stock market crash and it now has invested in the stock market assets worth $26.8 million. The office is clearly overexposed. It has had a very large risk exposed because there was a 50 per cent drop in the value of its shares between 30 June and 31 December 1987.

I have serious questions to ask about the investment practices of the State Insurance Office. I know that the Bill now before the House will go some way towards extending the powers under the Borrowing and Investment Powers Act to the State Insurance Fund. I hope the investment decisions made by the investment managers will be better than they have been in the past.

I shall examine with considerable interest the annual report of the State Insurance Office for the year ended 30 June 1988 because I believe it may be just possible to then get the full picture. I suspect that report will not be released until after the coming State election, so honourable members will not know its contents until then. The new government will have to toy with the actions that are necessary.

Like the honourable member for Brighton, I agree that it is about time that the State Insurance Office was subjected to the conditions of the marketplace and I have no
problem in suggesting that that is exactly what should occur, and that its functions should be transferred to the private sector.

Having worked in semi-government organisations under government control and Public Service conditions, I believe there should be an opportunity for members of staff to buy some of the shares in the State Insurance Office.

It would be attractive as it would give them a piece of the action; it would give them some pride in their company. They would be shareholders and, more than receiving salaries or pension cheques, they would be keen to turn the operations into a commercial success.

In conclusion, I support the honourable member for Brighton. He has made an excellent contribution to the debate. I look forward to the next annual report and will be interested to see what changes have been made at the State Insurance Office. I put that office on notice: I am one of the many people in this House who will be closely watching its operations. I will be most interested in the next annual report of the State Insurance Office, for the period ended 30 June 1988.

Mr MACLELLAN (Berwick)—I support my colleagues and the Leader of the National Party with respect to the State Insurance Office (Amendment) Bill, but I have a technical matter to raise with the Treasurer. He may be able to assist me in his response during the Committee stage, or in concluding the debate. Actually, I hope his reply will be at the conclusion of the second-reading debate because the Bill may not require a Committee stage.

I direct attention to clauses 7, 8, 10 and 12 of the Bill, where reference is made to the Borrowing and Investment Powers Act 1987. If I correctly understand the Bill, proposed new section 21 (8), as contained in clause 7 (4), provides that the State Insurance Office:

...may invest money standing to the credit of the State Insurance Fund in accordance with the powers conferred on the Office under the Borrowing and Investment Powers Act 1987.

Similar provisions apply in clause 8 for what is now to be known as the Life Insurance Fund; further, the term "financial accommodation", which generally means where the office borrows, is referred to in clause 10 on page 5 of the Bill. A consequential amendment is contained in clause 12 on page 6, adding the State Insurance Office to Schedules 1 and 3 of the Borrowing and Investment Powers Act.

The House would be aware that the Minister for Industry, Technology and Resources has recently had a further contract cleaner's opinion as to the meaning of certain sections of the Borrowing and Investment Powers Act, to ascertain whether the requirement that the approval of the Treasurer and the Governor in Council must be obtained does not deplete the incidental general powers in the principal Act for the State Insurance Office to carry out any of the purposes relating to the life funds, or whatever it is that may be referred to.

That unwritten and unreleased opinion raises some matters of interest in the Bill. Will these specific references to the Borrowing and Investment Powers Act take effect, irrespective of what has been previously granted in the principal Act by way of general or incidental powers? If that is the case, I suggest that it flies in the face of what we are told is the opinion of the Solicitor-General.

However, if the references in the Bill to the Borrowing and Investment Powers Act 1987 have no effect and there is a general or incidental power in the principal Act, why should those provisions be included in the Bill? That is the question I pose for the Treasurer. Given that those organisations have specific and quite incidental powers to do whatever is necessary to carry out their functions—and it is quite normal for
Parliament to give such powers to those instrumentalities—why should there by any move in respect of the Borrowing and Investment Powers Act, unless the provisions are to have some real and lively effect?

If that is not the case, does the reference and inclusion in the Bill of provisions of the Borrowing and Investment Powers Act have a real effect of making the State Insurance Office not only follow general directions of the Treasurer but, where necessary under that Act, to seek approval of the Treasurer? It could be in respect of underwriting and sub-underwriting, should the State Insurance Office be tempted to do so, remembering that that temptation seems to be quite lively for the government and its instrumentalities, specifically the Gas and Fuel Corporation superannuation fund and the Victorian Economic Development Corporation, although I do not think the State Insurance Office would be tempted to plant nearly $16 million of its money into some sub-underwriting agreement behind the Treasurer's back, as did the VEDC.

It is clear from the fall of events that the Treasurer was completely uninformed of the matter. The Treasurer gave an undertaking several days ago to advise me whether there was a Governor in Council order in respect of the matter. He has not yet replied but his colleagues have attempted to undertake that responsibility on his behalf. The Treasurer has not replied, although he said he would.

Mr Jolly interjected.

Mr MACLELLAN—He did not say he would do it immediately, but that he would do it in his own good time. The Treasurer will have his own good time now, in the second-reading debate on the Bill, because here is a glorious opportunity for him to call up the very Act that was in contention in that other matter, having called it up four times in this Bill, and to explain whether or not the Borrowing and Investment Powers Act is intended to cut down those smaller general or incidental powers in the State Insurance Office Act, and how the control mechanisms are to be exercised.

According to the Bill, the State Insurance Office will be able to invest funds from its life funds or insurance funds, if I can generalise the existing funds in that category. Will it be able to undertake underwriting or sub-underwriting agreements behind the Treasurer's back, without his knowledge, or will it have to obtain his seal of approval? Where he is moved to give encouragement to the office for any particular underwriting or sub-underwriting, will the Treasurer, as is perhaps provided for in the Borrowing and Investment Powers Act, seek Governor in Council approval, and will that approval be on the public record?

I shall be pleased to have that answer from the Treasurer in his own good time, which is when he closes the second-reading debate. I suggest to the Treasurer that if he does not feel moved to give an answer at the conclusion of the second-reading debate, the opportunity will exist to explore the matter in the Committee stage.

Mr JOLLY (Treasurer)—I thank the honourable members for their qualified support for the Bill. I was interested to hear the comments of the honourable member for Brighton in respect of privatisation of the State Insurance Office. The philosophy underlying his approach to privatisation means that the State Bank and the State Insurance Office are subject to consideration because he said that, unless there are specific reasons for those organisations to be public sector operations, they should be removed from the public sector.

On public benefit, he said that his definition is that, prima facie, there is no justification for public sector ownership when it is possible for commercial organisations in the private sector to compete. He was virtually saying, "It is redundant for publicly-owned organisations to compete in the marketplace."
I totally reject the philosophy which necessarily underlies the view of the honourable member for Brighton. He referred to international insurance organisations operating in this State. The same is true for banking organisations as well; clearly there is no difference in the argument that the honourable member for Brighton put forward in relation to the organisation of the State Insurance Office compared with that of the State Bank.

With the exception of the honourable member for Berwick, Liberal Party members clearly denigrated the operations of the State Insurance Office. They mentioned complaints they have received about it, but they made no mention of the positive comments that have been made about it. My office has received letters stating that the State Insurance Office is doing a very good job, indeed. It provides an important, competitive service in Victoria.

Unlike the Liberal Party, the party I represent is in favour of the expansion of the State Insurance Office to other areas of activity, which will enable it to compete more effectively in the marketplace. The government is expanding the range of products that can be offered. Previously, the office was hamstrung in the same way as the State Bank was hamstrung and, as the Leader of the National Party would realise, for years, under previous governments, the State Bank was not even able to provide overdraft facilities. The government has said that the State Insurance Office should be able to compete on equal terms with the private sector and provide the range of products that are provided by private sector insurance companies.

Many individuals in society prefer to take out insurance with a State-owned organisation. That concept is not unique to Victoria. The State Insurance Office, or its equivalent, is strong in other States of Australia, and Victoria was the last State-based organisation to obtain the range of insurance powers that currently exist in Victoria. Therefore, I make it clear that I strongly support the expansion of the State Insurance Office to enable it to compete even more effectively in the future.

The Leader of the National Party wanted to know about the future of the State Insurance Office, and certainly it is designed to meet future needs. In terms of the expansion of the existing board, currently the small board consists of only five members.

The expertise at that level consists of a marketing expert, a person with a strong statistical background in insurance, a person from the Australian Council of Trade Unions with outstanding experience in industrial relations, an economist, and a senior accountant from the private sector. The government is aiming to add additional expertise, particularly from the private sector, to the board. It is looking for persons with previous solid board experience as well as experience in the law. It wants to broaden the membership of the State Insurance Office board.

In relation to the products now offered by the State Insurance Office, I am pleased to report that it is probably the most significant provider of comprehensive motor vehicle insurance in the State. It is an important and well-respected competitor in that area of operation. In recent times it has extended its operations to house and household insurance, again building up a good record in that area of activity.

Even more recently it has moved into the life insurance field, which will obviously take some time to build up, but which offers the prospect for diversification of profits and profitability in the future. My advice is that it will do well in this area, given the fact that it is moving in gradually.

When I made the announcement that the State Insurance Office would not immediately, in the early stages, be a large provider of life insurance that approach was well understood by the private sector. It did not want, initially, the State Insurance Office to move into the life insurance business, and a number of honourable members were lobbied by the private sector to try to prevent its entry.
The other way in which the State Insurance Office has distinguished itself is as a WorkCare agent in that it has provided workers compensation services for many years and it is continuing to provide services as an agent for WorkCare.

Clause 6 of the Bill allows the Minister—in other words me—to stand in the place of the Commonwealth insurance and life insurance commissioners so far as the observance of Commonwealth insurance legislation by the State Insurance Office is concerned. The office is not obliged, under legislation or Commonwealth powers, necessarily to conform with it; the measure ensures that, through the Treasurer, the State Insurance Office conforms with the Commonwealth insurance commissioner’s requirements.

The honourable member for Brighton made claims about the investment position of the State Insurance Office. It is true that the office has had only a small proportion of its investments in equities. In terms of its long-term performance, that has been to its disadvantage compared with other organisations with equity investments. It is most inappropriate to focus on the short-term position when examining equity investments; a three to four-year period is relevant in examining the investment performance.

There is no doubt that the performances of public sector organisations that have invested in equities have been boosted. The State Insurance Office will operate under the Borrowing and Investment Powers Act. Those guidelines are set in regulations, and that is part of the standardised approach to the organisation.

With respect to the general activities of the State Insurance Office, the honourable member for Berwick should recognise that I am the Minister as well as the Treasurer in the case of the State Insurance Office and the general question of the separation of powers from the Minister and the Treasurer does not apply as it can in the case of the Victorian Economic Development Corporation because the Minister for Industry, Technology and Resources is the relevant Minister for the corporation. For that reason, the powers are separate from the powers of the Treasurer. Therefore, a different issue is involved in those circumstances.

I welcome the qualified support of the opposition parties for the Bill. The Leader of the National Party at least reserves his position on the future of the State Insurance Office. The Bill will lead to a further expansion of its activities.

The State Insurance Office will continue to have a strong presence in the Victorian insurance market. I shall add one rider on the importance of the SIO. The honourable member for Brighton assumes that with a sell off, somehow the State Insurance Office would stay intact as a private sector organisation. It is naive to believe that because one cannot control an organisation once it is sold. The SIO could fall into foreign or interstate hands. The whole office could be swallowed up by another company.

The State Insurance Office is an important investor in the economic development of this State. It has played an important role during the life not only of this government but also the former Liberal government, and that fact should not be lightly tossed aside. The honourable member for Brighton will be aware that a large private sector organisation, the AMP Society, refused to invest in Victoria because of the appalling industrial relations record under the previous Liberal government. In effect, that company took part in an investment strike.

The Labor government has improved the industrial relations environment and investors are now returning to this State. The Opposition is devoid of any sensible policy on economic development, as has again been borne out by this debate.

The motion was agreed to.
The Bill was read a second time and committed.

Clause 1

Mr STOCKDALE (Brighton)—The clause deals with the purpose of the Bill. Accordingly, it raises a rich canopy over provisions in the Bill and the general principles underpinning the Act.

Mr Simpson interjected.

Mr STOCKDALE—I shall deal with three matters.

The CHAIRMAN (Mr Fogarty)—Order! Firstly, the honourable member for Niddrie is out of his place. Secondly, it is out of order for him to call attention to the Press Gallery at any time as it could result in the gallery being cleared.

Mr STOCKDALE—I shall deal briefly with three matters. The first is the mischievous little tweak by the Treasurer about the State Bank. If anyone wants to learn the Liberal Party’s attitude to the State Bank, he or she should examine the statements made by the Liberal Party, not the Treasurer, because he is unreliable on any subject but particularly prone to misrepresent the views of the Liberal Party. So that there can be no doubt, I refer any person interested in the issue raised by the Treasurer to my speech on the State Bank legislation when a Bill was recently before this Chamber. In that debate I mounted a clear-cut argument distinguishing between considerations applicable to the State Insurance Office and those relevant to the State Bank. The Opposition particularly spelt out the public benefits arising from the continued operation of the State Bank as a government instrumentality involved in the housing loan market. The State Bank performs a useful function that benefits the Victorian community. I make it clear in this debate, as I did then, that the Opposition is not proposing that the ownership of the State Bank should be changed.

My second point concerns the business studies lecture from the Treasurer on what might happen in the private sector if the State Insurance Office were sold. My comments do not in any way suggest that the State Insurance Office would remain intact. In fact, one of the great strengths of the private sector is that a more efficient administration system would be adopted to best maximise the provision of services to its customers and provide the best format to interact with the remainder of the commercial community. If the market took the view that the new entity could operate more efficiently in more than one unit in the private sector, that would be a matter for the market. The only point one can be sure of is that in the final analysis the market will find the most effective means of operating this enterprise, or any parts of it, and that the beneficiaries will be the employees of the enterprise. Under the Liberal Party’s proposal, employees could become partners in the enterprise and have the advantage of owning an interest in the enterprise in which they worked.

My third point concerns the Borrowing and Investment Powers Act. I make it clear that my endorsement of the Bill and strong support for its principles does not extend to invoking the provisions of the Borrowing and Investment Powers Act. The Opposition continues to have reservations about the way that legislation is structured and how it operates in practice. The events that have occurred since that Act was passed have only heightened the Opposition’s concern. The irresponsible investment policies and the dubious way in which the provisions of that Act have been ignored by the Victorian Economic Development Corporation and the Minister for Industry, Technology and Resources serve only to heighten the Opposition’s concern about the wide powers that the Treasurer assumes under that Act.

Finally, I direct to the attention of the Committee the fact that the Treasurer has not addressed all the issues that were raised in debate by the honourable member for
Berwick. I dare say, the honourable member will take up that matter with the Treasurer. I can only urge the Treasurer to deal with those matters on their merits and not seek, as the government has done for the past two weeks, to duck the implications of issues that are clearly raised by the extension of that Act to the State Insurance Office.

Issues of real substance have arisen concerning the operation of the Borrowing and Investment Powers Act. The Bill will extend the provisions of that Act to the State Insurance Office. How can this Committee, this Parliament or the Victorian community have any faith in the exercise of those powers by the State Insurance Office, the operations of the Minister, and the entities concerned under that Act, if the government does not take this opportunity of clarifying the standing and effect of that legislation?

If this matter needs to be considered while the Bill is between here and the other place, so be it. The extension of the Borrowing and Investment Powers Act to the State Insurance Office will be imperilled if the Treasurer remains sitting or stands flat-footed while refusing to deal with a substantial matter of public interest.

Mr Simpson interjected.

Mr STOCKDALE—It may be that the Treasurer's feet do not reach the ground. If they do not, he will have to stand, and that is when it is most apparent that he is standing flat-footed.

The CHAIRMAN (Mr Fogarty)—Order! Perhaps the honourable member can move away from the Treasurer and back to the Bill.

Mr STOCKDALE—If the honourable member for Niddrie assures me that the Treasurer's feet do not reach the ground, I shall take his word for it.

The clause was agreed to, as were clauses 2 to 6.

Clause 7

Mr MACLELLAN (Berwick)—I again raise with the Treasurer the last provision in clause 7, which states:

(4) In section 21 of the Principal Act, for sub-section (8) substitute—

"(8) The Office may invest money standing to the credit of the State Insurance Fund in accordance with the powers conferred on the Office under the Borrowing and Investment Powers Act 1987.".

That provision further relates to the intention under clause 12 to include the State Insurance Office in the schedules to that Act. Section 21 (8) of the principal Act states:

Moneys standing to the credit of the State Insurance Fund may be invested by the Office in such manner as is from time to time approved by the Treasurer.

Does the change from that specific requirement in the principal Act require the Treasurer's approval for investment? It is now proposed to be substituted with:

The Office may invest money standing to the credit of the State Insurance Fund in accordance with the powers conferred on the Office under the Borrowing and Investment Powers Act 1987.".

Will it be the last resort in investment or will incidental powers, other than those incidental powers which are continued on for past transactions, expire so that this will be the only way in which the State Insurance Office may make investments out of the State Insurance Fund?

Will there be other investment powers of a general nature or of an incidental nature which could be used by the State Insurance Office to invest moneys outside the provisions proposed to be applied under the Borrowing and Investment Powers Act 1987?
Mr JOLLY (Treasurer)—Clause 7 of the Bill does not require any dancing around by the honourable member for Berwick. Clause 7 (8) states:

The Office may invest money standing to the credit of the State Insurance Fund in accordance with the powers conferred on the Office under the Borrowing and Investment Powers Act 1987.”.

It means nothing more than that. That is the mechanism for the investment of the funds in the State Insurance Fund as specified in clause 7.

Mr MACLELLAN (Berwick)—The Treasurer’s explanation is helpful, and takes the matter one step further. The Borrowing and Investment Powers Act is referred to specifically in the clause and in the Treasurer’s answer. Will there be any authorisation for the State Insurance Office to procure financial accommodation by way of overdraft in Australia; short-term financial accommodation in Australia; short-term financial accommodation within or outside Australia; long-term financial accommodation in Australia; long-term financial accommodation within or outside Australia; financial leases or financial arrangements, specifically, and importantly, financial arrangements by any means other than the means provided in the Borrowing and Investment Powers Act?

Those headings, which I have quoted to the Treasurer, come from that Act. Is there any other power for the State Insurance Fund provided for in clause 7 of the Bill to invest moneys outside those provisions, or is it intended by this amendment that those funds will be restricted specifically to those provisions in the Borrowing and Investment Powers Act?

Mr JOLLY (Treasurer)—I know the honourable member for Berwick is a lawyer, but I thought it was clear from my previous statement that it is not subject to any further legal interpretation. The State Insurance Fund invests under the Borrowing and Investment Powers Act, and under that Act, all of the State Insurance Office powers will be under the control of the Treasurer and will be specified in the Order in Council.

Mr STOCKDALE (Brighton)—The answer given by the Treasurer is not the answer to the question asked by the honourable member for Berwick.

The issue that is involved is whether the powers of the State Insurance Office under the proposed provision are to be an exhaustive definition of its powers insofar as specific powers are given under the Borrowing and Investment Powers Act, or whether the Treasurer takes the view that outside the limitations and controls of the Borrowing and Investment Powers Act there would then be residual power within the State Insurance Office under some general head of power in its own pre-existing legislation for it to engage in the activity expressly regulated by the Borrowing and Investment Powers Act but not subject to that Act.

As Treasurer and the Minister directly responsible for the State Insurance Office, this is a matter upon which the Committee is entitled to hear his view as to how the Bill is to be administered if it is passed. Is the Borrowing and Investment Powers Act to be an exhaustive definition of the powers and the matters to which it relates, or is there intended to be some residual power under the general powers of the State Insurance Office under the State Insurance Office Act?

Mr JOLLY (Treasurer) (By leave)—I understand and appreciate the legal competition from the honourable members for Brighton and Berwick. It is an interesting competition and I am unsure which honourable member will be the next Leader of the Liberal Party. Clearly they would have a better chance in Victoria than the existing Leader of the Opposition.
Under the Borrowing and Investment Powers Act all of the State Insurance Office powers will be under the control of the Treasurer and will be specified by Order in Council. I have nothing further to say on that.

The clause was agreed to.

Clause 8

Mr MACLELLAN (Berwick)—I direct to the Treasurer's attention subsection (5) of proposed section 21A:

The Office may invest money standing to the credit of the Life Insurance Fund in accordance with the powers conferred on the Office under the Borrowing and Investment Powers Act 1987.

Are the powers in the Borrowing and Investment Powers Act an exhaustive list of the powers of investment for the moneys in the Life Insurance Fund or are there other investment powers?

Mr JOLLY (Treasurer)—The Life Insurance Fund is in exactly the same position as the State Insurance Fund. Under the Borrowing and Investment Powers Act all of the State Insurance Office powers will be under the control of the Treasurer and as specified by Order in Council.

Mr MACLELLAN (Berwick)—The Treasurer is still trying to wriggle away from the direct question. The question I asked was whether the powers under the Borrowing and Investment Powers Act are exhaustive of all powers. In other words, are there any other investment powers available for funds in the Life Insurance Fund outside the Borrowing and Investment Powers Act?

The Treasurer has said that they will all be in appropriate Governor in Council orders, and that is an advance which he has given in the Committee stage. That has not always been the case. Given that they will all be by Governor in Council approval, does the Treasurer say that he has the power as Treasurer—as Minister responsible for the State Insurance Office—to authorise investments outside the powers of the Borrowing and Investment Powers Act?

Mr JOLLY (Treasurer)—During the second-reading debate I said that in this case I am the Minister responsible as well as the Treasurer. Therefore, the question raised by the honourable member about the Victorian Economic Development Corporation does not apply. Proposed section 21A (5) states:

The Office may invest money standing to the credit of the Life Insurance Fund in accordance with the powers conferred on the Office under the Borrowing and Investment Powers Act 1987.

In relation to the question asked about the Life Insurance Fund, that provision means those powers are under my control, as Treasurer, and will be specified by Order in Council.

Mr STOCKDALE (Brighton)—I shall ask a straightforward question: if the proposed legislation becomes law and thereby the powers of the State Insurance Office become subject to the Borrowing and Investment Powers Act, as specified in the Bill, will the SIO be able to approach the Treasurer to obtain short-term financial accommodation without obtaining the approval of the Governor in Council in accordance with the Borrowing and Investment Powers Act? Will the Treasurer take the view that that option is not available to the SIO?

Mr JOLLY (Treasurer) (By leave)—The honourable member for Brighton can rest assured that I will behave in accordance with the Act. I have already said that, regarding the Life Insurance Fund, that matter will be specified by Order in Council.
Mr STOCKDALE (Brighton)—I appreciate that the Treasurer does not wish to answer the question but, after all, this is the Parliament of Victoria and, if I understand the Constitution, the executive government is still accountable to Parliament.

Mr Ross-Edwards—He doesn’t understand the question.

Mr STOCKDALE—If I may differ from the Leader of the National Party, I believe the Treasurer understands the question and he knows the answer. The Committee is entitled to know the answer. The Treasurer’s comments indicated by omission that he adopts the view that the State Insurance Office, in the circumstances I have described, would not have the power to borrow under any residual power on the ground that the Borrowing and Investment Powers Act specifies certain powers subject to particular limitations. I seek from the Treasurer confirmation that, as the Minister administering both the State Insurance Office Act and the Borrowing and Investment Powers Act, he will act upon that legal view.

Mr JOLLY (Treasurer) (By leave)—That is an interesting legal view. As I said about the investment powers, they will be used in accordance with my directions and will be specified by Order in Council. I have nothing further to add.

The clause was agreed to, as was clause 9.

Clause 10

Mr MACLELLAN (Berwick)—The matter I raise concerns not only clause 10 but also clause 12. In this clause “financial accommodation” has the same meaning as in the Borrowing and Investment Powers Act 1987. Can the Treasurer advise the Committee what that phrase means in his mind so that the Committee can be sure it knows what the Treasurer intends “financial accommodation” to mean?

Mr JOLLY (Treasurer)—The various mechanisms used for retaining the term “financial accommodation” are set out in the Borrowing and Investment Powers Act 1987. The honourable member for Berwick is welcome to read that meaning. The mechanisms are specified explicitly in that Act. Financial accommodation can be met in a number of ways and they are specified in the Act. The State Insurance Office will act accordingly.

Mr MACLELLAN (Berwick)—The Treasurer has invited me to define “financial accommodation” as it is set out in the Borrowing and Investment Powers Act. The definition is:

“Financial accommodation” means a financial benefit or assistance to obtain a financial benefit arising from or as a result of—

(a) a loan;
(b) issuing, endorsing or otherwise dealing in promissory notes;
(c) drawing, accepting, endorsing or otherwise dealing in bills of exchange;
(d) issuing, purchasing or otherwise dealing in securities;
(e) granting or taking a lease of any real or personal property for financing but not for operating purposes;

And, more significantly—

(f) any other arrangement that the Governor in Council on the recommendation of the Treasurer approves.

The answer, which I invited the Treasurer to give and which he declined to give, has now shown the Treasurer to be as sneaky as one can get in Parliament because he said that I should look up the meaning of “financial accommodation” in the Act. That is exactly what I have done now.

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As I have shown, it means anything that the Governor in Council says it means on the recommendation of the Treasurer. Therefore, the Treasurer is asking the Committee to pass proposed legislation that states that “financial accommodation” has the same meaning as that given in the Borrowing and Investment Powers Act. He has done that instead of giving the Committee his interpretation of the phrase. He gave the clever answer, “Look it up yourself.” He is then offended when it is pointed out to the Committee that the phrase means whatever the Treasurer advises the Governor in Council it should mean.

Financial accommodation could mean underwriting agreements, sub-underwriting agreements, or anything else. Again I refer the Treasurer in particular to paragraph (f) of the definition of “financial accommodation” as contained in the Act, which is:

Any other arrangement that the Governor in Council on the recommendation of the Treasurer approves.

That means financial accommodation can be as wide and as extensive as the Treasurer believes and a compliant Governor in Council might be moved to approve.

The Treasurer is asking that the State Insurance Office, in respect of both the Life Insurance Fund and its more traditional insurance aspects, should have power to invest in anything that the Treasurer can persuade the Governor in Council to approve. By way of interjection, the Treasurer was quick to point out that “financial accommodation” means borrowing, not lending. I do not know whether the banker with which the Treasurer may deal would necessarily regard financial accommodation in the same light. I imagine those who lend money believe they are providing financial accommodation for those who wish to borrow money. However, the Treasurer missed his opportunity of saying just that, if he had wanted to say that, when responding earlier.

The Treasurer is asking the Committee to give him the power to take the SIO down exactly the same track as the Victorian Economic Development Corporation. He explained the difference by saying that, in the situation involving the VEDC, two Ministers had responsibility and that might have been significant; I do not believe it was significant.

Mr Ross-Edwards—It cuts out one step.

Mr MACLELLAN—It does cut out one step. The Treasurer could hardly plead ignorance of whether the State Insurance Office has been up to the same tricks as the Victorian Economic Development Corporation recently. It may have taken him by surprise. The Treasurer is saying that as the only Minister involved he ought to have the opportunity of borrowing from wherever—by approval of the Governor in Council—no matter whether it is inside Victoria, outside Victoria or outside Australia. He believes he should be given that power to borrow for whatever length of time. He could have explained that to the Committee earlier, if he had wished to, but obviously he did not wish to. The Committee has been asked to give the Treasurer powers to make exactly the same mistakes as those made by his colleague, the Minister for Industry, Technology and Resources, in respect of the Victorian Economic Development Corporation.

Doubtless Parliament will have other opportunities of discussing those matters. But the Treasurer has advanced the matter significantly. He has said that whatever he does under the Bill will be authorised by an Order in Council. That Order in Council does not exist in respect of the sub-underwriting agreement entered into by the Victorian Economic Development Corporation.

The advance that has been made in the debate is that the Treasurer has given a clear undertaking that that part of the message has got through to the government and that an Order in Council is the appropriate way to proceed where accommodation is
required by the State Insurance Office, or where investment powers are to be exercised
in the investment of funds by that office. It may be said that an Order in Council will
be the new order of the day.

Mr JOLLY (Treasurer)—A clever question always deserves a clever answer. The
Committee is dealing explicitly with borrowing powers in relation to clause 10 of the
Bill, as the honourable member for Berwick would have noted from the interjections—and
he quickly picked up that point. I admire the way in which he learns more quickly
than do some of his Opposition colleagues. His expertise in financial matters is very
limited; and the honourable member for Berwick is well aware of that!

The reason way the Borrowing and Investment Powers Act was to expand the range
of financial accommodation possible, was because it became clear that the government
should have access to the best terms and conditions available, both domestically and
overseas. The government aims to minimise interest-related costs in Victoria, and
that is why that power was deliberately expanded.

The comments made by the honourable member for Berwick in relation to clause
10 were irrelevant because the clause deals with borrowing powers totally. I emphasise
again that “financial accommodation” has the same meaning in the proposed section
as it has under the Borrowing and Investment Powers Act; and the honourable member
for Berwick is well aware of what is contained in the proposed section.

Mr STOCKDALE (Brighton)—The Treasurer is apt to describe other honourable
members as slow learners, but the Treasurer is slow on the uptake on the question that
is being asked. That may be because he lacks the necessary expertise. Perhaps he is
unable to appreciate the point that is being made because his period as an advocate
for the Australian Council of Trade Unions did not allow for sufficient legal knowledge
to rub off on him.

The issue that has arisen does not concern the distinction between borrowing and
investment; rather, it concerns the appropriate procedures to be undertaken. The
Treasurer seems unable to understand the relevance to the present debate of the
question asked by the honourable member for Berwick. If there is to be a residual
power which is capable of being exercised under the State Insurance Office Act, why is
the Committee debating the extent of borrowing and investment powers at all? Why
is the government proposing that the State Insurance Office should be made
the subject of the Borrowing and Investment Powers Act? I am not sure what the Treasurer
said about the powers the government has under the principal Act, and I will have to
look at Hansard to make sure of it. It seems that the Treasurer said that the approval
of the Governor in Council will be required to exercise such powers. That seems to
conote that the Borrowing and Investment Powers Act will apply and that that will
extinguish any residual powers—or, indeed, any powers—that would otherwise exist
under the State Insurance Office Act. This matter goes to the heart of the debate on
clause 10.

If the answer to the question asked by the honourable member for Berwick is that
the Borrowing and Investment Powers Act is not to be the sole source of power for
borrowings, then why is the Committee considering clause 10 at all? That matter is
directly relevant to the debate.

The Treasurer seems to think that there is a trap involved and that the question
refers to other issues which have been raised in the Chamber and to which the
government has not provided an answer. This is a matter which bears directly on the
issues before the Committee.

I notice that the Treasurer has brought in the heavyweights to assist him in this
matter—and I do not use that term in a metaphorical sense.
Mr Simpson—I am on a diet.

Mr STOCKDALE—It is not working! It may be that the business interests of the honourable member for Niddrie have enabled some understanding of the law to rub off on him. Yet the Treasurer does not need a detailed legal knowledge to answer the question. Instead, a capacity to address the issues before the Committee is required.

The Liberal Party did not propose clause 10. The Liberal Party did not proclaim the Borrowing and Investment Powers Act, and the Liberal Party has not proposed the extension of that Act to cover the activities of the State Insurance Office. This is the Treasurer's Bill.

If the Committee is not to waste its time, the Treasurer should answer the question. Why is the government introducing clause 10? Is it designed to replace and to limit the borrowing powers of the State Insurance Office so that, where required by the Borrowing and Investment Powers Act, the ability of the State Insurance Office to obtain financial accommodation will require the provisions of that Act to be followed. It would not be a sufficient answer if the Treasurer, as the Minister responsible for the State Insurance Office, were to tell the Chamber at a later date: “We acted under some residual power under the State Insurance Office (Amendment) Act.” If the Treasurer were to give such an explanation whenever such an issue arose, the Committee may as well forget about clause 10 and instead devote itself to an examination of powers under the State Insurance Office Act.

Mr ROSS-EDWARDS (Leader of the National Party)—I shall try to simplify the matter for the Treasurer. I am surprised that the Treasurer has not consulted his advisers about the matter because he is obviously in need of advice. Section 21 (8) of the principal Act states:

Moneys standing to the credit of the State Insurance Fund may be invested by the Office in such manner as is from time to time approved by the Treasurer.

If that power is to be widened, will the Treasurer explain to the Committee in simple language what extension of powers is envisaged so far as the clause is concerned? The question has been asked many times. If the Treasurer does not know the answer then, for heaven's sake, the Committee should report progress on the Bill and the Chamber should debate another Bill.

No-one should blame the Treasurer for not knowing the answer; but he should not try to bluff his way out of it. If the Treasurer does not know the answer—and he is not one to admit such a thing—the time has come to admit it.

Mr Jolly interjected.

Mr ROSS-EDWARDS—The Treasurer has been asked the same question time and again, yet in responding to it he has merely talked in circles. It is a ridiculous state of affairs.

Mr Simpson—He would not do that.

Mr ROSS-EDWARDS—The Treasurer has not given an answer.

The CHAIRMAN (Mr Fogarty)—Order! The honourable member for Niddrie is out of order and out of his place.

Mr Simpson—He is out of his depth!

Mr ROSS-EDWARDS—The honourable member for Niddrie is out of his depth. That is why he is no longer a Minister. The government tried him as a Minister and then it threw him out.
The question, which is a simple one, has been asked of the Treasurer time and again this afternoon. Perhaps the Treasurer’s advisers may know the answer; certainly, the Treasurer does not know. The Committee should report progress on the Bill to enable the Treasurer to give the Committee an answer on Tuesday fortnight.

Mr JOLLY (Treasurer) (By leave)—There is no need to report progress on the Bill. The Opposition is trying to dance to its own tune. In replying to the Leader of the National Party, I shall focus on clause 10, which refers specifically to the borrowing powers issue. What the clause is designed to do is to expand the areas——

Mr Ross-Edwards—To what extent?

Mr JOLLY—I will tell the Leader of the National Party if he is willing to listen, but only if he is willing to listen.

In relation to the issues raised by the Leader of the National Party, clause 10 refers to “financial accommodation” and that phrase has the same meaning as it does in the Borrowing and Investment Powers Act. The clause then sets out the various ways in which financial accommodation can be met.

In turn, it refers to other financial arrangements approved by the Governor in Council. The honourable member for Berwick interjects, “Anything?” Yes, it refers to anything that is a financial accommodation and is specified by the Governor in Council. Those who have knowledge of financial markets recognise that over a period the mechanism for achieving financial accommodation in the various financial instruments changes dramatically over a period. It has been specifically set out in the Borrowing and Investment Powers Act to enable government organisations flexibility to raise funds in the most appropriate way and on the best terms and conditions possible. That is what it is all about and I hope it is appreciated by the Leader of the National Party.

Mr ROSS-EDWARDS (Leader of the National Party)—My simple question is: what more can one do under the Bill that could not be done under the Act? That question has been put to the Treasurer time and again. It is no good asking the honourable member for Niddrie who is at the table. He would be the least appropriate person in the Chamber to advise the Treasurer. He may have something to say on Saturday nights but not during the rest of the week.

I direct the Treasurer to apply his mind to the question and, if he does not know the answer, to seek advice from one of his advisers.

Mr JOLLY (Treasurer) (By leave)—The answer to the question asked by the Leader of the National Party is: it means any financial arrangement approved by the Governor in Council. I must indicate that one cannot predict in advance what those financial arrangements might be.

The provision has been broadened deliberately so that any financial accommodation that improves the terms and conditions available, compared with what existing instruments have been available in the marketplace, will be taken up and specified by the Governor in Council. I cannot allude to any specific instrument at the moment. However, the provision enables the State Insurance Office to move in accordance with future developments in financial markets, which are unpredictable at this stage.

Mr STOCKDALE (Brighton)—It is said that nothing concentrates the mind like a hanging. I shall wave the rope around. The Treasurer has just about persuaded me that the Liberal Party should oppose this clause and, indeed, should perhaps review its attitude towards the other borrowing and investment powers provisions when the Bill is in the other place. Perhaps the Opposition should be talking to the National Party about whether it should take the same view.
Should the clause have no more width than the existing provision in the State Insurance Office Act, if it adds nothing, why pass it? However, should it add something to the powers under the State Insurance Office Act and the Treasurer is not telling the Committee what those powers are or what the extension is—and he is being cute about not telling us—I for one would be loath to give the executive government the powers that it is not prepared to disclose to Parliament.

The government cannot have it both ways. Either it does not extend powers, in which case it is not justified and should not be passed by the Committee, or it does involve powers, in which case the Committee is entitled to be informed about what those powers are and be able to explore how they will be used. That is a simple choice.

Is the Treasurer covering up? Does he or does he not want to extend the powers? We must have a nice clear-cut answer, or we will have a hanging.

Mr JOLLY (Treasurer) (By leave)—We are considering “any form of financial arrangement as specified by the Governor in Council.” It should have been clear to the honourable member for Brighton that this provision is there to ensure——

Mr Kennett interjected.

Mr JOLLY—The Leader of the Opposition should not come into the debate at this stage. The honourable member for Berwick realises that we are talking about borrowings, not investments. We are discussing clause 10, for the benefit of the Leader of the Opposition.

Mr Kennett interjected.

Mr JOLLY—It is unusual for the Leader of the Opposition to suggest that somebody is out of his depth, but he knows the sinking feeling.

Clause 10 is deliberately broad in meaning. That was the case also with the Borrowing and Investment Powers Act and that was specified so that any financial accommodation that would bring about terms that are better than those available under existing instruments could be taken up by the government. It is impossible to predict how the financial market will develop over time and what sort of products will become available. Because of that, this general provision has been added.

The clause was agreed to, as was clause 11.

Clause 12

Mr MACLELLAN (Berwick)—Clause 12 provides for the insertion of “State Insurance Office” after “State Employees Retirement Benefit Board” in Schedules 1 and 3 to the Borrowing and Investment Powers Act. The effect of that would be to put State Insurance Office funds in the same terms as funds under the Borrowing and Investment Powers Act.

Nice simple themes ran through the Treasurer’s answers to the Committee’s requests for information. One theme was: “Find out for yourself.” Another theme was: “I do not know.” Yet another theme was: “I think it means this.” and a further theme was: “It could mean something else.” The Treasurer aired the idea that clause 12 broadened the powers beyond the existing powers. In other words, instruments could do whatever they like so long as they had the Treasurer’s approval. Nothing could be broader than that. The next idea was that the provision would cover the case of someone inventing a new and currently unthought of means of financial accommodation.

The provision covers not only borrowing but also investment. If someone can think up an excruciating way of getting money out of this government, whether it be by graft, sub-underwriting agreements or any way of screwing “Mates Incorporated” for
money and come up with a new variety, that will get the approval of the Treasurer and the Governor in Council to go ahead. The Parliament is supposed to say that that is okay, and the government can borrow whatever it likes if it can think up new ways of doing it, whether by long-term or short-term leasing from Norfolk Island or investing on the Stock Exchange of Antarctica. I presume the Treasurer will be ready, willing and able to obtain Governor in Council approval for the transaction to take place and it will not matter whether that transaction involves borrowing or lending.

So long as the Treasurer carries out his undertaking to this Committee to do it with Governor in Council approval, he can authorise any sort of borrowings or lendings that anyone can think up at any time in the future, no matter how exotic or complicated. The barons of industry in Western Australia and elsewhere will be absolutely thrilled to know that from here on in the State Insurance Office will be a milching cow for money under whatever arrangements any Treasurer might wish to have approved by the Governor in Council.

Should any member of Parliament have the temerity to ask for details of such an agreement, I predict in advance what the answer would be, “It is a confidential and commercial matter that may not be either asked about or answered in Parliament.”

The State Insurance Office will be provided with the opportunity of making exactly the same disastrous decisions as have been made by the Victorian Economic Development Corporation, as so recently revealed. Those decisions will affect life funds or ordinary funds. Much of the mess in the Victorian Economic Development Corporation decision making occurred behind the back of the Treasurer. It is possible and probable that the Treasurer was innocently unaware of what was going on. He should have been aware. He should have been insisting that the Borrowing and Investment Powers Act be followed so that he was made aware and ensured that the decision went to the Governor in Council. Honourable members know that it did not and they know further that the government argues that it need not.

The government is trying to have it both ways, with legislative power for any scheme might be thought up in the future, for whatever exotic arrangements might be made for the borrowing of money by the State Insurance Office or investment of its funds. The government will have the general scope of power. When there is a mess the Treasurer will say that he did not give that undertaking to the Committee; he did not quite reach that point but said something about the Governor in Council. He will say that there was a legal opinion and Parliament knew about the opinion because it had been mentioned two days before that there was an opinion from the Solicitor-General saying that the Borrowing and Investment Powers Act did not prevent the government from doing what it did. It will not be done under the Governor in Council if it is too embarrassing and it will not be done under other powers unless the Treasurer disowns the Solicitor-General’s opinion.

The Treasurer came close to disowning the opinion and gave an undertaking, which I hope will be upheld in the future, that any arrangement will be made under the Governor in Council. It will be a new procedure. I hope the Treasurer has learned during the Committee debate the dangers of wide powers and the dangers of other Ministers having wide powers, as well as the dangers of statutory authorities being involved in underwriting, sub-underwriting or other exotic arrangements.

In the case of the Victorian Economic Development Corporation—and potentially in the case of the State Insurance Office—those powers could result in the loss of money not only for policyholders or superannuation contributors but also for the State of Victoria and its taxpayers. Millions of dollars could be lost.

Honourable members know that the Victorian Economic Development Corporation has lost millions of dollars on its investments—whether it is “Fantasy Farm”, “Zero
Management”, or the “Fantasy Pharmacy Project”, it does not matter. The money has gone and probably gone with absolutely no chance of its ever being recovered.

There is a relationship between what has happened and the potential of the powers under the Borrowing and Investment Powers Act and the State Insurance Office (Amendment) Bill, and the presence of the State Insurance Office in the schedules to the Borrowing and Investment Powers Act. The Treasurer knows that hundreds of millions of dollars could be invested by the State Insurance Office. It is not the insurance office’s money; it is money held by the office for policyholders who may make future demands, or who may already have made demands that will have to be met in the future. The Treasurer’s guarantee on behalf of the government and taxpayers of Victoria is at risk. A possible result could be that yet another government instrumentality would be out of control, just as the Victorian Economic Development Corporation has been and is out of control, without proper Ministerial control. The State Insurance Office could be in exactly the same situation.

If the Treasurer is trying to cover any new exotic borrowing or lending arrangements that might be made by expanding the field through the Governor in Council, he should bear in mind that at some future date some government may not have the Treasurer in charge of the State Insurance Office. As a result, exactly the same difficulties that the Treasurer indicated in respect of two Ministers could arise. There is no reason why the Treasurer of the State must be responsible for the State Insurance Office. Some future government might not have that arrangement and in that case the old investment powers could come back to haunt the Treasurer—even this Treasurer—at a future time. The then Treasurer might find that millions of dollars of policyholders’ money, superannuation funds or taxpayers’ money could be lost.

The government is looking to the mates of the Labor government in the State for money for its shifty project.

Mr JOLLY (Treasurer)—Along with the other provisions of the State Insurance Office (Amendment) Bill, clause 12 is designed to assist the State Insurance Office and to enable it to improve its performance even further. I have been pleased of late with the way that the State Insurance Office has gained new markets for its products. It is obviously important that the insurance office be able to work within the Borrowing and Investment Powers Act and clause 12 will enable it to work within that Act. That is the fundamental issue.

Mr STOCKDALE (Brighton)—Clause 12 is important because it triggers the application of the provisions of the Borrowing and Investment Powers Act to the State Insurance Office, because until the office is included in the schedules none of the provisions of that Act, which are predicated on applying only to bodies in the schedules, would have any effect by force of that Act. The nub of the issues raised in the debate is about the relationship between the Act and the State Insurance Office. I shall not canvass the issues again as that would be a waste of time. I have indicated that the Opposition will consider its position on the provisions while the Bill is between here and another place.

In view of the debate, I seek to direct the Treasurer’s attention to two issues so that he may decide whether, even from his point of view, amendments to the Bill are required. The first matter concerns the Victorian Economic Development Corporation, another body operating under the Borrowing and Investment Powers Act, in relation to its underwriting the Victorian Equity Trust. Under that arrangement, it is obliged to buy back any shares that an investor does not require at the end of four years. Apparently the corporation did not want to do that. On the other hand, the Treasurer did not want to guarantee the arrangement because that would have involved circumventing the Australian Loan Council and would have dropped him right in it
with the Federal Treasurer, Mr Keating, because Mr Keating's view was that it was a
debt rather than a loan and so should have been brought within the global umbrella.
Will the same arrangement apply to the State Insurance Office if clause 12 is enacted?

The Treasurer provided a letter of comfort. Honourable members may not be
familiar with that term. It does not, as it sounds, mean a letter written on a piece of
paper that winds off a holder on the wall. It is not that sort of comfort, although,
having read the letter, I am not so sure.

Mr Evans—It will probably suffer the same fate!

Mr STOCKDALE—It probably will suffer the same fate. The Victorian Economic
Development Corporation will probably find it is a fragile sort of document and their
hands will pass right through it, so the letter will provide no comfort at all. The reality
is that it did not undertake anything. It is comfort but it is no assurance. Is the State
Insurance Office likely to be put in the same sort of position where it may end up with
small comfort and no assurance? Will its customers and, indeed, anybody else with an
interest in the organisation end up as I suspect the Victorian Economic Development
Corporation will end up?

The other item concerns the arrangements of the Victorian Economic Development
Corporation in relation to a number of its other investments.

The CHAIRMAN (Mr Fogarty)—Order! Does this relate to the clause?

Mr STOCKDALE—Yes; I am asking whether the inclusion of the SIO in the
schedule, which also includes the VEDC, will open up the State Insurance Office to
the same arrangements that have applied to the VEDC in that Ministerial approval
will be given without that of the board of the State Insurance Office and then the view
may subsequently be taken that the State Insurance Office is bound by the actions of
the Minister, quite independently of the actions of the statutory authority and its
proper board. I am asking whether the seal of the SIO will be used by the Chief
Executive of the State Insurance Office on the authority of the Minister and without
the endorsement of the State Insurance Office.

Mr E. R. Smith—Where does the buck stop?

Mr STOCKDALE—As the honourable member for Glen Waverley suggests, the
ultimate issue is: where does the buck stop? In those circumstances I suggest it stops
squarely with the Treasurer. It is a fact that the operation of the Act has proven
defective in the extreme. It has not protected the interests of the VEDC. It has not
protected the interests of Victorian taxpayers. It has not protected the interests of
anybody who may deal with the corporation. My concern is that the financial viability
of the State Insurance Office and its attractiveness to the market might be eroded by
the Treasurer imposing upon it obligations that it will have no capacity to meet.

It may end with a mere letter of comfort which, in the final analysis, will give no
comfort to someone who might deal at arm's length with the SIO and those dealings
will have been predicated on the assurance that the SIO was financially secure but this
is proven not to be the case.

These issues substantially arise not only with the VEDC but also with the SIO. I ask
the Treasurer to deal with the substance of the issues that have been raised.

Mr JOLLY (Treasurer)—It has been interesting to listen to the two barristers, the
honourable members for Berwick and Brighton, in their wide-ranging speeches, which
have had little to do with the clause. For my adjudication I shall give them each 50
out of 50. I am not sure who has won in the leadership stakes.

Mr Simpson interjected.
Mr JOLLY—My colleague, the honourable member for Niddrie, suggests that the honourable member for Brighton has won. Clause 12 provides that I, as Treasurer, will control the SIO under the provisions of the Borrowing and Investment Powers Act and by Order in Council. Clause 12 ensures that the SIO comes under the umbrella of the Borrowing and Investment Powers Act.

Mr STOCKDALE (Brighton)—As an addendum to the matter, I ask the Treasurer to address another matter while the Bill is between Chambers. We have talked of the letter of comfort; however, we have not talked about the other instrument that has proven to be available to supplement the provisions of the Borrowing and Investment Powers Act, and that is conveniently obtaining a compliant legal opinion. I wonder whether the Treasurer believes it necessary to give specific legislative recognition to the new instrument discovered in Victoria in recent days, a compliant legal opinion.

It is not confined only to the scope of the Borrowing and Investment Powers Act; it has been used in other circumstances. I wonder whether, in view of the expansion of the scope of the Act in this clause, it ought to be given specific legislative recognition.

Mr JOLLY (Treasurer) (By leave)—From what the honourable members for Brighton and Berwick have said, it is possible for legal opinions to differ. We have witnessed that today with two honourable members showing different legal expertise; however, the honourable member for Brighton has finished a fraction in front. The clause is clear in meaning; it does bring the State Insurance Office under the umbrella of the Borrowing and Investment Powers Act.

The clause was agreed to, as was the remaining clause.

The Bill was reported to the House without amendment, and passed through its remaining stages.

MAGISTRATES' COURT BILL (No. 2) AND MAGISTRATES' COURT (CONSEQUENTIAL AMENDMENTS) BILL

The debates (adjourned from March 31) on the motion of Mr McCutcheon (Attorney-General) for the second reading of these Bills were resumed.

Mr JOHN (Bendigo East)—These are major Bills. Originally the Magistrates' Court Bill was introduced some months ago and there was considerable opposition to its provisions from the legal profession and the community generally. As a result the Bill was withdrawn and the measures contained in that Bill have been represented in the form of two Bills, the Magistrates' Court Bill (No. 2) and the Magistrates' Court (Consequential Amendments) Bill. It is appropriate that the two Bills be debated concurrently.

The Magistrates' Court Bill (No. 2) contains the major structure and provision of the new laws pertaining to Magistrates Courts. The Magistrates' Court (Consequential Amendments) Bill relates to a large number of Acts which require amendment as a consequence of this major proposed legislation. The objects of the Bills include the establishment of a new Magistrates Court of Victoria to replace the 105 separate Magistrates Courts. The Bill increases the jurisdiction of the court in the civil and criminal jurisdictions. The Bill proposes to increase the civil jurisdiction from $20 000 to $40 000 and in the criminal jurisdiction it is proposed to increase the range of indictable offences that may be tried summarily by a magistrate. The Bill proposes to streamline the process and set up new rules for the Magistrates Court. It is the
intention of the government that the Magistrates Court be more efficient, removing inefficient processes and procedures.

One of the main objects of the Magistrates' Court Bill (No. 2) is to abolish the role of justices of the peace in Victoria. The Bill proposes to remove from justices of the peace powers to grant bail and to issue court processes. The Bill also proposes to retire justices of the peace at 65 years of age. It sets up a new office of bail justice in place of justices of the peace. The bail justice is to be a salaried officer of the court who will take over most of the functions that previously were undertaken by justices of the peace, who acted in an honorary capacity as volunteers for the community and did a good job.

The Opposition has embarked on wide consultation about the proposed legislation. It has consulted the Victorian Bar Council, the Law Institute of Victoria, the Honorary Justices Association, individual lawyers and justices of the peace. Indeed, if my example is like most other honourable members, members of the Opposition have consulted with many members of justice organisations throughout their electorates, who are most unhappy about the proposal to abolish their office.

The Liberal Party supports the main thrust of the Bill and the provisions generally, but is concerned about some aspects. The Opposition is concerned about the proposal to increase jurisdiction, both in the civil and criminal areas, and is concerned, as I have already indicated, about the attack on the office of justices of the peace. I foreshadow that, during the Committee stage, I intend to move amendments to prevent the extension of the jurisdiction of the proposed legislation into the civil areas. The Opposition reserves its right to make further amendments in another place on criminal jurisdiction, and I shall refer to that later. The Opposition also foreshadows that it will move amendments to preserve the major role of justices of the peace, although not necessarily all of their duties.

The Victorian Bar Council, which is generally supportive of the Bill, has expressed its concern to the Liberal Party about the extension of jurisdiction, a view shared by the Opposition. At present, there are long delays in the County Court—one of the elements of the poor performance of the government in the administration of the justice system in this State. The government has responded too late. Its response to date has been ineffective. The Bill is a quick fix to the delays of trials in the County Court. The justice system is under threat and the Opposition is most concerned about it.

Approximately a year ago the civil jurisdiction limit of Magistrates Courts was extended to $20,000. The House is now debating a civil jurisdiction increase of the limit from an amount of $20,000 to $40,000. As at March 1986, the upper limit of civil jurisdiction was $10,000 for vehicle property damage and $5,000 for all other matters. At that stage, the legal profession was satisfied with those arrangements and, indeed, the Hill committee was satisfied with those arrangements, subject to the limit of jurisdiction being constantly kept under review to ensure that it kept pace with inflation. It is appropriate that the limits of civil jurisdiction should be kept in line with increases in the consumer price index, but shifts in the limits of civil jurisdiction should not be motivated by short-term political expediencies.

There is no doubt that the waiting lists in the County Court, which are a grave embarrassment to the government, are the reason for the proposal to increase the civil jurisdiction limit from $20,000 to $40,000. The government has moved too slowly. The court system is under-resourced and all the government will achieve by increasing the civil jurisdiction limit in the Magistrates Courts from $20,000 to $40,000 is to shift the waiting lists from the County Court to the Magistrates Court.
The legislation to increase the civil jurisdiction limit to $20,000 came into effect on 1 September 1986, and this provision will double that jurisdiction. The government does not claim that inflation has doubled in the two-year period and, surely, that is the only justification for increasing the waiting lists in the Magistrates Courts. This is administration of justice on the cheap.

The Victorian Bar Council estimates that approximately 1500 cases a year will be cut from the County Court list and added to the Magistrates Court list. Those additional cases will add significantly to the Magistrates Court waiting list. The 1500 cases will be cases in the range of $20,000 to $40,000 and will be claims involving considerable money, they will be hard-fought, lengthy cases, involving teams of expert lawyers. These cases will take longer than the average cases have in the past in the Magistrates Court. The problems with the Magistrates Court will be severely compounded.

Other matters that will compound the problem with the Magistrates Court are the increased workload that comes from the family law area and the new cross-vesting legislation. More work will come from the increased criminal jurisdiction envisaged under the proposed legislation. This is not the time to increase the civil jurisdiction limit from $20,000 to $40,000. The community has not asked for it; the legal profession has not asked for it. There is no sound reason for it except the short-term political expediency of getting rid of an embarrassing waiting list in the County Court and adding it to the Magistrates Court jurisdiction.

The Magistrates' Court Bill (No. 2) proposes a substantial increase and the widening of the criminal jurisdiction of the Magistrates Court. It proposes to widen and increase the number of indictable offences that can be dealt with summarily by the Magistrates Court. I direct to the attention of the House clause 53, which states:

53. (1) If a defendant is charged before the court with any offence referred to in Schedule 4, the court may hear and determine the charge summarily if—

(a) the court is of the opinion that the charge is appropriate to be determined summarily; and

(b) the defendant consents to a summary hearing.

No mention is made whether the prosecutor has any view about the matter or whether he is satisfied for the indictable offence to be dealt with summarily; only the magistrate decides and then only when the defendant consents to a summary hearing. I shall return later to the provisions of Schedule 4, because they list a vast number of offences—some serious crimes—which hitherto have had maximum sentences applied under other legislation. This provision will have a significant detrimental effect on the community if enacted as currently drafted.

There is a need for flexibility in sentences; they need to be reviewed from time to time to meet changed circumstances. However, it is important that community expectations are borne in mind and that community standards and opinions are reflected in the sentences the courts hand out.

Approximately 200 years ago, as honourable members will know, people convicted of minor offences were given heavy sentences. At that time, if one stole a shilling, it was highly likely that one would be hanged by the rope; if one stole a lady's silk handkerchief, it was likely that one would be sentenced to transportation to the colonies for life. It is fortunate that the law has changed since that time.

As the rate of crime continues to escalate, more and more people are focusing attention on sentencing. As I said, sentences must reflect the seriousness of the crime. The protection of the public is of fundamental importance in a justice system. We can be compassionate and concerned about the rehabilitation of prisoners; that is important. However, the public must be protected from dangerous criminals, and sentences must reflect the seriousness of the offences that have been committed.
I need hardly point to the fact that the community is grossly concerned about the administration of the sentencing system under this government when people sentenced to prison are released much earlier than the courts would like. The revolving-door system applies, and people are hardly in gaol before they are out again. Victoria's twelve prisons, nine of which are in the country, are all full to the brim. Enormous pressure is being placed on the administrative and judicial authorities to reflect that fact in the sentences, and that results in people not serving the sorts of sentences that the community is demanding. As a result, the community's confidence in the judicial system is severely undermined.

Under section 9 of the Penalties and Sentences Act, the Magistrates Court cannot sentence a person, when convicted of an indictable offence that is tried summarily, to more than two years' imprisonment. If one examines Schedule 4, which is referred to in clause 53 of the Magistrates' Court Bill (No. 2), one realises the grave discrepancies that can arise. Schedule 4 sets out 61 indictable offences. I direct to the attention of honourable members nine examples of those under present law and to the maximum sentences which are prescribed for them: causing serious injury intentionally, under section 16 of the Crimes Act, 16 years; causing serious injury recklessly, 10 years; conduct endangering life, 10 years; householder permitting sexual penetration of young persons, under section 60 of the Crimes Act, 10 years; robbery, 20 years; aggravated burglary, 20 years; possessing anything with intent to destroy or damage a property, 10 years; forging bills of exchange, 15 years; and drug offences, 15 to 25 years.

Through clause 53, the government is proposing that those types of offences will be tried in the Magistrates Court which has a maximum sentence limit of two years' imprisonment. It is an extraordinary set of events when there are such grave discrepancies between the penalties under the present law and the penalties proposed to be effected by the Magistrates Court with a magistrate trying a case with no jury and with no input from the Prosecutor for the Queen. The magistrate has a discretion, but he must exercise that discretion before he hears the circumstances of a crime. That is a brilliant state of affairs!

I am not certain that the government has considered clause 53 and Schedule 4 to discover what grave consequences can result from them. My colleague, the honourable member for Glen Waverley, has researched this aspect of the Bill. He will refer to further anomalies and the extraordinary situations that can occur as a result of the discrepancies. Honourable members should consider carefully section 9 of the Penalties and Sentences Act, which provides for a maximum sentence of two years for an indictable offence to be imposed by a magistrate and they should then examine clause 53.

The magistrate takes no advice from the Police Force; he asks for the consent of a defendant who, if a serious crime is involved, will obviously agree to the magistrate hearing the case. As a result, a person will be sentenced to two years' imprisonment when theoretically he could have been sentenced to a maximum of twenty years if the case were heard before the County or Supreme courts. That is the reality, and I wonder whether the government understands that.

I ask the Minister for Community Services whether he is prepared to take on board those questions and to reconsider Schedule 4. It will have grave implications for the justice system in this State. The Opposition will certainly consider the matter when the Bill is between here and the other place. It is prepared to discuss the matter with the government with a view to making proposals that will be acceptable. However, the situation cannot continue as it is.

The public of Victoria will be outraged to know that people who would be serving between ten and twenty years in gaol for serious offences under the present law will be
sent to the Magistrates Court with no jury and no Prosecutor for the Queen and where a magistrate can hand out a maximum sentence of only two years. The change proposed under clause 53 is of enormous significance. It is a massive change and, if passed, will put the public at risk and undermine confidence in the judicial system.

If the Bill is passed in its present form, the system will be open to abuse. For example, if clause 53 is passed with Schedule 4 intact, enormous pressure will be placed on the prosecution to accept a lesser sentence than the community would expect. There will be pressure to induce a plea of guilty in order to have the matter dealt with quickly, and there will be pressure on the accused and his legal advisers to have the matter dealt with summarily to make the legal aid dollar go further. In many ways it is a serious threat to the justice system, and some lawyers have claimed that it is a serious threat to the system of trial by jury because there is no jury in a Magistrates Court.

Another matter of concern to the Opposition is clause 143 (b) of the Magistrates’ Court Bill (No. 2), which repeals section 410 of the Crimes Act. I have read an opinion of a Queen’s Counsel about the provision. I know the Attorney-General does not agree with the opinion, but the suggestion is that, if enacted, the clause will reverse the onus of proof in a criminal trial when an accused pleads self-defence or some other justification or exception. I take the matter no further than asking the government to reconsider the clause. If section 410 of the Crimes Act is repealed, without being replaced by a similar provision, different standards of proof could be required in the Magistrates Court and the superior courts.

Another objection of the Opposition, to which I referred earlier, is the proposal in the Bill virtually to abolish the role of justices of the peace. They play a valuable role in the community and have a proud tradition of service to society. The history of justices dates back to the year 1327 in the United Kingdom; their proud history dates back over 600 years. Australia adopted the British system and adapted it to its needs when this nation was first colonised.

The people who are appointed as justices of the peace are, naturally, of good character and high moral integrity and are highly respected. They have served the community well, are community minded and have had much experience in public affairs generally. There are approximately 4000 justices of the peace in Victoria and, if the Bill is passed without amendment, virtually 1600 justices will be retired immediately.

The Bill seeks to remove most of the judicial and administrative functions of justices, and the Opposition opposes that move. The role of justices is proposed to be limited only to the witnessing of documents. I foreshadow that I will move an amendment in the Committee stage to restore the powers of justices of the peace to issue warrants and to continue to perform most of their existing judicial functions.

Justices perform their duties with no pay—they receive no salaries or wages: they are volunteers—but the government is proposing to replace them with bail justices who will be salaried officers of the courts. Why would the government want to do that? Justices of the peace provide very good value at present. Surely there is nothing to be gained by the elimination of their role. I find it extraordinary that the government would want to get rid of justices, who are doing such a good job, and add costs to the community by appointing salaried bail justices.

I have received a number of representations, telephone calls and contacts from justices in the electorate of Bendigo East expressing their concerns. They feel slighted; they believe they are being kicked in the teeth after providing many years of loyal service to the community, often late at night and at weekends. I might add that in
country areas they are of particular value, because of the distances involved, in attending to legal matters; there have been occasions when magistrates have not been able to be located or not available, and justices have done a great job in those circumstances.

The Opposition also has concerns about the provisions relating to acting magistrates. Clause 9 of the Magistrates' Court Bill (No. 2) provides that acting magistrates may be appointed under terms and conditions approved by the Attorney-General. The Opposition will not formally oppose those provisions but, in general principle, I believe judicial officers should be appointed for life or for a period until the compulsory retirement age as prescribed by Parliament.

When judicial officers are appointed for shorter terms than that at the discretion of an Attorney-General there is always a possibility of the independence of their position being threatened by political interference. The independence of the judiciary and magistracy is of fundamental importance. As I said, the Opposition is prepared to accept the provisions relating to acting magistrates, but it voices its concerns about the dangers of politicisation of the office.

In regard to the threat of politicisation of the office, I refer honourable members to clause 53. With the long waiting list in the County Court, there will be political and community pressure on the magistrate to deal with matters summarily because he wishes to assist in reducing the waiting list in the County Court by hearing the case. There will be enormous political and community pressure on the magistrate, and particularly the acting magistrate, to do what he considers to be the right thing at the time. that is, to hear a case summarily. In my view, the provisions will compromise his duty as a magistrate.

Finally, the Opposition supports the Bill in general. It opposes the extension of the jurisdiction of the Magistrates Court. It is against the government's moves to restrict the powers of justices of the peace, and it intends to move amendments in Committee to prevent those provisions from becoming law.

Mr ROSS-EDWARDS (Leader of the National Party)—To use an old-fashioned Liberal term, the National Party supports the general thrust of the Bill. However, it is highly critical of parts of it and there will certainly be a need for some amendments before the Bill finally becomes law.

As has been mentioned, honourable members are debating two Bills cognately: the Magistrates' Court Bill (No. 2) and the Magistrates' Court (Consequential Amendments) Bill. It is obvious that they should be debated at the same time, as is now occurring. The Bills provide for the new Magistrates Court of Victoria to review the law and other matters that are handled by the court both in the criminal and civil jurisdictions. The Bill proposes an increase in the civil jurisdiction from $20,000 to $40,000, and many more indictable offences will be able to be heard in the criminal jurisdiction.

The increase in the civil jurisdiction from $20,000 to $40,000 presents many problems. I must admit that the National Party is inclined to support the increase, against the usually good advice of the Law Institute of Victoria. Normally the National Party is closely guided in legal matters by the Law Institute, for which I have the highest regard. However, something fairly drastic must be done about court case hearings, particularly civil cases in Victoria. Courts at every level are jammed—Magistrates, County and Supreme courts—and justice that is not done quickly is not justice at all. It is easy to criticise, but successive governments keep appointing additional County and Supreme court judges and magistrates in an attempt to make more courts available in Melbourne—not in the country—yet the list of cases is growing longer and longer.
There are some attractions in the increase of the jurisdiction to $40,000, the first of which is that more cases could be heard in the country. It would be a means of keeping more country courthouses open, because the Attorney-General’s Department is loath to continue even the County Court hearings in country Victoria. It tends to pull back all the time. An increase in the civil jurisdiction to $40,000 would ensure that more cases were heard in country Victoria. However, there is no point in having the matters transferred to the Magistrates Court if it cannot cope with them. That question needs to be answered.

I regret that the Attorney-General is ill and is not able to be in the Chamber, but I ask the Minister for Community Services, who is at the table, to inform the Attorney-General that a conference about the jurisdiction must take place between those of us who are handling the matter both here and in another place because, as I said, the National Party is inclined to support the increase but it will seek assurances from the honourable gentleman on how those cases can be accommodated and heard in the Magistrates Court.

Another matter of much concern to the National Party is the future of justices of the peace. They represent a great and fine institution. Many people have taken pride in being made justices of the peace and they carry that pride for the rest of their lives.

Unfortunately, during his period of office as Attorney-General, the Minister for Transport, Mr Kennan, in the other place, denigrated the office in every possible way. He refused to appoint new justices of the peace; none has been appointed during the past couple of years. He aimed at ridding the system of the justices, not because the government intended to introduce a new Magistrates’ Court Bill but because the government knows that if it wants the Magistrates’ Court Bill (No. 2) to be passed, it must do something about justices of the peace. Discussions will need to be held.

It is a stupid situation to expect a justice of the peace to finish his duty at the age of 65 years. Why not make it 72 years? After all, Supreme Court judges, County Court judges and public company directors are among those still working at the age of 72 years. Also, the government has appointed people to government instrumentalities and authorities at 72 years of age. I can argue for the age of 72 most logically; as a man who is aged 66, I can speak with authority.

I have proposed a 72-years-old mark but it could be either 72 years or for a lifelong period; obviously, if it is deemed to be for life, one is open to criticism about the capabilities of people in their old age to carry out full duties. The National Party considers that justices of the peace should have the power not only to sign documents but also to perform as bail justices because the current situation is particularly impractical in country areas.

It is satisfactory to appoint paid public servants as bail justices in Melbourne. Those bail justices are on duty all day and all night, as well as at weekends, but if one is able to find a magistrate on a weekend in the country, one would be doing very well because, like many other public servants, magistrates are mobile. They know that if they stay at home they will be kept occupied, particularly on public holidays and weekends. They decide it is better to be away from home!

I shall be strongly proposing in discussions, that nothing less than 72 years of age is acceptable. There is no reason why justices of the peace cannot perform all the duties mentioned in the Bill, including the signing of documents, the attention to bail applications and other minor procedural matters.

The Royal Victorian Association of Honorary Justices has done much to train justices, and to instruct them in their duties. They have been treated shabbily, particularly by the former Attorney-General, Mr Kennan, and in general by the
government. I cannot understand why the government has adopted its stated attitude. The government may regard the association as a right-wing group, and believe that older people are generally more conservative, but no politics are involved in that association, which comprises a decent group of people who have given generously of their time and talents over many years.

It is a sad state of affairs that the only way the opposition parties can bring about some commonsense in relation to justices of the peace is to use the muscle it has in the other place. If the Opposition did not have that muscle, justices of the peace would disappear from the face of the earth in Victoria. That muscle will be applied, and justices of the peace will remain in existence.

I do not propose to move any amendments. I do not wish to exert unnecessary pressure on the government. The National Party asks for commonsense, namely that justices of the peace will not be required to retire until they reach at least 72 years of age; whether they keep their titles after that point is debatable.

All justices of the peace under 72 years of age should have authority to carry out full duties. If the government wished to have a pool of bail justices in Melbourne, that is a good idea. I presume they would be professional bail magistrates on duty at night and on weekends at a central location in the city, but in the more remote areas every justice of the peace should have the authority to act as bail magistrate—otherwise, injustices will occur.

The National Party is not dogmatic in its opposition to the increase in the civil jurisdiction amount to $40,000. It is prepared to cooperate with the government, and to discuss the issue. It wants assurances that this increase will not result in a mess in the Magistrates Court, and that facilities will be made available. I do not wish to move amendments to provide an amount of $30,000 or $35,000; that would only lead to a Dutch auction. The National Party wishes to ensure that whatever amount is sensible in the circumstances will be implemented. I have a high regard for the honourable member for Bendigo East; he said that the amount should increase at the rate of inflation, and that $40,000 was too high, but inflation is not the only criterion. From time to time changes must be made in certain jurisdictions. I know that the increase from $20,000 to $40,000 is a severe jump, as the jurisdiction was recently increased from $10,000 to $20,000, but the National Party is prepared to discuss that problem. It does not wish to be difficult with the Bill.

I ask the Minister for Community Services to direct to the attention of the Attorney-General, when he recovers from illness, my request that the three parties confer. He may care to have two or three of his committee members attend so that a sensible agreement can be reached. I hope such discussions do not lead to political legislation but reflect essential measures. All parties must attempt to reach a consensus view in the best interests of Victorians.

On the motion of Mr HILL (Warrandyte), the debate was adjourned.

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

**ADJOURNMENT**

Proposed secondary college at Rowville—V/Line carriages—Noble Park railway underpass—Victorian Tourism Commission chairman—Pedestrian lights for Wonga Road, North Ringwood—B. T. Connor Reserve, Preston—Tourism promotion on overseas flights—Ministry of Housing and Construction rent collection offices
Mr MATHEWS (Minister for Community Services)—I move:

That the House do now adjourn.

Mr E. R. SMITH (Glen Waverley)—I raise a matter that concerns one of the secondary schools in my electorate, namely, the Brandon Park Technical School. I have received a letter from the president of the school council, Mrs R. Cambridge. The matter I raise for the attention of the Minister representing the Minister for Education concerns the advisability of establishing a new secondary college at Rowville.

At present Brandon Park Technical School is operating at full capacity and, indeed, is one of four secondary schools in my electorate. The school council is concerned about the establishment and opening of the Rowville Secondary College in 1990. Recently the Brandon Park representatives had discussions with the proposed interim council of the Rowville Secondary College concerning years 7 and 8 students for the year 1990.

The letter from Mrs Cambridge states:

It has been indicated on a number of occasions that there is concern that once students begin year 7 at other secondary schools, they may not be inclined to transfer to Rowville Secondary College in 1990.

Brandon Park Technical School is expressing concern, as a State school. The State school system is one in which I very much believe; I support it wholeheartedly and, in fact, I am a member of the school council of the Brandon Park Technical School and of the Brentwood High School—another secondary school in that area. The letter of Mrs Cambridge continues:

We are not fully aware of the situation surrounding the development of the college, however, feel it necessary to express the following concerns to you:

1. Considering the numbers of secondary schools which are available in the area, the broad range of curriculum options, and the present climate which is encouraging schools to amalgamate etc., is another school warranted?

2. In view of the points named in 1. above we have real concerns about the efficient use of resources, both financial and physical.

3. Has the long term effect of building another secondary facility in the Rowville area been investigated?

Mrs Cambridge then makes the point that, although the school's enrolment would not be significantly affected by the building of Rowville Secondary College, she is aware that secondary schools in the immediate vicinity are concerned.

Brandon Park Technical School and Brentwood High School are both being asked by the Ministry of Education to see how they can rationalise their facilities so that savings can be implemented. This would seem to be quite unusual—a State secondary school is calling on the Ministry to re-examine the establishment of another secondary school in the area when, at the same time, the same Ministry is asking schools to voluntarily rationalise, or in some cases, amalgamate.

One of the points also made at school council meetings in that regard is: why cannot the Ministry make decisions? Why should councils and teachers have to do it? They say they are sick and tired of having to make the hard decisions for the Ministry.

As the President of the Brandon Park Technical School council points out:

As a school council we are dedicated to the provision of educational opportunity which fully develops the individual and reflects the needs of our community. We are also conscious of the need to use our resources efficiently to ensure schools, as a whole, are able to be adequately resourced.

We bring this matter to your attention because of our genuine concern for the continuing provision of an effective State education system. Our students are successful and we wish that to continue.
However, Mrs Cambridge does not want precious facilities and moneys to be wasted on setting up something in the area which local schools say is not required. She says that for their students to be successful, adequate and appropriate resources are a vital ingredient to schools like Brandon Park Technical School. She is concerned that the resources will have to be diverted. I ask the Minister responsible for post-secondary education to take up the matter as one of urgency.

Mr JASPER (Murray Valley)—I direct to the attention of the Minister for Community Services representing the Minister for Transport in another place the lack of rolling stock in V/Line and the problem that is creating for people who patronise country trains. The government is proclaiming that increased numbers of people are using the passenger train services both in the metropolitan and country areas. I recognise that there has been an improvement in the provision of rail services in country Victoria; a better range of carriages and a better service is being provided.

The government claims there has been a 30 per cent increase in patronage on country trains. Unfortunately, there is insufficient rolling stock or carriages to carry the increased number of passengers wishing to use the country passenger rail service.

In correspondence, the Minister for Transport suggested that V/Line has approximately 100 carriages available for long-distance travel and 39 carriages for short-distance travel and all but four are being used. Those four carriages are used as replacements for carriages that break down or require maintenance. When more than four carriages are out of commission, the number of carriages available is further reduced. V/Line is then too busy to move the number of passengers that have booked seats on trains.

I asked the Minister to consider introducing additional carriages to meet the demand. Instead of the three carriages that were used on the Melbourne to Wodonga line, five carriages are now being used. During weekends and at high usage times those five carriages are fully booked. Many school excursion groups bulk book between 30 to 50 seats and some are knocked back because insufficient carriages are available.

In response to my representations, the Minister agreed that there has been an increase in patronage and that the trains are fully utilised. However, he then made the ridiculous statement that it may be five years before additional carriages will be provided. The carriages now used on the Sydney–Melbourne train service—what the Minister calls sitter carriages—will be available after they are replaced in five years.

There is an obvious need for additional carriages to be provided immediately for country passenger services. If the government is interested in providing adequate and proper passenger train services in country Victoria, so that all the passengers and school excursion groups can use those services, the Minister should rethink the position. If patronage is increasing and if the government is intent, as the Premier stated this morning, on providing an upgraded and better service for metropolitan and country passengers, it must provide additional carriages to overcome this problem, particularly with V/Line's country passenger services.

Mr NORRIS (Dandenong)—I raise with the Minister for Community Services, who is the representative in this House of the Minister for Transport, a matter involving the underpass at the Noble Park railway station. Noble Park shopping centre is split in two by the railway line. On one side is the busy Douglas Street shopping centre and on the other side is the Ian Street shopping centre. The only way pedestrians can traverse the railway line is through this rather dark and forbidding pedestrian underpass that was constructed many years ago. After a fatal accident as a result of people
crossing the line and some agitation by early Noble Park residents, this grotty little underpass was constructed.

The difficulty with the underpass is its dogleg construction. Elderly people using the underpass—apart from it being dark and forbidding—are in danger of being hit and knocked over by any young person on a pushbike who is coming down the underpass and turning at right angles under the railway line.

I have had a recent meeting with the Noble Park Chamber of Commerce and other interested resident groups. They are of the opinion that the underpass should be substantially widened to create a more attractive entry and exit from one shopping centre to the other. That suggestion is worth considering and the government should examine it seriously.

Noble Park is a vibrant area with a great deal of community spirit. It is a pity that there is a barrier formed by the railway line severing the shopping centre. If one does not wish to use the grubby little underpass, one has to travel several hundred metres to cross via the railway gates at Heatherton Road. This presents a danger to the elderly with their shopping jeeps. They are betwixt and between as to whether they use the railway gate crossing with the inherent danger of the traffic, or make the trip underneath the railway line through the dark and dingy pedestrian underpass.

The suggestion by the local chamber of commerce and interested citizens of Noble Park is worth consideration, and I ask the Minister for Transport to arrange for one of his officers to visit the area with me and meet a deputation from the chamber of commerce with a view to widening the existing narrow, dark underpass. If it could be widened, it would be much more attractive and it would be a convenient link between the two shopping centres.

All honourable members always look forward to cooperation from the various Ministers, and I had nothing but cooperation from the now Minister for Planning and Environment when he was Minister for Transport. I hope my representations on this matter will be favourably received. I should be happy to lead the deputation.

Mr PEScott (Bennettswood)—I raise a matter for the attention of the Minister for Tourism. It is a matter that I raised last evening and today regarding the travel expenses paid to the Chairman of the Victorian Tourism Commission, Mr Bob Nordlinger, for trips to New South Wales in January this year.

I now bring to the attention of the Minister a matter of other claims Mr Nordlinger has made and approved himself. This time it is in connection with office entertainment and transport expenses. Will the Minister examine these matters and, after examination, will he explain to the public why Mr Nordlinger should remain in his current position, at least pending the result of an inquiry?

I have obtained an invoice under the Freedom of Information Act for $4965 for 50 per cent of the costs of a word processor. Which half of that processor does the government own, and how will half of that processor be recovered if Mr Nordlinger is forced to resign because of some of the claims he has made?

In the area of office expenses there are facsimile charges. I have an invoice for $162 for a month's worth of faxing 162 pages. I ask the Minister to look into the reasonableness of this claim. When I send a twenty-page document it costs me 35 cents. No single page is worth nearly three times the cost of transmittal.

I should also like to refer the Minister to a number of claims by the chairman for lunches with former colleagues of the Totalizator Agency Board and current members of the Victorian Tourism Commission and the Public Service. These lunches and the cost of them are not admissible. It is also not admissible for senior government
employees to entertain themselves at lunch at the taxpayers' expense no matter how enjoyable it may be. This week the government brought down a Budget which it claims is for Victorian families. I am sure that Victorian families do not wish to pay for this type of rort. The integrity of the government is at risk when senior employees behave in this fashion.

There is also the question of transport. I have documents which show that trips have been made from Mr Nordlinger's office to South Melbourne and back to the city 2 hours later. He claimed $100 for a chauffeur-driven limousine for only a couple of hours! Mr Nordlinger has made other claims for going on similar short trips in the evening, again at heavy expense to the taxpayers. On one occasion Mr Nordlinger showed commendable restraint; he claimed 75 cents for a tram ride. I thought that was fairly appropriate!

It is not a pleasant task to ask the Minister to look into a matter which appears to show that a high official has been tickling the till. Nonetheless the documents stand for themselves. I ask the Minister to include an assessment of these matters with the other matters that he has said he will look into. I also ask him to ask the Deputy Premier more about the conditions of employment under which Mr Nordlinger was employed, given that the Deputy Premier, who is having considerable difficulty this week because of the Victorian Economic Development Corporation, is the same man who personally chose Mr Nordlinger as the Chairman of the Victorian Tourism Commission.

Mrs SETCHES (Ringwood)—I ask the Minister at the table, the Minister for Local Government, to relay to the Minister for Transport in another place the need for pedestrian lights in Wonga Road, North Ringwood. A number of constituents have approached me, including Mrs Kock of North Ringwood, expressing concern about the volume and speed of traffic along Wonga Road, especially in the vicinity of Tortice Drive where there is a large housing development.

An investigation into this matter has been carried out by the Ringwood City Council and the Road Traffic Authority. Both authorities believe pedestrian signals in the vicinity of Tortice Drive would be appropriate for Wonga Road. As a result of that investigation, the Minister for Transport recently advised me by letter that these works will be placed on the 1988-89 works list of the Road Traffic Authority. I wish to ensure that that occurs and that the works are not held over for another year.

The reason I wish to ensure that that occurs is that the Parkwood High School is situated on the northern side of Tortice Drive near Wonga Road, and opposite is a new kindergarten. On the southern side of Wonga Road is Kalinda Primary School, which has a large enrolment. These schools and the kindergarten draw their students from families who live on both sides of Wonga Road. Pedestrian lights should be placed there as quickly as possible so that both primary school and secondary school students in the area, as well as elderly people, are protected when they cross what is a very busy road.

I have written to the Ringwood City Council telling it that I will be speaking to the Minister about the problem in an attempt to ensure that provision is made in the 1988-89 works program of the Road Traffic Authority for that work to take place. I ask the Minister to take up the matter with the Minister in the other place.

Mr HEFFERNAN (Ivanhoe)—I direct to the attention of the Minister for Planning and Environment a matter concerning the application by the Preston Makedonia Soccer Club to develop the B. T. Connor Reserve as a soccer oval. I believe the Minister is far exceeding his powers in the way in which he has handled this matter.
The application for the development of the B. T. Connor Reserve was considered by the Preston City Council. The council approved a planning permit. Once the matter was advertised, many objections to it came from residents who lived in houses surrounding the reserve.

The general standard of the residences is well described in the report on the matter compiled by the Ministry for Planning and Environment. The residences within the vicinity of the reserve are well cared for and are of an extremely high standard. An appeal against the planning permit was heard by the Administrative Appeals Tribunal; and the tribunal upheld the objectors’ objections.

I am concerned about what occurred subsequently. The Preston City Council did not accept the umpire’s decision and appealed to the Supreme Court against the decision made by the tribunal. Once again, the objectors were successful. At that stage the objectors had twice been successful in objecting to a development which would have had a detrimental effect on the area in which they lived. Yet they were not able to achieve their objective because the Preston City Council would not accept those decisions.

The council has decided to appeal to the High Court of Australia against the decision, which will be a costly process for the objectors to the development. Further, the Preston City Council has prepared another scheme for the development, aspects of which the Administrative Appeals Tribunal was critical when it heard the first appeal. The council lodged a further application on behalf of the soccer club for the development of the reserve in an attempt to overcome some of the objections that were placed before the tribunal by the objectors.

At that stage the matter was called in by the Minister. I ask the Minister what reason he has for overriding the rights of those objectors who have gone through the legitimate processes and who have won two umpire’s decisions? Why have they incurred the wrath of the Minister, who has called in something to which they strongly object?

I was horrified to discover that ratepayers’ money will be spent on the development of the reserve for the Preston Makedonia Soccer Club. Also, a long-term lease will be given to that professional soccer club. As is typical of local government in many instances, the total rent to be paid by the soccer club over the time of the lease will be only $1000 a year.

I find it hard to sit by while ratepayers, who are legitimately concerned about their environment, are having the facilities provided by their funds used by professional, not amateur, soccer groups. I appeal to the Minister to allow the people who live in this area to decide what they want. I know that the Minister has used his power in a similar situation in the City of Melbourne, but he is totally unjustified in making a decision in this case, which incurs further costs to local residents.

Dr COGHILL (Werribee)—I raise for the attention of the Minister for Tourism the promotion of Victoria as an international tourist destination. The matter concerns a video which was shown on a JAL flight between Japan and Australia last Friday. I regret that I was not on that flight to witness the video, but I should be pleased to make a number of tours to ascertain how often the video is shown by JAL!

My information was received from a Melbourne-based business executive who, whenever he leaves Australia, does his best to promote Melbourne and Victoria as tourist destinations, although his own employment is not in that field. He told me that the video was shown on JAL flight 771 between Tokyo and Sydney last Friday. The video covered many attractions in Australia to which tourists travel from Japan.
The destinations highlighted on the video were Sydney, Adelaide, and Perth. Melbourne was omitted completely. Victorians regard Victoria and Melbourne as leading tourist destinations in the world, and Japanese people who have visited have found Victoria a satisfying and worthwhile tourist destination.

I ask the Minister for Tourism to ascertain from Japan Airlines (Australia) Pty Ltd which prepared the video, whether it would be possible to have it modified or another video prepared to include Melbourne and Victoria among the destinations promoted to passengers on JAL flights to Australia.

Mr Hayward (Prahran)—I refer to the Minister of Housing and Construction the expenditure of $300,000 for security screens on rent collection offices which I believe are about to be phased out. It would appear that that expenditure was a total waste of money in the circumstances.

The Minister has made arrangements for the National Australia Bank to take over the payment of rents. He has also made arrangements for direct debiting to take place. I understand that the rent collection offices conducted by the Ministry will be shut down, even though the Ministry has paid $30,000 for security screens in ten offices, making a total waste of $300,000. This is a retrograde step in many ways because the arrangement with the National Australia Bank—

Mr Simmonds (Minister for Local Government)—The honourable member for Prahran raised the matter of security screens and made the best use of 60 seconds that I have heard in this place. I shall pass his concern on to the Minister for Housing and Construction.

Mr Wilkes (Minister for Tourism)—The honourable member for Bennettswood again raised several matters that he wants me to investigate. They will be investigated.

The honourable member for Werribee raised a matter concerning a video that is being played on Japan Air Lines (Australia) Pty Ltd flights out of Sydney. I shall raise the matter with the airline at the appropriate time.

Mr Cathie (Minister Assisting the Minister for Education)—The honourable member for Glen Waverley raised a number of matters that have been directed to his attention by the Brandon Park Technical School. Apparently the school council had been questioning the establishment of a new secondary college at Rowville. He asked whether its establishment had been fully considered. I recall the events that led to that decision. It was fully considered but I shall refer the matter to the Minister for Education to see whether there is any need to undertake a further review.

Mr Roper (Minister for Planning and Environment)—The honourable member for Murray Valley raised issues concerning the appropriate arrangements for the provision of carriages, in particular for trains operating in his area. It is pleasing to note that the successful efforts of the Labor government in returning passenger train services to his area—which were removed by the previous Liberal government, as I am sure the Liberal Party would do again if it came to power—have resulted in increased patronage.

The honourable member for Malvern reminds me, by interjection, that it might be a coalition government and it might be a member of the National Party who removes the trains. I suspect that that is most unlikely.

The honourable member for Dandenong raised the issue of the underpass at Noble Park. It is a matter with which I am familiar and I am extremely concerned about the
kinds of problems he has mentioned. I shall ensure that the Minister for Transport has further work done on the problem with a view to its resolution.

The honourable member for Ringwood raised the issue of traffic signals in Wonga Road near Tortice Drive. I shall raise her concerns with the Minister for Transport to determine what assistance can be provided by the Road Traffic Authority and the City of Ringwood.

The honourable member for Ivanhoe raised the issue of the B. T. Connor Reserve in Preston. Honourable members may not have understood from his remarks that the Preston Makedonia Soccer Club, an extremely well supported club in the northern suburbs of Melbourne, has been playing on the B. T. Connor Reserve for many years. It was only when further activities were sought to be undertaken more than a decade ago that the failure to issue a permit came to light. When the matter went before the courts the issue was whether the club needed a permit. It was found that it did. No reasonable person would have suggested that, because there had been a failure to issue a permit when the club first went to the ground and as it continued to use the ground, it should, therefore, be summarily forced to leave the ground.

All honourable members would be aware of arrangements with sporting clubs in their areas. If one looks behind many of those arrangements, one finds that they have been established on the basis of gentlemen's or gentlewomen's agreements with councils and they are not based always on full legal requirements.

I have examined this matter and although I understand the concerns of a number of the local residents, I also understand the impracticality and impossibility of simply evicting the Preston Makedonia Soccer Club from the ground.

It was for those reasons that I took the action I did. In so doing I had the strong support of the local members, the honourable members for Reservoir and Preston, and the city council who wished to ensure that this oversight of some years before was overcome.

It is not simply a matter of a professional soccer team. That club supports junior teams and provides a useful service not only for soccer generally but also for the Macedonian community in particular.

In coming to my decision, a number of conditions were placed on the permit that took into account many of the issues that had been raised by various objectors—for example, the maximum number of persons that may be admitted to the ground, more effective car parking arrangements, the time of playing and so forth. I believed it most reasonable to assist the soccer club and that community. The position of the objectors was properly considered.

If the honourable member for Ivanhoe believes a wrong decision was made, I direct him to the president of the club who lives in his electorate. No doubt the president will be interested to have words with the honourable member.

The motion was agreed to.

The House adjourned at 5.26 p.m. until Tuesday, August 30.
The following answer to a question on notice was circulated—

SCHOOL ENROLMENT NUMBERS IN BRUNSWICK AND COBURG
(Question No. 392)

Mr GAVIN (Coburg) asked the Minister for the Arts, for the Minister for Education:
What are the current enrolment numbers for each school in the Coburg and Brunswick electoral districts?

Mr CATHIE (Minister for the Arts) — The answer supplied by the Minister for Education is:

(a) The following is a listing of government and non-government schools in the Brunswick electoral district, and their enrolment figures, as at May 1988:

<table>
<thead>
<tr>
<th>Government Primary Schools</th>
<th>Enrolment</th>
</tr>
</thead>
<tbody>
<tr>
<td>1213 Brunswick</td>
<td>236</td>
</tr>
<tr>
<td>3179 Brunswick East</td>
<td>213</td>
</tr>
<tr>
<td>3585 Brunswick North</td>
<td>311</td>
</tr>
<tr>
<td>4399 Brunswick North-West</td>
<td>146</td>
</tr>
<tr>
<td>2743 Brunswick South</td>
<td>116</td>
</tr>
<tr>
<td>2890 Brunswick West</td>
<td>61</td>
</tr>
<tr>
<td>3941 Coburg West</td>
<td>340</td>
</tr>
<tr>
<td>3110 Merri</td>
<td>113</td>
</tr>
<tr>
<td>2837 Moreland</td>
<td>410</td>
</tr>
<tr>
<td>4704 Pascoe Vale South</td>
<td>229</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>2175</strong></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Government Secondary Schools</th>
<th>Enrolment</th>
</tr>
</thead>
<tbody>
<tr>
<td>7665 Brunswick High</td>
<td>370</td>
</tr>
<tr>
<td>7065 Brunswick Technical</td>
<td>301</td>
</tr>
<tr>
<td>7666 Brunswick East High</td>
<td>430</td>
</tr>
<tr>
<td>8003 Lynall Hall Community High</td>
<td>41</td>
</tr>
<tr>
<td>8080 Moreland High</td>
<td>251</td>
</tr>
<tr>
<td>8368 Sydney Road Community High</td>
<td>75</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>1468</strong></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Government Schools in Special Settings</th>
<th>Enrolment</th>
</tr>
</thead>
<tbody>
<tr>
<td>5144 Brunswick Special Development School</td>
<td>40</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>40</strong></td>
</tr>
</tbody>
</table>

**Total registered students in government schools**

**Total**

<table>
<thead>
<tr>
<th>Registered Primary</th>
<th>Enrolment</th>
</tr>
</thead>
<tbody>
<tr>
<td>931 Our Lady Help of Christians</td>
<td>305</td>
</tr>
<tr>
<td>1265 St Fidelis</td>
<td>480</td>
</tr>
<tr>
<td>151 St Joseph's (Northcote)</td>
<td>313</td>
</tr>
<tr>
<td>915 St Joseph's (Brunswick)</td>
<td>265</td>
</tr>
<tr>
<td>962 St Margaret Mary's</td>
<td>373</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>1736</strong></td>
</tr>
</tbody>
</table>
(b) The following is a listing of government and non-government schools in the Coburg electoral district, and their enrolment figures, as at May 1988.

<table>
<thead>
<tr>
<th>GOVERNMENT PRIMARY SCHOOLS</th>
<th>Enrolment</th>
</tr>
</thead>
<tbody>
<tr>
<td>4260 Coburg East</td>
<td>166</td>
</tr>
<tr>
<td>4543 Coburg North</td>
<td>318</td>
</tr>
<tr>
<td>484 Coburg</td>
<td>316</td>
</tr>
<tr>
<td>4779 Fawkner North</td>
<td>156</td>
</tr>
<tr>
<td>3590 Fawkner</td>
<td>123</td>
</tr>
<tr>
<td>4787 Hadfield</td>
<td>167</td>
</tr>
<tr>
<td>4328 Merlynton</td>
<td>168</td>
</tr>
<tr>
<td>4646 Newlands</td>
<td>227</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>1641</strong></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>GOVERNMENT SECONDARY SCHOOLS</th>
<th>Enrolment</th>
</tr>
</thead>
<tbody>
<tr>
<td>7730 Coburg High</td>
<td>692</td>
</tr>
<tr>
<td>7090 Coburg Technical</td>
<td>271</td>
</tr>
<tr>
<td>7825 Fawkner High</td>
<td>708</td>
</tr>
<tr>
<td>7880 Hadfield High</td>
<td>714</td>
</tr>
<tr>
<td>8155 Newlands High</td>
<td>318</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>2703</strong></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>GOVERNMENT SCHOOLS IN SPECIAL SETTINGS</th>
<th>Enrolment</th>
</tr>
</thead>
<tbody>
<tr>
<td>4187 Pentridge Education Centre</td>
<td>135</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>135</strong></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>NON-GOVERNMENT PRIMARY SCHOOLS</th>
<th>Enrolment</th>
</tr>
</thead>
<tbody>
<tr>
<td>1874 Coburg Islamic</td>
<td>220</td>
</tr>
<tr>
<td>336 St Paul's</td>
<td>201</td>
</tr>
<tr>
<td>1459 St Bernard's</td>
<td>265</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>686</strong></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>NON-GOVERNMENT SECONDARY SCHOOLS</th>
<th>Enrolment</th>
</tr>
</thead>
<tbody>
<tr>
<td>1662 Mercy Diocesan College</td>
<td>890</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>890</strong></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>TOTAL STUDENTS IN NON-GOVERNMENT SCHOOLS</th>
<th>Enrolment</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Total</strong></td>
<td><strong>1576</strong></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>TOTAL STUDENTS IN GOVERNMENT AND NON-GOVERNMENT SCHOOLS IN COBURG ELECTORATE</th>
<th>Enrolment</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Total</strong></td>
<td><strong>6055</strong></td>
</tr>
</tbody>
</table>
The following answer to a question on notice was circulated—

PERSONAL STAFF OF ATTORNEY-GENERAL
(Question No. 344)

Mr LEIGH (Malvern) asked the Attorney-General:
In respect of each of his Ministerial responsibilities:

1. How many members comprise his personal staff, indicating the position, classification, and salary of each?

2. Are their costs provided for in the Budget? If so, under what item? If not, what other organisation or body, partly or wholly, funds their cost?

Mr McCUTCHEON (Attorney-General)—The answer is:

1. Three persons comprise my personal staff with classifications and salary ranges as follow:

<table>
<thead>
<tr>
<th>Position</th>
<th>Salary Range</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ministerial Advisor Gr. 3</td>
<td>$44,527</td>
</tr>
<tr>
<td>Ministerial Advisor Gr. 3</td>
<td>$42,513</td>
</tr>
<tr>
<td>Private Secretary Gr. 2</td>
<td>$27,312—$28,512</td>
</tr>
</tbody>
</table>

2. The costs of these staff are met within the Corporate Services Program of the Attorney-General's Department budget.
QUESTIONS ON NOTICE

The following answers to questions on notice were circulated subsequent to the end of the session and prior to the dissolution of the Legislative Assembly on 29 August 1988—

ARTICULATED BUSES

(Question No. 105)

Mr PERRIN (Bulleen) asked the Minister for Community Services, for the Minister for Transport:

1. How many articulated buses are operating in Victoria?

2. How many articulated buses have been involved in accidents in Victoria indicating, in each case—
   (a) the date of the accident; (b) the cost and nature of damage to the bus; (c) the number of persons killed or injured, respectively, together with the nature of the injuries; (d) what other vehicles were involved; (e) the location of the accident; and (f) the estimated cost to the State of the injuries received?

Mr MATHEWS (Minister for Community Services)—The answer supplied by the Minister for Transport is:

- There are 20 articulated buses operating in Victoria, allocated as follows:
  - Croydon Bus Service: 3
  - Grenda’s Bus Service: 7
  - Sunbury Bus Lines: 2
  - MTA Tram and Bus Division: 8

- Details of Metropolitan Transit Authority articulated bus accidents are shown below.

- The private bus industry carries its own insurance and costs incurred due to accidents are subject to commercial confidentiality.

- Only one case of injury has been reported involving articulated buses and accidents are clearly of a very minor nature.

- The government has demonstrated its commitment to public transport by the expansion of bus services. As part of the expansion program articulated buses were introduced in 1986.

- The introduction of articulated buses in the government system has reduced overcrowding and by redeploying conventional buses has allowed improvements to some routes. In the private system, articulated buses have proven to be very successful particularly during peak loading periods where the high loading capacity of these vehicles has assisted in minimising overloading problems and contributed to lowering capital costs.

- Successive Liberal governments and Liberal transport Ministers were responsible for the total neglect of the public transport needs of the growing areas of Melbourne. No Liberal government or Minister provided for the regular and ongoing upgrading and purchasing of new buses for the system. Under Liberal administration, the age and standard of buses in both the public and private government-subsidised system deteriorated dramatically.
### VEHICLE ACCIDENTS—ARTICULATED BUSES (MTA Operated)

<table>
<thead>
<tr>
<th>Date of Accident</th>
<th>Nature and Cost of Damage to Bus</th>
<th>Injuries Received</th>
<th>Other Vehicles Involved—Damage</th>
<th>Location of Accident</th>
<th>Cost of Injuries (to government)</th>
</tr>
</thead>
<tbody>
<tr>
<td>30.10.86</td>
<td>O/S clearance light and rear b/bar. Repair cost $178 approx.</td>
<td>Nil</td>
<td>Cause unknown</td>
<td>Unknown</td>
<td>Nil</td>
</tr>
<tr>
<td>7.10.86</td>
<td>O/S rear bumper bar, radiator, door indicator and panel. Repair cost $128 approx.</td>
<td>Nil</td>
<td>Collision, pole—damage unknown.</td>
<td>Motor Registration Branch</td>
<td>Nil</td>
</tr>
<tr>
<td>27.10.86</td>
<td>Front b/bar end. Repair cost $46 approx.</td>
<td>Nil</td>
<td>Collision, dirt embankment.</td>
<td>Anderson Creek Road—Blackburn Road.</td>
<td>Nil</td>
</tr>
<tr>
<td>4.11.86</td>
<td>Details unavailable. Minor damage to O/S rear corner.</td>
<td>Nil</td>
<td>Collision, wall in depot.</td>
<td>Doncaster depot.</td>
<td>Nil</td>
</tr>
<tr>
<td>11.11.86</td>
<td>Nil</td>
<td>Nil</td>
<td>Alleged collision, Mazda 323. Damage $1080.50. Insurance claim pending.</td>
<td>Gipps Street and Wellington Street.</td>
<td>Nil</td>
</tr>
<tr>
<td>21.11.86</td>
<td>N/S rear corner. Repair cost $51 approx.</td>
<td>Nil</td>
<td>Collision, motor car. Damage unknown.</td>
<td>Wellington Street and Johnston Street</td>
<td>Nil</td>
</tr>
<tr>
<td>26.11.86</td>
<td>Details unavailable</td>
<td>Nil</td>
<td>Collision, motor car. Damage unknown.</td>
<td>Blackburn and Ascot Streets</td>
<td>Nil</td>
</tr>
<tr>
<td>Date of Accident</td>
<td>Nature and Cost of Damage to Bus</td>
<td>Injuries Received</td>
<td>Other Vehicles Involved—Damage</td>
<td>Location of Accident</td>
<td>Cost of Injuries (to government)</td>
</tr>
<tr>
<td>------------------</td>
<td>----------------------------------</td>
<td>------------------</td>
<td>-------------------------------</td>
<td>---------------------</td>
<td>-------------------------------</td>
</tr>
<tr>
<td>22.12.86</td>
<td>Details unavailable.</td>
<td>Nil</td>
<td>Collision, Ford LTD. Damage $1594.10.</td>
<td>Hoddle Street and Johnston Street</td>
<td>Nil</td>
</tr>
<tr>
<td>25.2.87</td>
<td>N/S rear corner panel. Repair cost $51 approx.</td>
<td>Nil</td>
<td>Collision, Ford Falcon. Damage $875.42. Ins. claim pending.</td>
<td>Johnston Street and Hoddle Street</td>
<td>Nil</td>
</tr>
<tr>
<td>11.3.87</td>
<td>O/S rear corner panel. Repair cost $51 approx.</td>
<td>Nil</td>
<td>Collision, Holden. Damage unknown.</td>
<td>Gipps Street and Wellington Street</td>
<td>Nil</td>
</tr>
<tr>
<td>26.2.87</td>
<td>Details unavailable.</td>
<td>Nil</td>
<td>Collision, Combi van. Damage unknown.</td>
<td>Flinders Lane and Porter Street</td>
<td>Nil</td>
</tr>
</tbody>
</table>
Questions on Notice 11 August 1988 ASSEMBLY 543

<table>
<thead>
<tr>
<th>Date of Accident</th>
<th>Nature and Cost of Damage to Bus</th>
<th>Injuries Received</th>
<th>Other Vehicles Involved—Damage</th>
<th>Location of Accident</th>
<th>Cost of Injuries (to government)</th>
</tr>
</thead>
<tbody>
<tr>
<td>6.3.87</td>
<td>O/S rear corner panel. Repair cost $51 approx.</td>
<td>Nil collision, motor car. Damage unknown.</td>
<td>Mitcham Road and Springvale Road.</td>
<td>Nil</td>
<td></td>
</tr>
</tbody>
</table>

UNIONISTS APPOINTED TO COMMITTEES AND BOARDS
(Question No. 223)

Mr GUDE (Hawthorn) asked the Attorney-General:

In respect of each department, agency and authority within his administration, what are the names and qualifications of all—(a) union officials; (b) union members or affiliates; and (c) members of the ALP, appointed to any committee or board?

Mr McCUTCHEON (Attorney-General)—The answer is:

Appointments to boards and committees are made on the basis of merit and qualifications considered appropriate for the functions of the relevant board or committee. Information concerning the union, political or other affiliates of any person appointed to a board or committee is a private matter. A Victorian Public Service Association union official attends both the Technological Change Committee and the Occupational Health and Safety Consultative Committee (Courts Computerisation). The only other committees within my portfolio where union membership is a prerequisite for appointment are the workplace committees established in accordance with the Occupational Health and Safety Act 1985.

CONTINENTAL AIRLINES INC.
(Question No. 236)

Mr E. R. SMITH (Glen Waverley) asked the Attorney-General:

Whether the government has set up a board of inquiry into the Continental Airlines Inc. affair; if not, why not?

Mr McCUTCHEON (Attorney-General)—The answer is:

The matter has been the subject of thorough police examination and assessment by the Director of Public Prosecutions. Nothing further would be gained by reopening the matter.
FIRE HAZARD BUILDINGS IN BENDIGO
(Question No. 294)

Mr JOHN (Bendigo East) asked the Minister for Police and Emergency Services:
How many buildings in the City of Bendigo have been identified by the local fire brigade as being a
danger to the occupants, indicating—(a) the address of each building; and (b) what action has been taken
in each case to reduce the fire hazards identified to an acceptable level?

Mr CRABB (Minister for Police and Emergency Services)—The answer is:
I am advised by the Country Fire Authority that seven buildings in this municipality have been
identified as being a fire danger to occupants. The current status of these buildings has been provided by
the City of Bendigo which administers the scheme under Part VIII of the Building Control Act 1981.

Cahill Chambers, 7-9 View Street:
Building identified as a hazard in 1984. Owners negotiated to isolate top floor to reduce fire
protection requirements. A joint report was served in October 1984 making allowance for closure
of top floor. Works have been completed to a satisfactory standard.

Owners are now interested in reopening top floor which will require further fire protection works.

Lake View Hotel, 204 McCrae Street:
Owner failed to comply with the recommendations of a joint report in August 1983 to provide
adequate fire protection to residential section.

The Minister for Planning and Environment issued an order on 9 July 1986 prohibiting the
occupation or use of the residential accommodation section by any person other than the immediate
family of the licensee. Ground floor hotel area was judged safe for public use.

Beehive Building, 18-20 Pall Mall:
Undergoing extensive renovations which include an upgrade of fire protection and services to
conform with Victorian Building Regulations 1983.

Office and Shop, 60-64 Pall Mall:
A joint report was served in 1982. Subsequent re-inspection revealed that works had not been
completed. Matter referred to Minister for Planning and Environment in March 1986.

In June 1988 building was inspected again. Shop had been substantially altered making 1982
joint report redundant.

Council and the Country Fire Authority plan to prepare a new joint report.

Stonemans Supermarket, 56-58 Pall Mall:
Joint report was served in February 1982. The majority of works have been completed. Country
Fire Authority and council are monitoring progress.

Cumberland Hotel, 279 Lyttleton Terrace:
Owner failed to comply with the recommendations of a joint report in April 1981 to provide
adequate fire protection.

The Minister for Planning and Environment issued an order on 9 July 1986 prohibiting the
occupation or use of the residential accommodation section by any person other than the immediate
family of the licensee.

Bendigo Home and Hospital For The Aged, 100 Barnard Street:
Council received notification on 21 July 1983 that the final part of the fire protection work was
completed to an acceptable standard.

FIRE HAZARD BUILDINGS IN EAGLEHAWK
(Question No. 295)

Mr JOHN (Bendigo East) asked the Minister for Police and Emergency Services:
How many buildings in the Borough of Eaglehawk have been identified by the local fire brigade as being
a danger to the occupants, indicating—(a) the address of each building; and (b) what action has been taken
in each case to reduce the fire hazards identified to an acceptable level?
Mr CRABB (Minister for Police and Emergency Services)—The answer is:
I am advised by the Country Fire Authority that no building in this municipality has been identified as being a fire danger to occupants.

FIRE HAZARD BUILDINGS IN SHIRE OF EAST LODDON
(Question No. 296)

Mr JOHN (Bendigo East) asked the Minister for Police and Emergency Services:
How many buildings in the Shire of East Loddon have been identified by the local fire brigade as being a danger to the occupants, indicating—(a) the address of each building; and (b) what action has been taken in each case to reduce the fire hazards identified to an acceptable level?

Mr CRABB (Minister for Police and Emergency Services)—The answer is:
I am advised by the Country Fire Authority that no building in this municipality has been identified as being a fire danger to occupants.

FIRE HAZARD BUILDINGS IN SHIRE OF HUNTLY
(Question No. 297)

Mr JOHN (Bendigo East) asked the Minister for Police and Emergency Services:
How many buildings in the Shire of Huntly have been identified by the local fire brigade as being a danger to the occupants, indicating—(a) the address of each building; and (b) what action has been taken in each case to reduce the fire hazards identified to an acceptable level?

Mr CRABB (Minister for Police and Emergency Services)—The answer is:
I am advised by the Country Fire Authority that no building in this municipality has been identified as being a fire danger to occupants.

FIRE HAZARD BUILDINGS IN SHIRE OF MARONG
(Question No. 298)

Mr JOHN (Bendigo East) asked the Minister for Police and Emergency Services:
How many buildings in the Shire of Marong have been identified by the local fire brigade as being a danger to the occupants, indicating—(a) the address of each building; and (b) what action has been taken in each case to reduce the fire hazards identified to an acceptable level?

Mr CRABB (Minister for Police and Emergency Services)—The answer is:
I am advised by the Country Fire Authority that no building in this municipality has been identified as being a fire danger to occupants.

FIRE HAZARD BUILDINGS IN SHIRE OF McIVOR
(Question No. 299)

Mr JOHN (Bendigo East) asked the Minister for Police and Emergency Services:
How many buildings in the Shire of McIvor have been identified by the local fire brigade as being a danger to the occupants, indicating—(a) the address of each building; and (b) what action has been taken in each case to reduce the fire hazards identified to an acceptable level?

Mr CRABB (Minister for Police and Emergency Services)—The answer is:
I am advised by the Country Fire Authority that two buildings in this municipality have been identified as being a fire danger to occupants. These are:

- a house in Dairy Flat Road which is being dealt with by local council under the Health Act; and

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a residence in the reserve forest adjacent to the Heathcote showgrounds, which is believed to be held
under permissive occupancy from the Department of Conservation, Forests and Lands and therefore
subject to hazard abatement provisions under the responsibility of the Department of Conservation,
Forests and Lands.

FIRE HAZARD BUILDINGS IN SHIRE OF STRATHFIELDSAYE
(Question No. 300)

Mr JOHN (Bendigo East) asked the Minister for Police and Emergency Services:
How many buildings in the Shire of Strathfieldsaye have been identified by the local fire brigade as being
a danger to the occupants, indicating—(a) the address of each building; and (b) what action has been taken
in each case to reduce the fire hazards identified to an acceptable level?

Mr CRABB (Minister for Police and Emergency Services)—The answer is:
I am advised by the Country Fire Authority that one building in this municipality has been identified as
being a fire danger to occupants. This is:
Inter Skin Building, Belcher Street, Bendigo.
The building is subject to a joint report and is being monitored by the Country Fire Authority to ensure
all necessary works are completed.

FIRE HAZARD BUILDINGS IN CASTLEMAINE
(Question No. 301)

Mr JOHN (Bendigo East) asked the Minister for Police and Emergency Services:
How many buildings in the City of Castlemaine have been identified by the local fire brigade as being a
danger to the occupants, indicating—(a) the address of each building; and (b) what action has been taken
in each case to reduce the fire hazards identified to an acceptable level?

Mr CRABB (Minister for Police and Emergency Services)—The answer is:
I am advised by the Country Fire Authority that no building in this municipality has been identified as
being a fire danger to occupants.

JUSTICES OF THE PEACE
(Question No. 322)

Mr DICKINSON (South Barwon) asked the Attorney-General:
In view of the government's moves to abolish justices of the peace and commissioners for taking
affidavits:
1. What is the estimated cost benefit of this change to Victorian taxpayers?
2. What is the estimated cost of paid mediators who will be replacing the honorary justices of the peace?
3. How many mediators are currently employed, and is it envisaged that the same number of mediators
will be required as the current 4500 honorary justices?
4. Will mediators replacing the honorary justices be available on call 24 hours a day, seven days a week,
or only during normal office hours?
5. What training will the mediators receive in order to perform the duties currently undertaken by
justices of the peace?

Mr McCUTCHEON (Attorney-General)—The answer is:
1. The government does not intend to abolish the office of justice of the peace. Clause 115 of the
Magistrates' Court Bill, now before Parliament, retains the office. However, it is proposed that the office
of commissioner for taking affidavits will be abolished by the Bill.
In place of the office of commissioner for taking affidavits, the Bill creates a wide range of occupational categories which will be readily accessible in the community to persons who have a need for the witnessing of statutory declarations. Justices of the peace are included in these categories.

2., 3., 4., 5. Justices of the peace have never had the role or function of acting as mediators, and there is therefore no question of them being replaced by paid officials in this role.

**DAMAGE TO OZONE LAYER**

(Question No. 324)

Mr DICKINSON (South Barwon) asked the Minister for Planning and Environment:

With regard to a proposed World Protocol to reduce damage to the ozone layer through the restriction of the use of fluorocarbons in spray packs:

1. Whether the government is a signatory to the Montreal Protocol?

2. What action, if any, has been taken by the government to reduce the content of chlorofluorocarbons in spray cans in Victoria?

3. Which Victorian manufacturers will be affected by any moves to restrict the use of chlorofluorocarbons, indicating what steps have been taken by the government to liaise with these manufacturers on the proposal?

Mr ROPER (Minister for Planning and Environment)—The answer is:

1. The Commonwealth government has signed the Montreal Protocol on behalf of Australia. However, the latest information from National Space and Aeronautical Administration and Commonwealth Scientific and Industrial Research Organisation indicates that the protocol may be an inadequate response and more stringent controls may be necessary. Because Australia would be affected more than most other countries by depletion of the ozone layer, I believe we should provide a lead to the rest of the world. The Commonwealth has established five joint industry-government working groups. These have met and their recommendations for reductions in the use of and emissions of CFCs are being reviewed. On 23 August 1988 State and Commonwealth government representatives met in Melbourne to discuss industry plans and subsequent legislative controls.

There is, however, little point in unilateral action by individual States. We must have a consistent Australia-wide approach. The Victorian government will introduce the necessary legislation which will be complementary to the Commonwealth legislation ratifying the protocol to bring about the required reductions.

2. The government has been a party to Australian Environment Council—AEC—pressures on aerosol manufacturers to reduce the use of CFCs in aerosol products. This has achieved a 70 per cent reduction. The Aerosol Association of Australia has now announced that it will phase out all non-essential uses of CFCs by 31 December 1989 and supports legislation to this end. The Victorian government will monitor that situation and introduce specific requirements if progress is inadequate. I have written to all State government departments seeking information on CFC use and the potential for its reduction. This information is being used to develop an inventory which will be used to identify opportunities of reducing the use of CFCs. The Victorian government will take whatever steps are necessary to play its part in dealing with this serious global problem.

3. There are no manufacturers of CFCs in Victoria. However, a number of industries use them.

Major areas in which CFCs are used are:

(a) plastic foam manufacturing;

(b) air conditioning and refrigeration;

(c) specialist cleaning applications;

(d) aerosol packaging; and

(e) fire extinguishing applications.

The government has begun to identify and consult with the industries concerned and their respective associations. Further information from industry and the drafting of Commonwealth legislation is necessary before Victoria can finalise the details of an effective and meaningful program on CFC controls as its
contribution to protocol compliance. The Environment Protection Authority is currently identifying and investigating the most effective options for the control of these chemicals in this State. All major licensed emitters of CFCs have been written to seeking details of their usage and measures that could be taken to reduce emissions in preparation for the introduction of controls.

SURF LIFE SAVING HELICOPTER
(Question No. 326)

Mr DICKINSON (South Barwon) asked the Minister for Sport and Recreation:

In view of the shortfall of money raised in the recent Victorian Surf Life Saving Association's appeal to fund its rescue helicopter:

1. What funds have been provided by the government towards bridging the shortfall in order that the association can maintain the use of the rescue helicopter?
2. What financial assistance has been provided by the government to the association or any of Victoria's surf life saving clubs during the current financial year, indicating the amount and organisation concerned, respectively?

Mr TREZISE (Minister for Sport and Recreation)—The answer is:

1. The Department of Sport and Recreation did not provide any funds to bridge the shortfall in the Victorian Surf Life Saving Association's helicopter rescue appeal. The Victorian State centre has decided to cease operating and to sell its helicopter because of the following limitations:
   1. it was licensed to fly only in clear weather;
   2. its pilots were not qualified to fly with instruments; and
   3. it was staffed only on weekends during the summer.

   This decision acknowledges that sufficient helicopter resources are currently available from the Victoria Police and the National Safety Council.

2. In 1987-88 the Department of Sport and Recreation allocated $187 100 to the Victorian State Centre of the Surf Life Saving Association. These funds were provided to the association for expenditure in the following areas:

   - State Centre Administration: $91 200
   - Club Assistance Grants—26 clubs @ $850: $22 100
   - Capital Works—clubs: $22 500
   - Special Grant—rescue services: $3 300
   - Professional Lifeguard Scheme: $47 500

   Total: $187 100

PERSONAL STAFF OF TREASURER
(Question No. 335)

Mr LEIGH (Malvern) asked the Treasurer:

In respect of each of his Ministerial responsibilities:

1. How many members comprise his personal staff, indicating the position, classification and salary of each?
2. Whether their costs are provided for in the Budget? If so, under what item? If not, what other organisation or body, partly or wholly, funds their cost?

Mr JOLLY (Treasurer)—The answer is:
1.

<table>
<thead>
<tr>
<th>Position</th>
<th>Classification</th>
<th>Salary Range</th>
</tr>
</thead>
<tbody>
<tr>
<td>Part-time Ministerial advisor</td>
<td>Grade 3</td>
<td>$44,527 pro-rata</td>
</tr>
<tr>
<td>Ministerial advisor</td>
<td>Grade 3</td>
<td>$44,527 per annum</td>
</tr>
<tr>
<td>Private secretary</td>
<td>Grade 2</td>
<td>$27,312–$28,152 per annum</td>
</tr>
<tr>
<td>Confidential secretary</td>
<td></td>
<td>$25,422–$26,666 per annum</td>
</tr>
</tbody>
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2. 2 Ministerial advisors Grade 3, 1 private secretary and 1 confidential secretary, funded from Department of Management and Budget. Budget allocation (Item 722-1-1102)=(prog. 722).

CONSTRUCTION OF TEMPLESTOWE ROAD
(Question No. 382)

Mr PERRIN (Bulleen) asked the Minister for Community Services, for the Minister for Transport:

1. What funds have been, or are proposed to be, allocated to the City of Doncaster and Templestowe for the construction of Templestowe Road between Bridge Street and Thompsons Road for each of the years 1986–87 and 1987–88, indicating—(i) how much in each year relates to the acquisition of property; and (ii) the addresses of properties that are required to be wholly or partly acquired for the roadworks construction?

2. How many traffic lanes are proposed for this section of Templestowe Road?

3. Whether the Minister will advise what the expected total cost is of the roadworks?

Mr MATHEWS (Minister for Community Services)—The answer supplied by the Minister for Transport is:

1. The following amounts have been allocated by the Road Construction Authority to the City of Doncaster and Templestowe for the widening of Templestowe Road between Manningham and Thompsons Roads:

   1986–87: $350,000 for roadworks at the intersection of Templestowe and Thompsons Roads.
   (i) Amount for acquisition of property: nil.
   (ii) No properties were wholly or partly acquired for these roadworks in 1986–87.

   1987–88: $300,000 for roadworks at the intersection of Templestowe and Thompsons Roads.
   (i) Amount for acquisition of property: nil.
   (ii) No properties are to be wholly or partly acquired for the roadworks in 1987–88.

2. Templestowe Road between Manningham and Thompsons Roads is to be widened to provide four traffic lanes in accordance with the METRAS report 1987 recommendation.

   Plans for the widening of Templestowe Road are being developed by the City of Doncaster and Templestowe and will not require any acquisition from the historic Heide Park and Art Gallery properties.

3. The total cost of the roadworks from Manningham Road to Robert Street is not known at this stage as plans are presently being prepared. The total cost for the roadworks from Robert Street to Thompsons Road is estimated to amount to $4.1 m.

CONSTRUCTION OF BULLEEN ROAD
(Question No. 383)

Mr PERRIN (Bulleen) asked the Minister for Community Services, for the Minister for Transport:

1. What funds have been, or are proposed to be, allocated to the City of Doncaster and Templestowe for the construction of Bulleen Road between the Eastern Freeway and Bridge Street, Bulleen, for the years
1985–86, 1986–87 and 1987–88, respectively, indicating—(i) how much in each year relates to the acquisition of property; and (ii) the addresses of properties that are required to be wholly or partly acquired for the roadworks construction?

2. How many traffic lanes are proposed for this section of Bulleen Road?

3. Whether the Minister will advise what the expected total cost is of the roadworks?

Mr MATTHEWS (Minister for Community Services)—The answer supplied by the Minister for Transport is:

1. The following amounts have been allocated by the Road Construction Authority to the City of Doncaster and Templestowe for the widening of Bulleen Road between the Eastern Freeway and Manningham Road, Bulleen:

   (i) Amount for acquisition of property: nil.
   (ii) No properties were wholly or partly acquired for these roadworks in 1985–86.

   1986–87: $500 000 for the widening of Bulleen Road between the Eastern Freeway and the Veneto Club.
   (i) Amount for acquisition of property: $55 000.
   (ii) Carey Baptist Grammar School sporting complex, Bulleen Road; the City of Doncaster and Templestowe Bulleen Park, Bulleen Road; Veneto Social Club, 191 Bulleen Road; and MMBW land, 193 Bulleen Road.

   1987–88: $550 000 for the widening of Bulleen Road between the Eastern Freeway and Golden Way.
   (i) Amount for acquisition of property: nil.
   (ii) No properties are to be wholly or partly acquired for these roadworks in 1987–88.

2. Bulleen Road has been widened to four lanes between the Eastern Freeway and the Veneto Club. Bulleen Road, between the Veneto Club and Manningham Road, is to be widened to four lanes in accordance with the METRAS report 1987 recommendation.

   Plans for the widening of Bulleen Road north of the Veneto Club are presently being reviewed by the City of Doncaster and Templestowe to minimise the effect of the widening on abutting properties.

3. The estimated total cost of widening of Bulleen road from the Eastern Freeway to Manningham Road is $5·5 m.

[Subsequently, by proclamation published in the “Government Gazette (No. S 77 of 29 August 1988), the Legislative Council was prorogued, and the Legislative Assembly was dissolved as from Monday, 29 August 1988.]
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Abbreviations used for Ministerial Portfolios

| Arts | Asst Ed |
| Assisting the Minister for Education | Asst Ed |
| Assisting the Minister for Labour | Asst Lab |
| Attorney-General | A-G |
| Community Services | Comm Servs |
| Consumer Affairs | Cons Affs |
| Ethnic Affairs | Eth Affs |
| Housing and Construction | Hsg & Con |
| Industry, Technology and Resources | I T & R |
| Labour | Lab |
| Local Government | Loc Govt |
| Planning and Environment | Plan & Env |
| Police and Emergency Services | P & ES |
| Premier | Prem |
| Property and Services | Prop & Servs |
| Public Works | Pub Wks |
| Sport and Recreation | S & R |
| Tourism | Tour |
| Transport | Trans |
| Treasurer | Treas |
| Water Resources | WR |

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<td>Mr Gude</td>
<td>Mr Crabb (Lab)</td>
<td>2.8.88</td>
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<td>Financial Productivity Saving by Department of Labour</td>
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<td>Revenue Collected from Registration of Lifts and Cranes</td>
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<td>Mr Roper (Plan &amp; Env)</td>
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<td>Thomson Dam Irrigation Charges</td>
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