PARLIAMENT OF VICTORIA

PARLIAMENTARY DEBATES (HANSARD)

LEGISLATIVE ASSEMBLY

FIFTY-SIXTH PARLIAMENT

FIRST SESSION

Wednesday, 12 March 2008

(Extract from book 3)

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By authority of the Victorian Government Printer

The Governor

Professor DAVID de KRETSER, AC

The Lieutenant-Governor

The Honourable Justice MARILYN WARREN, AC

The ministry

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Minister for Community Development and Minister for Energy and Resources	The Hon. P. Batchelor, MP
Minister for Police and Emergency Services, and Minister for Corrections	The Hon. R. G. Cameron, MP
Minister for Agriculture and Minister for Small Business	The Hon. J. Helper, MP
Minister for Finance, WorkCover and the Transport Accident Commission, Minister for Water and Minister for Tourism and Major Events	The Hon. T. J. Holding, MP
Minister for Environment and Climate Change, and Minister for Innovation	The Hon. G. W. Jennings, MLC
Minister for Public Transport and Minister for the Arts	The Hon. L. J. Kosky, MP
Minister for Planning	The Hon. J. M. Madden, MLC
Minister for Sport, Recreation and Youth Affairs, and Minister Assisting the Premier on Multicultural Affairs	The Hon. J. A. Merlino, MP
Minister for Children and Early Childhood Development, and Minister for Women's Affairs	The Hon. M. V. Morand, MP
Minister for Mental Health, Minister for Community Services and Minister for Senior Victorians	The Hon. L. M. Neville, MP
Minister for Roads and Ports	The Hon. T. H. Pallas, MP
Minister for Education	The Hon. B. J. Pike, MP
Minister for Gaming, Minister for Consumer Affairs and Minister Assisting the Premier on Veterans' Affairs	The Hon. A. G. Robinson, MP
Minister for Industry and Trade, Minister for Information and Communication Technology, and Minister for Major Projects	The Hon. T. C. Theophanous, MLC
Minister for Housing, Minister for Local Government and Minister for Aboriginal Affairs	The Hon. R. W. Wynne, MP
Cabinet Secretary	Mr A. G. Lupton, MP

Legislative Assembly committees

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

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

Joint committees

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Heads of parliamentary departments

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

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

Parliamentary Services — Secretary: Dr S. O'Kane

MEMBERS OF THE LEGISLATIVE ASSEMBLY

FIFTY-SIXTH PARLIAMENT — FIRST SESSION

Speaker: The Hon. JENNY LINDELL

Deputy Speaker: Ms A. P. BARKER

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

Leader of the Parliamentary Labor Party and Premier:
The Hon. J. M. BRUMBY (from 30 July 2007)
The Hon. S. P. BRACKS (to 30 July 2007)

Deputy Leader of the Parliamentary Labor Party and Deputy Premier:
The Hon. R. J. HULLS (from 30 July 2007)
The Hon. J. W. THWAITES (to 30 July 2007)

Leader of the Parliamentary Liberal Party and Leader of the Opposition:
Mr E. N. BAILLIEU

Deputy Leader of the Parliamentary Liberal Party and Deputy Leader of the Opposition:
The Hon. LOUISE ASHER

Leader of The Nationals:
Mr P. J. RYAN

Deputy Leader of The Nationals:
Mr P. L. WALSH

Member	District	Party	Member	District	Party
Allan, Ms Jacinta Marie	Bendigo East	ALP	Lindell, Ms Jennifer Margaret	Carrum	ALP
Andrews, Mr Daniel Michael	Mulgrave	ALP	Lobato, Ms Tamara Louise	Gembrook	ALP
Asher, Ms Louise	Brighton	LP	Lupton, Mr Anthony Gerard	Prahran	ALP
Baillieu, Mr Edward Norman	Hawthorn	LP	McIntosh, Mr Andrew John	Kew	LP
Barker, Ms Ann Patricia	Oakleigh	ALP	Maddigan, Mrs Judith Marilyn	Essendon	ALP
Batchelor, Mr Peter John	Thomastown	ALP	Marshall, Ms Kirstie	Forest Hill	ALP
Beattie, Ms Elizabeth Jean	Yuroke	ALP	Merlino, Mr James Anthony	Monbulk	ALP
Blackwood, Mr Gary John	Narracan	LP	Morand, Ms Maxine Veronica	Mount Waverley	ALP
Bracks, Mr Stephen Phillip [1]	Williamstown	ALP	Morris, Mr David Charles	Mornington	LP
Brooks, Mr Colin William	Bundoora	ALP	Mulder, Mr Terence Wynn	Polwarth	LP
Brumby, Mr John Mansfield	Broadmeadows	ALP	Munt, Ms Janice Ruth	Mordialloc	ALP
Burgess, Mr Neale Ronald	Hastings	LP	Napthine, Dr Denis Vincent	South-West Coast	LP
Cameron, Mr Robert Graham	Bendigo West	ALP	Nardella, Mr Donato Antonio	Melton	ALP
Campbell, Ms Christine Mary	Pascoe Vale	ALP	Neville, Ms Lisa Mary	Bellarine	ALP
Carli, Mr Carlo Domenico	Brunswick	ALP	Noonan, Wade Mathew [4]	Williamstown	ALP
Clark, Mr Robert William	Box Hill	LP	Northe, Mr Russell John	Morwell	Nats
Crisp, Mr Peter Laurence	Mildura	Nats	O'Brien, Mr Michael Anthony	Malvern	LP
Crutchfield, Mr Michael Paul	South Barwon	ALP	Overington, Ms Karen Marie	Ballarat West	ALP
D'Ambrosio, Ms Liliana	Mill Park	ALP	Pallas, Mr Timothy Hugh	Tarneit	ALP
Delahunty, Mr Hugh Francis	Lowan	Nats	Pandazopoulos, Mr John	Dandenong	ALP
Dixon, Mr Martin Francis	Nepean	LP	Perera, Mr Jude	Cranbourne	ALP
Donnellan, Mr Luke Anthony	Narre Warren North	ALP	Pike, Ms Bronwyn Jane	Melbourne	ALP
Duncan, Ms Joanne Therese	Macedon	ALP	Powell, Mrs Elizabeth Jeanette	Shepparton	Nats
Eren, Mr John Hamdi	Lara	ALP	Richardson, Ms Fiona Catherine Alison	Northcote	ALP
Foley, Martin Peter [2]	Albert Park	ALP	Robinson, Mr Anthony Gerard	Mitcham	ALP
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Graley, Ms Judith Ann	Narre Warren South	ALP	Scott, Mr Robin David	Preston	ALP
Green, Ms Danielle Louise	Yan Yean	ALP	Seitz, Mr George	Keilor	ALP
Haermeyer, Mr André	Kororoit	ALP	Shardey, Mrs Helen Jean	Caulfield	LP
Hardman, Mr Benedict Paul	Seymour	ALP	Smith, Mr Kenneth Maurice	Bass	LP
Harkness, Dr Alistair Ross	Frankston	ALP	Smith, Mr Ryan	Warrandyte	LP
Helper, Mr Jochen	Ripon	ALP	Stensholt, Mr Robert Einar	Burwood	ALP
Herbert, Mr Steven Ralph	Eltham	ALP	Sykes, Dr William Everett	Benalla	Nats
Hodgett, Mr David John	Kilsyth	LP	Thompson, Mr Murray Hamilton Ross	Sandringham	LP
Holding, Mr Timothy James	Lyndhurst	ALP	Thomson, Ms Marsha Rose	Footscray	ALP
Howard, Mr Geoffrey Kemp	Ballarat East	ALP	Thwaites, Mr Johnstone William [3]	Albert Park	ALP
Hudson, Mr Robert John	Bentleigh	ALP	Tilley, Mr William John	Benambra	LP
Hulls, Mr Rob Justin	Niddrie	ALP	Trezise, Mr Ian Douglas	Geelong	ALP
Ingram, Mr Craig	Gippsland East	Ind	Victoria, Mrs Heidi	Bayswater	LP
Jasper, Mr Kenneth Stephen	Murray Valley	Nats	Wakeling, Mr Nicholas	Ferntree Gully	LP
Kosky, Ms Lynne Janice	Altona	ALP	Walsh, Mr Peter Lindsay	Swan Hill	Nats
Kotsiras, Mr Nicholas	Bulleen	LP	Weller, Mr Paul	Rodney	Nats
Langdon, Mr Craig Anthony Cuffe	Ivanhoe	ALP	Wells, Mr Kimberley Arthur	Scoresby	LP
Languiller, Mr Telmo Ramon	Derrimut	ALP	Wooldridge, Ms Mary Louise Newling	Doncaster	LP
Lim, Mr Muy Hong	Clayton	ALP	Wynne, Mr Richard William	Richmond	ALP

[1] Resigned 6 August 2007
[2] Elected 15 September 2007
[3] Resigned 6 August 2007
[4] Elected 15 September 2007

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WEDNESDAY, 12 MARCH 2008

Wednesday, 12 March 2008

The SPEAKER (Hon. Jenny Lindell) took the chair at 9.33 a.m. and read the prayer.

RULINGS BY THE CHAIR

Questions without notice: cabinet decisions

The SPEAKER — Order! At the conclusion of question time on Wednesday, 27 February, the Leader of The Nationals sought a ruling in relation to the propriety of discussing cabinet decisions on the one hand, as opposed to the discussion on documents which have been before cabinet. The Leader of The Nationals made reference to rulings from the chair that quotations of decisions of cabinet are not likely to be ventilated in public. I have considered the matter and have concluded that under standing order 53 it is in order for questions regarding cabinet decisions, documents and processes to be asked. Standing order 58 allows for ministers to have discretion to determine the content of any answer.

LAND (REVOCATION OF RESERVATIONS) BILL

Introduction and first reading

Mr CAMERON (Minister for Police and Emergency Services) introduced a bill for an act to provide for the revocation of reservations of various parcels of land and to revoke the related Crown grant in relation to one of those parcels of land and for other purposes.

Read first time.

CO-OPERATIVES AND PRIVATE SECURITY ACTS AMENDMENT BILL

Introduction and first reading

Mr ROBINSON (Minister for Consumer Affairs) — I move:

> That I have leave to bring in a bill for an act to amend the Co-Operatives Act 1996 and the Private Security Act 2004 and for other purposes.

Mr KOTSIRAS (Bulleen) — I ask for a brief explanation of the bill.

Mr ROBINSON (Minister for Consumer Affairs) — The bill will allow for the recognition and allowance of cooperatives to issue cooperative capital units. It will allow for the mutual recognition of cooperatives across state boundaries. It will provide the register of cooperatives with the ability to exempt smaller co-ops from the need to have their accounts audited annually, and it will amend the Private Security Act to allow an extension of the date by which a review of its operations must be finalised.

Motion agreed to.

Read first time.

ESSENTIAL SERVICES COMMISSION AMENDMENT BILL

Introduction and first reading

Mr HOLDING (Minister for Finance, WorkCover and the Transport Accident Commission) — I move:

> That I have leave to bring in a bill for an act to amend the Essential Services Commission Act 2001, to consequentially amend the Rail Corporations Act 1996 and the Water Industry Act 1994 and for other purposes.

Mr WELLS (Scoresby) — I ask the minister for a brief explanation.

Mr HOLDING (Minister for Finance, WorkCover and the Transport Accident Commission) — This bill will amend the Essential Services Commission Act to enable us to carry out the government's response to the review of the essential services legislation that was conducted and tabled in this Parliament earlier this year. It will enable us to recast the facilitating objectives; to give codification powers to the commission and to enable it to impose penalties in supporting the enactment of those codification powers and a range of other consequential amendments.

Motion agreed to.

Read first time.

BUSINESS OF THE HOUSE

Notices of motion: removal

The SPEAKER — Order! I advise the house that under standing order 144 notices of motion 109 to 133 will be removed from the notice paper on the next sitting day. A member who requires the notice standing in his or her name to be continued must advise the Clerk in writing before 6.00 p.m. today.

DOCUMENTS

Tabled by Clerk:

Auditor-General:

Accommodation for People with a Disability — Ordered to be printed

Records Management in the Victorian Public Sector — Ordered to be printed

Border Groundwaters Agreement Review Committee — Report 2006–07

Commissioner for Environment Sustainability Act 2003 — Strategic Audit of Victorian Government Agencies' Environment Management Systems

Financial Management Act 1994 — 2007–08 Mid Year Financial Report incorporating the Quarterly Financial Report No 2 for the period ended 31 December 2007

Planning and Environment Act 1987 — Notices of approval of amendments to the following Planning Schemes:

Bass Coast — C46, C68, C79

Cardinia — C117

Central Goldfields — C12

Greater Geelong — C18

Hume — C92, C103, C104

Moreland — C67

Wangaratta — C32

Whitehorse — C57 Part 3, C74 Part 1

Whittlesea — C71, C75

Safe Drinking Water Act 2003 — Drinking Water Quality in Victoria Report 2006–07.

MEMBERS STATEMENTS

Abortion: Tell the Truth pamphlet

Ms MORAND (Minister for Children and Early Childhood Development) — I wish to comment on the pamphlet being distributed to households throughout Melbourne and across Victoria. Like many thousands of people, I received this shocking pamphlet in my letterbox. This unaddressed mail contained a pamphlet with graphic colour images of aborted foetuses at various stages of development. The pamphlet suggests that the reader contact their MPs to state their opposition to abortion law reform. I can tell you, Speaker, that many people did indeed contact their MPs, but they did so because they were upset and angry that this material had been placed in their letterbox — both women and men.

The author of this material is listed as Tell the Truth, which is ironic, as a simple search of the domain of this website registers Tell the Truth as Right to Life Australia — Margaret Tighe. Tell the Truth does not tell people the truth about who is behind this material.

The abortion law debate is complex and sensitive, and there is a great diversity of views. That diversity of views should be treated with respect. This material does not provide a rational, sensitive or well-considered contribution to the debate, and I hope the authors reconsider the manner in which they proceed with their contribution to this important debate on abortion law reform.

Australian Formula One Grand Prix: economic benefits

Ms ASHER (Brighton) — I wish to draw to the house's attention Australian Formula One Grand Prix losses since the event was first secured. The loss was $1.7 million in 1996, $2.7 million in 1997, $1.7 million in 1998 and $3.2 million in 1999. Losses have increased significantly in recent times to $34.6 million in 2007 and $21.3 million in 2006.

This government negotiated a new grand prix contract in 2000. This is Labor's contract. It is also instructive to look at total revenue. In 1996 total revenue was $51.1 million, but in 2007 we saw the lowest revenue ever — $43.4 million. In terms of sales revenue, in 1996 it was $40 million, and in 2007 we saw the lowest ever sales revenue of $32.9 million. Between 2005 and 2007, when the loss escalated from $13.6 million to $34.6 million, total revenue fell from $52.6 million in 2005 to $47.6 million in 2006 and to $43.5 million in 2007, and sales revenue fell from $41.5 million in 2005 to $35.6 million in 2006 and to $32.99 million in 2007. I call on the government to improve its management of the event to ensure that tourism and business benefits can continue for Victoria without too great a taxpayer subsidy.

Les Crofts

Ms KOSKY (Minister for Public Transport) — I want to take this opportunity to acknowledge the fantastic contribution Les Crofts has made within the Altona community. He has had a lifetime devoted to community service and has looked after many, many people in Altona. Les was a councillor with the former City of Altona for 26 years and oversaw the growth of the city and ensured its financial stability. At this time

Altona was the envy of all surrounding councils for its infrastructure, cultural and community programs.

Les was the mayor of the City of Altona a total of three times — the first in 1968–69 as the inaugural mayor, followed by terms in 1976–77 and, finally, in 1984–85. Les has been an elder of his church, the Presbyterian Church of Williamstown, for many years and continues to play a guiding role there. He has also had the opportunity and time during his busy schedule to enjoy a game of bowls at the Altona Bowling Club and was club champion in 1972 and also served a term as club president. Les was also president of the Altona Youth Club, a position he held for several years. His work has been acknowledged through both the voluntary service award and the Order of Australia medal. Les was the charter president of the Altona City Rotary Club. Les is not well at the moment after having suffered a stroke on 6 January, which has left him paralysed on his left side. We wish him all the best in his recovery.

Teachers: Catholic education system

Mr RYAN (Leader of The Nationals) — Last week in Sale I met with 40 teachers who teach in the Catholic education system in Sale, Maffra, Stratford and surrounds. These teachers were highlighting to me that they are among the lowest paid of their colleagues in the Australian nation. This is symptomatic of the position which applies to teachers at large throughout the state of Victoria. It is particularly so, however, in the Catholic system. The basic problem is that 16 per cent of the Catholic system in Victoria is funded through the state. In New South Wales the funding level is 25 per cent. Even if there was parity between Victoria and New South Wales it would mean an additional $100 million or thereabouts would need to be injected into the Catholic education system. We should all remember that the Catholic education system and the independent schools cater for about one student in three across Victoria and therefore make a magnificent contribution to the education system in our state.

The government of Victoria says education is its no. 1 priority. Now is its opportunity to do something to address this terrible imbalance. These teachers have made it clear to me that the current position is intolerable and they feel particularly for their students and the school communities of which they are part. They have presented to me a petition pleading their cause. The petition is not in a form to be tabled, but I will send it to the minister on their behalf seeking action.

GippsTAFE Energy Training Centre: industry awards

Ms BARKER (Oakleigh) — On Thursday, 28 February, I was pleased to attend the 2007 industry training awards presentation night for the GippsTAFE Energy Training Centre, Chadstone campus. I thank the sponsors who supported this evening: Energy Safe Victoria, Bri-Tech Pty Ltd, AWM Electrical and Data Suppliers, the Electrical Trades Union and Benton's Plumbtec. In the electrical field there were three categories. The best first-year apprentice was Rick Boyd, employed by Gregg's Electrics in Ouyen, a family business run by Barry Gregg, with the award sponsored by the Electrical Trades Union which was represented by Ray Crompton. The best second-year apprentice was Guy Marshall, employed by Central Power in Maryborough, represented by Frank Fitzgibbon, with the award sponsored by Energy Safe Victoria which was represented by its managing director, Ken Gardner. The best apprentice overall was Alasdair Pollock, employed by Powercor in Horsham, represented by Darrell Powell, with the award sponsored by Bri-Tech which was represented by Trevor Finch.

The best trainee in the gas industry was Andrew Dean, employed by Western Port Water, Phillip Island, which was represented by Stephen Porter. This award was sponsored by Benton's Plumbing represented by Wayne Benton. The best trainee in telecommunications was Brenton Cathie, employed by Excelior, contractors to Telstra, represented by John Gallimore. This award was sponsored by AWM Electrics which was represented by Bryce Davis. Congratulations to all the award recipients and thanks to the sponsors of these very important recognition awards. As can be seen, the employees, sponsors and trainees come from all parts of Victoria. This highlights the importance of the Energy Training Centre in Chadstone, the leading provider for the electricity, gas and telecommunications industry of training and skills enhancement.

Major Projects Victoria: Christmas party

Mr KOTSIRAS (Bulleen) — I recently sought documents under FOI relating to expenses of the office of major projects. To my amazement I am advised that the alternative name for the Christmas party that was organised by the office of major projects on 21 December last year was 'planning day'. I hope this is not true, but it seems that on 17 December — four days before the planning day — the office of major projects spent nearly $200 on various Christmas items. These included, among other things, three boxes of bonbons, two Christmas garlands and two piñatas. At

the Christmas party that followed the piñata was suspended on a rope and a succession of blindfolded, stick-wielding, cardigan wearing, folder-carrying, cappuccino-drinking public servants attempted to break the piñata in order to collect the lollies and chocolates.

Our Lady of Lebanon Maronite Church

Mr KOTSIRAS — I also wish to pay tribute to and congratulate the Maronite community of Victoria on its hard work and dedication in establishing its new church, Our Lady of Lebanon. The new church, which is located in Normanby Avenue, Thornbury, was built as a house of worship for the Maronite community. I extend my congratulations to Monsignor Joe Takchi, the Antonine Sisters and all members of the building committee for their commitment and determination in ensuring that this project came to fruition. The Antonine Sisters are much valued in the Maronite community. They are always assisting those in need. They established a Saturday school, and on 16 November 1986 they opened the first child-care centre. Since then the sisters have increased in number and they have also opened a prep–12 school in Coburg.

Herb Thatcher

Ms MUNT (Mordialloc) — I rise today to pay tribute to Mr Herb Thatcher, who will retire as the president of the Mentone RSL shortly. Mr Thatcher, who has served as president for nine years, has taken the Mentone RSL from being an organisation in trouble to being a thriving asset for our whole community. Its outreach programs for veterans are outstanding. During the time of Mr Thatcher's stewardship the annual Anzac Day service, which is held at 9.00 a.m. on Anzac Day, has grown and grown. Currently hundreds of local residents as well as many of our local school communities participate in it.

Mr Thatcher served our country with distinction in New Guinea. After being wounded he was carried some 27 kilometres on a stretcher by the native Fuzzy Wuzzies and was transported back to Australia for treatment. Mr Thatcher served in the Australian army from November 1941 until May 1946. He is a wonderful man, who has served the community his entire life and has put his life on the line for Australia. Thank you, Herb. I extend my best wishes to you on your retirement. You will be sorely missed by us all, my friend.

Water: eastern treatment plant upgrade

Mr DIXON (Nepean) — An important anniversary slipped by in January. It was the sixth anniversary of the government's promise to upgrade the eastern treatment plant at Carrum. True to form the promise was re-announced during the 2006 election campaign, and even truer to form, very little has happened to fulfil the promise. The eastern treatment plant treats approximately 42 per cent of Melbourne's sewage to class C standard. The barely treated effluent is then pumped through a pipeline and discharged on the shore at Boags Rocks near the Gunnamatta surf beach on the Mornington Peninsula. Between 300 million and 400 million litres of brown, smelly effluent pours into the ocean each day. This is a criminal waste of water; a valuable resource is being wasted. At least the former Minister for Water, John Thwaites, understood the importance of upgrading the eastern treatment plan to produce class A water and therefore allow a wide variety of industry and agricultural application. The current minister and the rest of the government are paying only lip service to this project.

Peninsula Community Health Service and Peninsula Health: merger

Mr DIXON — The Minister for Health announced last week that the Peninsula Community Health Service will merge with Peninsula Health. This prolonged, hurtful and disappointing decision flies in the face of the community's wish. Clients, volunteers, management and the community all spoke out against the merger but of course were all ignored. Now that the merger has been forced on the people of the Mornington Peninsula I call on the government to guarantee that not one existing program will be cut back or removed, that no staff will lose their jobs and that a commitment will be made to rebuild the Rosebud campus's dilapidated facilities.

Strathdon Community: 40th anniversary

Ms MARSHALL (Forest Hill) — Strathdon Community celebrated its 40th anniversary and presentation day on 4 March. I was thrilled to have been invited to again witness another significant milestone in its history. Strathdon Community is a not-for-profit aged care facility in Forest Hill that began in 1968 through the generous donation of 2.7 acres of land from the Matheson family. The aim of the agency, as expressed in its mission statement, is 'to provide quality residential and community care services to the aged within the values of a caring Christian community'.

The event was not only an opportunity to honour many of the staff who have contributed so much to the warm and welcoming ambience of Strathdon but a chance for the many residents to remember the events of the past

40 years that have so positively and significantly changed the lives of so many Victorians. Congratulations to everyone involved.

Livingston Primary School

Ms MARSHALL — I was asked to talk to the grades 5 and 6 students at Livingstone Primary School about laws, rule-making and the three levels of government, which I did on 4 March. Livingstone Primary School is situated in Vermont South in my electorate. Whilst the school's academic focus is obvious, it also provides fantastic opportunities and facilities for many other forms of learning, including its wonderful sports fields.

Like the staff of any school community that aims to broaden its students' exposure to the facets of life that make up everyday living and their participation in our communities, the staff at Livingstone have ensured students have an understanding of the elements of governance in local councils, state governments and the federal Parliament. I was thrilled to answer the students carefully thought-out and challenging questions on Victorian politics, and I look forward to personally guiding them through the corridors of the Victorian Parliament House in the future.

Taxis: Gippsland East electorate

Mr INGRAM (Gippsland East) — I have received representations from taxi company operators in my electorate who are being impacted by the extremely high price of LPG (liquid petroleum gas). I understand the Minister for Public Transport directed the Essential Services Commission to conduct a review of LPG pricing and asked for recommendations by 31 January. This has not occurred, and as I understand it this review has now been rolled into a greater review of taxi fare pricing.

The industry is seriously hurting because the original review has not occurred. Local operators have seen a 40 per cent increase in the price of LPG in January alone. This has cut into the margins of taxi operators in my electorate. This is on top of major problems with the licensing process. It is very difficult to get taxi drivers. There is a long delay for new operators going through the licensing process because of the red tape, particularly in relation to the police checks. Because of these delays, it is almost impossible to get new drivers.

The set price of taxi fares does not cover the fuel price increases we have seen in regional areas. Taxis in regional areas are one of the few types of public transport. They are essential for people to get to and from the available range of different formal types of public transport. I ask the government to take urgent action to assist taxi operators, who provide such a vital service, particularly across my electorate.

Police: Boronia

Mr WAKELING (Ferntree Gully) — Residents in Boronia have voiced their concerns loud and clear about the prevalence of crime in their community. The recent stabbing of a 69-year-old resident who was withdrawing money at an ATM (automatic teller machine) has served as a lightning rod for the concerns of residents in Boronia. The situation is very clear. Boronia, like other suburbs throughout Knox, requires more police. The police stationed at Boronia do a good job in trying circumstances; however, they are significantly underresourced.

Whilst the Brumby government has turned its back on my community, saying there is no problem with law and order in my electorate, I will continue to work with the local members for Bayswater and Scoresby as well as the federal members for La Trobe and Aston to ensure that this government is held to account, recognises that there is a problem with police resources and acts accordingly. My colleagues and I will not tire until police resources are urgently increased.

Smoking: hospital precincts

Mr WAKELING — I raise a concern about the prevalence of smoking at the entrance of many of our public hospitals. I was recently approached by a concerned resident who was subject to an overwhelming presence of smoke at the entrance area of a major hospital. The resident, who is regularly visiting a relative undergoing chemotherapy treatment, seeks refuge at times at the entrance of the hospital facility. On many occasions, however, my resident is confronted by passive smoke due to the close proximity of the designated smoking area to the hospital's entrance. I call upon the government to act on this important issue and work towards ensuring that smoking areas are appropriately located away from the entrance areas of our major hospitals.

Peter Bollen

Mr CRUTCHFIELD (South Barwon) — It is with great sadness that today I inform the house of the resignation of the Surf Coast Shire Council chief executive officer Peter Bollen. He took on the CEO role back in 2002 but last week gave notice of his resignation to concentrate on his significant battle against the debilitating Parkinson's disease. Some

members would be aware that Mr Bollen was also the very capable CEO of Gannawarra Shire Council in the northern Victorian town of Kerang. As the CEO of Surf Coast Shire Council Mr Bollen made a significant contribution to strengthening what was once a weak, dysfunctional organisation with questionable finances, $14 million of debts and subject to several inquiries into its finances.

In his leadership role, Mr Bollen made the hard decisions that were necessary to turn the shire around into a viable, progressive and financially sound shire. It was Mr Bollen who led the shire into greener pastures and who has significantly contributed to the positive image that the Surf Coast shire has today. The council will struggle to fill the vacancy with someone of his skill and personal abilities, and the mayor needs to ensure that the process to replace him is vigorous and extends Australia wide, such is the quality of Mr Bollen.

He is very much respected not only among his own staff but also among members of the local community he served and will be sorely missed. Mr Bollen spearheaded the $60 million plan for Torquay's community and civic precinct, which is among his proudest achievements. I am sure Mr Bollen will tackle his Parkinson's disease with the same vigour that he showed in his role as chief executive officer of the Surf Coast Shire Council. The positive for Mr Bollen is that he will now be able to spend significantly more time with his family, including his wife, Cynthia, and three children. I will personally miss his sense of humour. Good luck, Peter.

Croydon Chess Club

Mr HODGETT (Kilsyth) — I recently had the pleasure of visiting the Croydon Chess Club and left with a much greater knowledge and awareness of the operations of the club and of the game of chess. Two main issues came out of the visit: the first was the need to find a home for the club. This is a matter that the City of Maroondah is working on, and I will pursue this with the council to assist the club to find a permanent venue. The second matter was to seek greater recognition of the game of chess and raise the profile of chess within government to gain funding and other support.

Club president Richard Goldsmith pointed out that chess has not the sheen of some of the more traditional types of games, but at a higher level it can be an amazing battle to observe and learn through. Clubs such as the Croydon Chess Club are seeking greater recognition and are somewhat concerned about being pigeonholed as a non-sport-related game.

Stephen Frost from the club provided information documenting the benefits of chess for children. He summarised a number of studies which concluded that chess can help children in the following ways: by raising IQ scores; strengthening problem-solving skills; teaching them how to make difficult and abstract decisions independently; enhancing reading, memory, language and mathematical abilities; fostering critical, creative and original thinking; teaching them how to think logically and efficiently and to select the best choice from a large number of options; demonstrating the importance of flexible planning, concentration and the consequences of decisions; and reaching boys and girls regardless of their natural abilities or socioeconomic backgrounds.

These studies should be sufficient to demonstrate that we ought to be assigning at least some resources to intellectual exercises such as chess, not just to physical exercises, for both young and old people. Chess can also provide practice at making accurate and fast decisions under time pressure, a skill that can help improve exam scores at school.

Israel: 60th anniversary

Mr SEITZ (Keilor) — I rise to congratulate Israel on its 60 years of statehood. It is an important milestone, particularly in the light of its difficult beginnings and the lack of acceptance by some of its neighbours of its right to exist as a state. Today in Canberra the Rudd government in federal Parliament is proposing a motion to congratulate Israel on its statehood and to reiterate Australia's commitment to and friendship with the state of Israel over the last 60 years, and its support for its people both in Israel and also here in Australia.

It is an important day for the state of Israel. We hope that in the future a solution can be found so that the two states of Israel and Palestine can coexist. Only then will we see a safe and secure future for Israel together with the cessation of the types of headlines we constantly see in the media here in Australia and the general reports that the Israeli community passes on to me in my electorate office.

It saddens me to see that even after 60 years the matter has not been resolved at the United Nations, and that the two states of Israel and Palestine have yet to find a way to coexist peacefully and support the people that they represent in the region.

Pensioners: government support

Mr WELLER (Rodney) — I rise today to defend the right of pensioners, many of whom are struggling to make ends meet. The elderly and the disabled are the forgotten Victorians, left to battle with little help and many promises. Those I have spoken to are frustrated by the rhetoric of this government. They do not want more words or vacant promises: they just want tangible help. If the government took the time to listen, it would discover that the rising price of utilities is also of great concern. By way of example, let me outline for you the weekly budget of one of my constituents. The beneficiary of a single pension of $265 a week, she pays $170 a week in rent. Further to that, she pays gas, electricity and telephone bills. With the meagre sum remaining she buys what food she can afford. Recently she pointed out that the cost of her car registration had almost doubled since 2002. Hers is not an exceptional case.

I urge the Treasurer to consider these matters when planning the coming budget. The state government should help pensioners by extending the winter energy rebate to cover summer air conditioning costs, which in northern Victoria are essential. When northern Victoria has days when the temperature goes over 40 degrees it is essential that the elderly and frail have air conditioning to keep them safe. The government should also provide extra help for pensioners when it comes to the registration of vehicles. These are the small measures the government could implement to make a world of difference to the lives of our aged, frail and disabled communities.

Prostate cancer: awareness

Mr HERBERT (Eltham) — On 14 February I attended an on-site meeting of about 400 building workers in the basement of the Multiplex building site in Bourke Street, Melbourne. The meeting was organised by the CFMEU (Construction, Forestry, Mining and Energy Union), Cbus and Multiplex to award new health and safety graduates with their diplomas and to launch a new men's health calendar.

This was quite an unusual site meeting because such events were banned under the Howard government's restrictive industrial relations regime, and unusual also because the event included a play about prostate cancer awareness, which starred the Governor of Victoria, who delivered a faultless performance, much to the appreciation of the audience.

Cooperative events between unions, employers and super funds aimed at improving health outcomes are of tremendous importance. This event not only raised awareness of prostate cancer but demonstrated the possibilities of cooperation that a new era of industrial enlightenment can bring under a new federal government.

I would particularly like to acknowledge the contributions of Bill Oliver, the assistant secretary of the CFMEU, and Peter Gebert of Cbus for their commitment to promoting health and safety and for their efforts to ensure that their members' working lives and retirement are not marred by unnecessary ill health.

Police: regional and rural Victoria

Mr McINTOSH (Kew) — The opposition has undertaken an examination of the editions of the *Victoria Police Gazette* from 8 January to 12 November last year. The police gazette is published every two weeks. Amongst its details are published vacancies at various police stations around Victoria. An examination of those vacancies discloses that a large number of police stations in rural and regional Victoria have significant vacancies, all of which demonstrates that the promise of this government to increase front-line police is not being manifested out in rural and regional Victoria. Those vacancies in total provide good evidence of a significant impost on hardworking police officers who are having to pick up the slack of those vacancies.

For example, during last year 89 vacancies were advertised for Swan Hill; for Robinvale, 54 vacancies; for Hamilton, 51 vacancies; for Wangaratta, 46 vacancies; for Stawell, 42 vacancies; for Horsham, 33 vacancies; for Sale, 30 vacancies; for Bairnsdale, 23 vacancies; for Ballarat, 22 vacancies; and for Camperdown, 22 vacancies.

Williamstown: hoon driving

Mr NOONAN (Williamstown) — I rise to thank a group of dedicated people who have been working together to tackle the rising problem of hoon driving in the Williamstown area over the summer months.

It is unfortunate that many young people have chosen to spend their summer months causing havoc by tearing up and down our local streets in their hotted-up cars, causing much heartache and disruption to the local residents. Councillors from the Hobsons Bay City Council, including the mayor, Cr Bill Baarini, Cr Angela Altair and Cr Leigh Hardinge, together with council officers Phil McDonald and Ron Butter, are leading the way in trying to conquer this problem.

Together with the local police they have devised strategies to limit this unwelcome problem.

These strategies have included increased police patrols, the issuance of infringement notices, vehicle confiscation, police visits to local community groups and leaders, new council signs warning drivers of regular police patrols, a local joint media release by the parties, a public meeting and a newsletter to more than 6000 residents — which, importantly, have provided locals with a direct line to the local police to report hoon driving. This collective work is making a difference, although eradicating the problem completely still appears out of reach.

I commend the enormous efforts of our local police force, including Inspector Mick Grainger, Senior Sergeant Ian Hicks, Sergeant Phil Holian and the rest of the hardworking officers of the Hobsons Bay police service area.

Essendon Maribyrnong Park Ladies Cricket Club

Mrs MADDIGAN (Essendon) — I would like to congratulate the Essendon Maribyrnong Park Ladies Cricket Club on its great victory in the women's final at the weekend, when it defeated Dandenong. I would like to congratulate both teams for their very sportswoman-like behaviour during the final and say what an excellent match it was. Essendon Maribyrnong Park last won a grand final 18 years ago, so it was very exciting. In fact some of the players in the side were not born 18 years ago, so it was particularly exciting for them. I would like to particularly congratulate the president, Mary McCormick, and the secretary, Erini Gianakopoulos, for their great effort in working with the club and especially for encouraging very young women to play.

On the day Kris Beames, who was the player of the match, took seven wickets for 48 runs — she is a spin bowler — and scored 40 runs. At 23 she is a member of the state side, and I think is expected to go even further. She is so dedicated that she comes across from Tasmania every weekend to play cricket with Essendon Maribyrnong Park. The strength of the Essendon Maribyrnong Park team is the age of its players. It has a number of junior players from the Victorian state side playing in its senior team. Congratulations to both teams. As usual, being women's sport, the match got no media coverage at all in the daily papers at the weekend or on Monday, even though it really was a first-class cricket match. Congratulations to them all.

Housing: Ashwood gateway project

Mr STENSHOLT (Burwood) — I rise on behalf of the residents of Ashwood and Chadstone to congratulate the Minister for Housing for his announcement on 4 March of an $80 million housing project. The Ashwood gateway project will deliver at least 100 social housing units on six redevelopment sites in Ashwood and Chadstone. The sites have the potential to yield around 200 new housing units where there were once 36. The project will be a housing association venture and is being funded out of the $300 million set aside in the last budget for the strategy for growth in housing for low-income Victorians.

The minister addressed the first meeting of the community liaison committee, which includes John Leatherland from the Department of Human Services eastern region; Reverend Peter Grasby from Chadstone; Andi Diamond from the City of Monash; Joy Banerji, who is a councillor; Sandra Grant, chair of Power neighbourhood house; Margaret Taylor, chair of Amaroo neighbourhood house; Lucille Horo, chair of the Ashburton, Ashwood and Chadstone Public Tenants Group; and Bruce Prescott, deputy director, Holmesglen Institute of TAFE. We are very passionate about improving public housing in our local area and providing roofs over the heads of more people. The gateway project is a major boost for the area. It is right near the Holmesglen station and the busiest bus route in Melbourne.

MATTER OF PUBLIC IMPORTANCE

Police: government support

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

> That this house condemns the Victorian government for failing to support our policemen and women in their efforts to protect the community from increasing levels of violence, and who are offered nothing but excuses from the government seeking to deflect attention from the dramatic rise in violent crime throughout Victoria.

Mr McINTOSH (Kew) — This matter of public importance is based on the premise that the opposition will easily be able to demonstrate that, firstly, we have alarming increases in crime, not just confined to the central business district of Melbourne or to Chapel Street but spreading right throughout the state. That violence is not just related to ordinary assaults or otherwise, but has a significant impact upon people who are assaulted. In many cases weapons such as

baseball bats have been used. One of the impacts of this is lifetime suffering for victims and their families after people have been bashed senseless in unbelievably violent attacks throughout this state. Many of those people will suffer debilitating acquired brain injuries as a direct result of these assaults.

Just as an aside, I had the opportunity of speaking to a leading doctor in one of Melbourne's well-known public hospitals. I am being obscure as I am not in a position to name that particular doctor, but he was able to say that from his experience of dealing with brain injuries he is of the view, anecdotally, that there has been a dramatic rise in the number of people he has to treat who have acquired brain injuries as a result of assault. We all expect it in relation to things like the road toll, but assault seems to be a growing issue in the public health system.

The figures in relation to assault are pretty stark. Violent crimes are being reported on our trains. In the first six months of last year some 330 violent crimes were reported on our trains. There were over 880 victims over the age of 60 years who were also subject to violent crimes.

We have seen violent crimes in our schools rise dramatically in the last few years. In the year 2000, the appalling number of 277 acts of violence were committed in our schools, and of course these figures have been made available under freedom of information. It may not necessarily be police reporting these incidents, but the fact remains that there were some 277 acts of violence in our schools in the year 2000.

By the year 2005 those acts of violence had increased to 741, and that is a dramatic increase in a space of some five years. We have also seen assaults in hospitals. In the year 2005 some 25 people were assaulted or were victims of violent crime in hospitals. By last year that had grown to 40 people, which is again a serious indictment of the violence that seems to be growing right throughout this state.

Indeed, when you look at the figures for last year you see there were crimes against the person, which takes in homicide, rape, sexual assault, kidnapping, robbery and assault. Last year some 42 138 crimes against the person were recorded by Victoria Police in the state of Victoria. I note that that is a 35 per cent increase in the number of crimes against the person in this state since 1999, and when you consider that assault accounts for about three-quarters of all crimes against the person, you realise it is a significant impost upon the community.

No doubt in many of those assaults that I have just alluded to, not only do the victims suffer the trauma of being attacked, but they suffer the trauma of going back out into the community afterwards and the risk of acquired brain injury. It is a significant issue, and one of the things that concerns me is that this government seems to be in denial about these dramatic increases that are occurring not just in the central business district of Melbourne or in Chapel Street, but right around the state.

The government is not prepared to admit these facts and it wheels out all sorts of excuses, such as the increases being due to an increase in reporting of sexual offences or to the encouragement of victims of long-ago assaults to come forward and make reports to the police. I accept that the police have undertaken to significantly increase people's reporting of crimes, and since 2004 there has been a significant increase in reporting of domestic violence. Certainly I compliment the government on its processes for at least removing the veil from domestic violence as a serious problem in this state, but that does not account for all of the dramatic rises in crime, because the number of assaults has been up — rather than just crimes again the person being up — by 35 per cent. Assaults have increased by up to 50 per cent since 1999.

Another troubling development is that weapons offences have increased by some 50 per cent since 1999. Of course, the figure that the government wants us all to hear is that there has been a reduction in overall crime of some 23 per cent since 1999. While I accept that there has been a significant reduction in property offences such as burglary, theft of a motor car, deception and related matters — I certainly acknowledge that fact — in the case of theft of a motor car, ordinary police would say that is probably indicative of the increased security that is able to be provided for motor cars.

Although no doubt in some areas around Victoria the incidence of burglary is plummeting, in my area of Boroondara it seems to be increasing at an alarming rate, but even more concerning to me is that aggravated burglary is also rising. Aggravated burglary, for want of a better description, is a home invasion and is a serious matter in the extreme.

The number of drug offences has remained reasonably static; it is only a small component of the overall numbers. Justice procedures, whatever they may be, have also been reduced. The net effect is that there has been a reduction in the total number of offences as recorded by Victoria Police; it is now down to some 370 000. The most significant factor is the rise in the

incidence of violent crime. As I said, that has been manifesting itself throughout the state, and certainly nobody seems to be quarantined.

In Geelong there has been a significant police attack on violence. The police have to stretch all their resources to be able to provide foot patrols in Geelong, but it has led to a significant result because of those foot patrols. But the local police, the local council, the local newspaper and the local radio station have been very concerned about rising levels of crime.

In the company of the Leader of the Opposition I attended a public forum in Malop Street run by the local radio station and the local newspaper to highlight the concern of the Geelong people about rising levels of violence.

Recently I was in Ballarat and had the opportunity to talk to a former member of the police force who now lives in Ballarat. He described some of the scenes you can often see in Lydiard Street but to observe them I would have had to go out at 12, 1 or 2 o'clock in the morning. A number of Ballarat citizens have said to me they are very concerned about acts of violence in Ballarat and the increasing inability of overstretched police officers to deal with this issue.

I have witnessed some sort of gang behaviour in Bendigo. I did not actually see an assault, but I certainly saw a number of antisocial acts by a large group of young men in Hargreaves Mall. I have spoken to many of the shopkeepers, who highlighted the fact that people are increasingly concerned about these matters.

As I said, in many other centres around Victoria the increase in violence is uppermost in people's minds. The *Herald Sun* of 21 February this year did a survey of some 15 000 of its readers. The biggest quotient of those readers identified a list of concerns about the state of Victoria: 70 per cent highlighted violence as one of their greatest concerns in Victoria; and 70 per cent who were 18 to 24 years old said they had witnessed a drunken violent attack within the last 12 months. That is an appalling record and an indictment upon all of us in relation to dealing with violence.

For some reason there is an inability to deal with this significant rise in violence; perhaps that is because we want to brush it under the table. It is a political issue. There is some problem that we are not prepared to acknowledge. To some extent it should be treated like the road toll whereby everybody accepts the nature of the problem and we search for solutions, even in this place. We participate with the community in a variety of ways. Victoria has a long history of being able to significantly deal with road safety problems and to reduce the road toll from a figure in excess of 1000 to the present figure of below 400. Governments of all persuasions over the last 30 years need to be congratulated for dealing with this issue.

But there is also a terrible circumstance in which this government is just not supporting our policemen and policewomen in their efforts to deal with violent crime. That manifests itself in the perennial problem of insufficient police numbers. As we know — and as has certainly been conceded — the state has just over 11 000 full-time employee sworn police officers, some of whom are part time. Last year's annual report clearly states that Victoria has about 11 000 sworn police officers.

However, how many of those officers are actually on the front line? Many of them are deployed in other areas such as in the office of the chief commissioner, as water police and in any of the other specialist forces; some are detectives. Those other areas absorb a large number of police officers. But there is no doubt that the largest quotient of the 11 000 police officers is made up of front-line police.

The much-vaunted people allocation model, or PAM, which resulted in the recent removal to somewhere else of six police officers from Boroondara in my electorate highlights the fact that of the 11 000 uniformed officers in the state, only some 7430 front-line police are dealing with crime.

The Police Association says that its headcount last year showed there were only 6600 police. This discrepancy has never been able to be resolved. I want to highlight one of the major concerns I have seen, resulting from my visiting a large number of police stations during formal visits with some of my colleagues.

I can see the ministerial adviser in the advisers box. I compliment the Minister for Police and Emergency Services and the minister's adviser as they have facilitated extremely well my attending police stations, dealing with police and talking to ordinary front-line police. I am very grateful for that support. The police officers I have met have complained about a number of things, but fundamental to their complaint — and this may account for the difference between the PAM model for front-line police and what ordinary people know to be the facts — is that the police station that I went to a few months ago will have some 37 operational police on the books. Yes, they are real life police officers, in uniform and doing all of those sorts of things that police officers should do, except that they are just not there at a particular station.

In this circumstance a large number of police, two or three, could have been seconded to do other projects anywhere from the Solomon Islands to the Flinders Street headquarters. No doubt all of the projects are important and would be about enforcing the law. There could be others who are not able to turn up because they are on maternity leave. They may still be recorded as being operational at that police station but are in fact on maternity leave.

Ms Green interjected.

Mr McINTOSH — The member for Yan Yean is being critical. I have no difficulty with secondments or maternity leave, but the officers are just not able to put on a uniform and attend work. The worst thing is that the return-to-work program is draining a large number of police. The station I have referred to has some 37 officers, but on the day I visited only 23 were available to turn up in their uniforms and undertake duties. Our front-line police are not being supported, and it is stretching credulity to the limit to refer to operational police numbers when there is this fiction about those who can actually turn up for duty on any particular day. Therefore the Police Association figure is probably more correct.

Ms GREEN (Yan Yean) — I am not sure whether to say that I rise with pleasure or contempt to speak on this ridiculous matter of public importance. As I have said many times in this place, I am always happy to rise to my feet in defence of our police commissioner and the hardworking men and women of Victoria Police, but woe betide those hardworking men and women if the member for Kew were ever to become the minister in this area. What a ridiculous MPI he has put forward this morning, and what a pathetic performance. His performance in question time yesterday showed that he would be lacking in the extreme and would not be on the ball in support of the men and women of Victoria Police.

The difference between the government and the opposition is that we actually do support the police. The opposition gets out pat lines about it supporting the police, but when the conservative parties have got nothing else to say in any other policy area they try to raise fear in the community about law and order. It is reverting to type. I found it unbelievable that the member for Kew was talking about front-line police and questioning the numbers in front-line policing. He seemed to imply that detectives are not involved in fighting crime or that the water police are not involved in fighting crime or protecting our community. What a ridiculous assertion.

It was most generous of the member for Kew to acknowledge that there had been a reduction in theft, burglary and motor vehicle theft. However, did he attribute this to the hard work of the men and women of Victoria Police? No, he did not. He seemed to imply that it was simply a factor of better security in motor vehicles or structures. That was a ridiculous assertion to make, when instead he could have congratulated the men and women of Victoria Police on their work in this important area.

The member for Kew also talked about what a good job has been done in reducing the road toll and said that that sort of activity requires bipartisan support. He seemed to imply that resolving issues of increased violence in the community would require bipartisan support. I was just astounded to hear him say that. Anyone who was in this chamber in December would know full well that the government put forward a bill to address issues of violence in the community. The Liberal Party's response to that was to oppose it. The member for Malvern in short pants led the charge in opposing the opportunity for Victoria Police to have additional powers to shut down venues and move people on. The Liberal Party opposed it. The member for Kew called for bipartisan support this morning, but when the opposition had the opportunity to do that, it failed. It was a case of saying, 'No appearance, Your Honour'.

At least in December The Nationals had the common sense to support that proposal, but now that might be another one of the compromises it has to make as part of the coalition. The other part of the compromise was relinquishing the right to have any spokesperson on police and emergency services. The Nationals had charge of that portfolio throughout the term of the Kennett government, and we had seen the member for Benalla making not a bad fist of it, but he has been sidelined and The Nationals will agree with the ridiculous assertions made by the member for Kew.

The difference between the government and the opposition is that we absolutely support the work of the men and women of Victoria Police and the work of the Chief Commissioner of Police, Christine Nixon. We have put flesh on the bones with that support; we do not just talk about it. We have increased the budget to record levels. Victoria Police has never had such huge resources at its disposal, including a police station building program — 149 stations have been or will be rebuilt or significantly refurbished across the state. We know that the track record of the Liberals and The Nationals when in government is that they slashed police numbers by 800 and let facilities run down. Now

they are trying to run away from that record and criticise the work of Victoria Police.

The Brumby government is very much committed to providing safe streets and homes for Victorians by ensuring Victoria Police is highly professional and well resourced. Since coming to office the government has increased the number of police by over 1400 and has increased funding by 50 per cent since 1999. That would not have happened under the watch of those opposite. Some 78 per cent of the more than 140 police stations across the state that have been refurbished have been in rural and regional Victoria. The additional support by the Brumby government is showing results. We have had a 23.5 per cent reduction in crime since 2001 — but members opposite would have you believe that is not true. Victoria is the safest state in Australia, but those opposite try to talk down the good work by the Chief Commissioner of Police and the police force that is delivering results.

The fight against crime is ongoing. The enterprise bargaining agreement that was agreed to last year, for which I would very much commend the Chief Commissioner of Police and the Police Association, has delivered a much more flexible set of circumstances for the chief commissioner to put resources where they are best needed — where crime is occurring. Those opposite would play politics with this, and they would try and tell the police commissioner and her leadership team how these resources should be allocated. I prefer the agreement that has been reached by the large majority of members of the Police Association who voted in support of that agreement. That flexibility has meant that the chief commissioner has the ability to move those resources to deal with the increase in violent crime that we are regrettably seeing. In recent weekends we have actually seen some of that targeted work in the hot spots, and I support the ongoing nature of those resources. We must have a police force that is free from political interference.

The other good work that the police commissioner has done along with the Premier was to set out a forward five-year plan earlier this year. This plan includes the 350 police we promised at the last election, and they were funded in the current budget to be phased in over this term. The agreement allows for more proactive policing, and we support that.

The member for Kew referred to the rise in violent crimes and assaults, which is something that we have obviously been concerned about, given the legislation that was put forward in December, which the Liberal Party opposed. A lot of this rise has been due to the changed nature of policing practice in relation to family violence, which is something that I support absolutely. There is a new code of practice for the investigation of family violence, and it focuses on greater reporting and investigation of these matters. What we have seen in this place is members opposite — and I would name the member for Kew and the member for Scoresby — saying that this is not important and this is not core policing business. I say to them that they are absolutely wrong. Anyone who is a victim of violent crime, in whatever circumstance, deserves our support, deserves the support of policing and deserves the reporting of that crime, and so there has been a jump in these numbers.

There is also a concern, obviously, in the community about the increased violence on our streets. I think that is not something that is just occurring in this state or in this country, it is something that is occurring internationally. It is something that all governments have to treat very seriously, and we are treating it very seriously, which is why we introduced the legislation that we did in December, which, I repeat, the Liberal Party opposed. The Premier has established a task force, headed up by the Minister for Mental Health, to deal with the alcohol problem and to look at the full range of government responses that are needed to deal with this problem. It is not just a policing response; it is much broader than that.

I refer again to the legislation that we proposed in December, which the Liberal Party just made an absolute mockery of. We well remember — and I am sure the community will remember — the banner headline on the front page of the *Herald Sun* of 6 December, 'Booze bust — Libs sink laws to make our city safer'. Nothing could sum the issue up better, and I agree with the *Herald Sun* in its summary of that.

These laws are working. Since the police have had the power to shut down nightclubs immediately for 24 hours if violence is occurring or public safety is threatened, 79 people have already been issued with a banning notice since the start of this year. That is something that the Liberal Party would not support. Victoria Police has also introduced a new 50-strong safer streets task force to deal with assaults in the city. This has been working well, and we have been seeing results. Since it commenced in October 2007 the task force has visited over 2000 licensed venues, spoken to more than 4000 people and arrested over 300 people for drunkenness and 140 people for non-drunkenness offences. Victoria Police is active in this area, and I support it.

I would like to move to some of the opposition claims that have been made on the increase in violent crimes

and on police numbers. There has been a culture of deceit within the opposition. Its members would raise fear in our community, and they have been out in the media saying that they had to obtain crime statistics through freedom of information. These have always been publicly available. Then when the Leader of the Opposition and the team opposite have spoken on these matters, they have been deceitful. In his media release of 26 February — only a couple of weeks ago — the Leader of the Opposition claimed that crimes against the person in the Central Goldfields local government area had increased by 23.3 per cent. This is just not true. In fact they fell by 15.8 per cent.

What sort of fear was the opposition trying to raise in the Central Goldfields community? In that press release he also made the claim that crimes against the person in the Horsham local government area had increased by 14.2 per cent. This is also not true; in fact they fell by 8.8 per cent. His press release also made a claim about the alpine local government area, saying that crimes against the person had increased by 35.2 per cent — another falsehood from the Leader of the Opposition. In fact they fell by 7.4 per cent.

The opposition's figures are just plain wrong. These numbers are on the Victoria Police website for all to see. The community should judge the sorts of mistruths and falsehoods that this coalition opposite will peddle just to get a headline and to raise fear in this community. I will not stand by and see that occur. I will continue to stand in this place in support of the Chief Commissioner of Police and the hardworking men and women who are doing a fantastic job in keeping Victoria the safest state and in protecting our community. We will continue to resource them well, we will continue to have record police budgets and police numbers, and I oppose this MPI by the ridiculous member for Kew.

Mr RYAN (Leader of The Nationals) — I rise to support the motion before the house. Victoria Police does a great job under difficult circumstances. It has a proud heritage of service in Victoria. Those who wear the blue occupy a very special place in the hearts and minds of all Victorians, but there is at present a tension in the ranks the nature of which I have not seen before. I practised law for many years and I have been in politics for many years, and I have not seen the sorts of tensions which are now running through the ranks. It is also a difficult time for force command, and I sympathise with the chief commissioner and her team in relation to the various management issues with which they need to contend on a regular basis. Nevertheless this is an issue which is of such significance that it warrants the member for Kew having brought the matter of public importance before the house this morning so we can have the opportunity to reflect on those matters which are of grave concern to all of us and indeed to the members of the force.

Last Thursday I had the honour to open the delegates conference of the Police Association, which was conducted at Echuca. I wish the member for Yan Yean had been present to sit in the back of the room and listen to what 50 hardworking police officers actually had to say about the issues that are causing grief to members of the force at the moment. The first and foremost issue on their agenda for their daylong discussions was the question of police numbers. The police simply do not have the numbers to do the job required of them. The police have called for an audit to be undertaken of police numbers in a transparent manner.

I understand that the Police Association has been provided with the people allocation model that has been undertaken by police command, but that is not what the association wants — and I must say that in the interests of Victorians, the laypeople out there in the street, I do not think it is what we want or need either. What we need is an audit that is transparent in its content so that people can see how many police we actually have on the beat working the streets of Victoria on behalf of those of us who comprise our respective communities.

I was in the company of the member for Rodney at that forum in Echuca last Thursday, but it was not only there that I heard people speak about police numbers. On Tuesday and Wednesday of last week I travelled variously to Bendigo, Warracknabeal and Horsham — I was at the field days — and many of the small towns in between. The issue of police numbers or the lack thereof is a constantly recurring theme when I have conversations with people and listen to them. From the government's perspective it must be understood that in the final analysis it is the government which has responsibility for this issue and unfortunately — tragically even — we have a government that is in denial. It will not acknowledge the problems that we have, and the problems are many.

Violence is increasing across Victoria. Since 2000 violence has increased in 57 of the 79 local government areas more than it has in the Melbourne central business district (CBD). Assaults in various areas around Melbourne have also increased significantly since 2000. The number of juveniles — people who are under 18 — committing assault has more than doubled statewide since 1999. The statistics are replete with the problems we have. Random assaults have increased

from about 1500 in 1999 to about 4500 per annum last year.

These problems can also be seen in country Victoria. Since 2000 some 30 of 48 non-metropolitan municipalities have suffered a bigger increase in violent crime than in the Melbourne CBD. The government is planning to save money by selling off some of the country police residences in 45 regional towns where more often than not the only basis upon which a local police officer lives in the small town is because he or she has access to a police residence. If the houses are sold and they have to locate themselves in a different area and travel across to that community, that takes them out of that small community and immediately lessens their impact. Fifteen of the 17 locations with the most number of advertised vacancies in 2007 were in regional Victoria, and that applies particularly to Swan Hill. These are just some of the issues which are reflective of the problems that we have and which are the basis for the MPI that is before the house today.

As well as being in denial the government will not recognise that it simply has to put more resources into police. The handling of this situation on behalf of the government has sunk to a new low. In the other chamber last night, Mr Hall, a member for Eastern Victoria Region, raised for consideration by the police minister the parlous position in respect of police numbers at Orbost. He went on to talk about the traffic operations group's problems and the lack of numbers allocated in that region. The response by the Minister for Industry and Trade, who was at the table, was to dispose of the issue raised by Mr Hall on the basis that he was being political. Mr Hall had the temerity to come into the chamber and raise an issue on behalf of the people of Orbost and eastern Victoria indicating their grave concerns about policing issues, and we had a minister of the Crown asserting that it was a political issue and therefore it was not an appropriate matter to be dealt with in the deliberations of the chamber.

I respect rulings from the Chair; that is not what this issue is about. This is a question of the government acknowledging that it must accept responsibility for this and be prepared to take positive action in relation to it. The first thing it ought to do is conduct this audit in a transparent manner. Look at the front of the *Herald Sun*! What sort of confidence is it engendering in the community at large when we see articles of that nature being published on the front page of Victoria's most popular daily. These are matters that the government cannot shy away from. We are at an age of unparalleled wealth in this state.

I see there has been an adjustment to the GST distribution recently that will mean we will get about another $350 million coming to us, on top of the GST payments that Victoria already receives. We now get about 26 per cent of our $35 billion budget from GST payments and it is about to go up. The government has got to provide appropriate resources for policing in this state. The best deterrent is a visible police presence, and people generally recognise such to be the case. I therefore plead with the government to reflect the call made by so many members of the community, including the Police Association, to make sure we have more resources available for policing.

The other issue that was raised by the Police Association delegates was in relation to the establishment in Victoria of an independent, broad-based, anticorruption commission which can deal with corruption investigations in a manner which Victoria now requires. In this state we have the Office of Police Integrity (OPI). It is constrained by its terms to only being able to investigate issues about police. For years police resisted the call for a broad-based commission, but the Police Association itself has now joined the chorus of voices which require the commission to be established as a matter of urgency. I understand its call for that to be so. The Nationals have developed this as a policy over the past five years. We have consistently called for the establishment of a commission in Victoria. The police are concerned about the fact that Victoria Police is the only organisation in this area of public administration which is subject to the sorts of investigation which are undertaken by the OPI. What the police now also say, along with the rest of us, is that there should be a broad-based capacity to do this.

Does the Victorian government truly think that these sorts of issues that are investigated by commissions of this nature in other states stop with the police force and with those few fools within the ranks of the force who do not conduct themselves properly? Surely you need only look at what is unfolding, as we speak, in local government in New South Wales and consider the way in which the Independent Commission against Corruption in that state has been able to generate the investigations that have been undertaken which have led to the Wollongong council being sacked and have led to a variety of other outcomes in relation to the ministry of the New South Wales government.

Does anybody seriously think, or is anyone naive enough to think, that conduct of this nature stops with those few fools in the police force who conduct themselves in this way? We need a broad-based commission which will do the investigations appropriately. The Police Association has now changed

its view. It is also calling for an organisation of this nature to be established. We appeal to the government to at long last do what other states in Australia have done, particularly New South Wales, Queensland and Western Australia, and to have one of these commissions established here. I conclude by supporting the motion before the house. Police deserve to be supported by the government in Victoria. They are not being supported sufficiently now.

Mr LUPTON (Prahran) — I oppose this matter of public importance (MPI) put forward today by the member for Kew. As I often do — and it is a useful exercise when looking at these sorts of motions proposed by the opposition — I will spend a few moments reflecting on the words that the member for Kew has chosen to use in this MPI. He starts by making an accusation about the failure to support policemen and women in their efforts to protect the community. We need to properly and sensibly analyse the claim and expose it for the falsehood that it is.

We in this government have given more support to our policemen and women in this state than any other government in the state's history, and we continue to do that. That is done in a number of ways. It is done on the basis that we increase the numbers of police; it is done on the basis that we increase the resources that are available to the police; and it is done also in the way that we support the chief commissioner and her hardworking high level colleagues who are doing such an important job in making our police in this state a police force for the 21st century.

We support the Chief Commissioner of Police, Christine Nixon, wholeheartedly. The work that she and Deputy Commissioner Simon Overland in particular have been doing at the moment to deal with the ways in which police operate, the ways in which police work, the ways in which crime is prevented, and the ways in which crime is investigated, I believe are a single illustration of the way police should work in our modern community. They are responsible for the very significant decrease in the crime rate that has happened in this state over the last eight or nine years. I will get to questions in relation to certain individual types of criminal behaviour in a moment, but I think it is important to recognise and appreciate that crime in this state is a lot lower now than it was in 1999. That is an irrefutable fact. It was a fact that was conceded in his remarks by the member for Kew. While we can point to some significant issues that need to be dealt with in relation to assaults and that are being dealt with in relation to assaults, we need to recognise properly and fairly that the overall crime rate in this state is significantly lower than it was in the past. That is in very large measure due to the support that this government has given to the police in Victoria and the way the police in Victoria have gone about policing in the modern community.

Supporting Christine Nixon and the way in which she has gone about that job is a fundamental and important thing that should not be jettisoned lightly, particularly by members of the opposition, who I believe have a responsibility to act in a way that does not undermine or attempt to undermine public confidence in the way in which police command is going about its very important duties. It is important to understand that we now have over 1400 extra police. We have an election commitment and budget allocation already being made to increase those numbers by an additional 350 police during this term, plus 50 specialist forensic investigators.

What the opposition seems to be saying is, 'It is all well and good having more police than we have ever had in our state's history or having a greater police budget than we have ever had in our state's history, but you as a government politically should be doing something particular about where those police are working and what they are working on in order they be effective in the way in which those budgets are used'. We, as a government, completely refute and reject that. There is nothing worse than a government or a politician getting involved in the way in which police command carries out its operational duties.

When the member for Kew gets up and talks about police being moved from one area to another, and how he disagrees with that, it gives the lie to the idea that the opposition regards Victoria Police as an independent organisation best able and best placed to make operational decisions of its own. The member for Kew disagrees with the operational allocation of police resources from one station to another; he wants to interfere with that process and tell police command how it should allocate its resources, but if that happened, Victoria would end up with a politically manipulated and politically operated police force. We and the people of Victoria overwhelmingly reject that concept. The people of Victoria have great confidence in Chief Commissioner Christine Nixon, and that confidence is well placed.

The other matter I want to deal with briefly in the time left to me is what the government has been doing in recent times to deal with the emerging matters that need to be dealt with, particularly in relation to assaults in our community. We recognised some time ago that the number of assaults in our community has been increasing, and the government has taken steps to make

sure the police have the resources they need to put in place effective measures to reduce the number of assaults.

In addition to increasing the number of police, we have allowed them to put in place the Safe Streets task force, which has been operating in the central areas of Melbourne and also in the Prahran district, which I represent. Previously there have been issues in relation to assaults, particularly around licensed venues, but over last summer the number of assaults went down dramatically. The Safe Streets task force is an example of proactive policing policies.

Towards the end of last year the government moved to bring forward legislation to give the police and the director of liquor licensing greatly increased powers to close down licensed venues that are sources of trouble and also to ban individuals from designated areas. One of those designated areas is the Chapel Street precinct in my electorate. That legislation will be a very effective measure in helping to drive down the level of crime and antisocial behaviour in that area. They are the examples of the measures this government, in partnership with Victoria Police, is putting in place to make sure we tackle the problems effectively.

Another matter I would like to mention in the time left to me is the enterprise bargaining agreement that was entered into last year. It was successfully negotiated by the chief commissioner and the Police Association. One of the central elements of that new enterprise agreement is that the parties to it have agreed to a further 10 per cent reduction in crime over the next four years with the resources they have now available to them plus the promised 350 additional police over this term in government.

As part of that agreement the police will improve flexibility arrangements to allow the chief commissioner to even more effectively allocate police resources when and where they are needed to fight crime effectively. That means they are able to put a greater focus on trouble spots and times of the week when particular action is needed.

In relation to the specific matters raised in this matter of public importance today, the flexibility arrangements in the enterprise bargaining agreement will allow the police to better tackle assaults and violence in particular areas on Friday and Saturday nights. That enterprise agreement was overwhelmingly agreed to by members of Victoria Police. It will be a very effective way of driving down the crime rate across the board.

We will continue as a matter of importance to resource the police appropriately and allow the chief commissioner and police command to do the very important work of making sure that our police are allocated according to appropriate policing priorities and not politicised in the way the opposition would like. We will continue to make sure that Victoria is the safest state in Australia. We will resource our police appropriately and support them wholeheartedly in the important work they are doing.

Mr TILLEY (Benambra) — I rise to speak on this matter of public importance. It is most definitely the appropriate time for this in 2008, with the increasing level of crime being of great concern not only in my electorate of Benambra but right throughout Victoria.

Victoria Police once had a fearsome reputation Australia wide as being the leading police agency. They were seen as the top crook catchers. They were second to none, but this perception has deteriorated over the last nine years under the watch of the Bracks and now Brumby Labor governments. Victoria Police had that reputation, absolutely no thanks whatsoever to the two previous Labor governments. You often hear in circles it being referred to as the ‘brotherhood’ or the ‘thin blue line’. I speak of the thin blue line and the brotherhood in positive terms. It is a bond amongst individuals — males and females of different persuasions — who work together to strongly protect their communities with what little resources they have.

This Brumby Labor government has done nothing but seek to divide and create conflict. It has created the public perception that Victoria Police is a corrupt organisation. It is an absolute disgrace when you see people on the government benches, the two-faced hypocrites in this chamber and out in the public arena, espousing what a wonderful job our policemen and women are doing, yet their government undermines the hard work, the blood, the sweat and the tears that these individuals are doing and shedding to protect the community. It is an absolute disgrace. The Brumby government, with its underlying hidden agenda, is continuing to tear apart the morale, the pride, the integrity, the guts, the determination and the soul of our policemen and policewomen.

We can talk all day about figures and other things. Police command have divisional and regional compstats; local divisional and area inspectors are put under the pump because they are subject to performance review. They may be working in rural Victoria but then one day they may find themselves working in Melbourne if they do not meet their targets. A police officer may be told, ‘Pack your bag, son. You

have not met your targets, you now have to work down in Melbourne'. These are the people who will not speak up about the crisis affecting metropolitan and rural Victoria, but we are being informed in confidence by some who are not subject to intimidation and the threat of having to move. Recently some senior sergeants from Wodonga and Wangaratta spoke openly about the stresses affecting the working policemen and policewomen in rural Victoria simply because the resources are not there. They cannot continue to work in these conditions.

Bringing things closer to home, I turn to conditions at police stations that service the local government areas of Whittlesea and Nillumbik, where we have seen increases in crimes against the person of around 78 per cent and 31.8 per cent respectively. If we look at the rosters of the police stations that service parts of those areas we see that just next week the posted strengths are in the order of 38 and that there are only 18 to 20 police officers available, which is 18 or 20 less police able to perform the duties that they need to perform to protect their community. I will tell you where those police are. People are trying to get two of those police back from secondment to some sort of community social engineering project, a couple of others are on sick leave, and the biggest portion is the unfilled vacancies of up to and exceeding four months duration, which is incredible. There is no backfill. There are no additional resources to complement that roster in order to fight crime and prevent the rising level of assaults, the burglaries and car theft — you name it. All manner of crime is left. It is a crook's dream. They can just run around the place and do as they see fit, because they know there are no police.

We heard the Premier just last week talking about vast parcels of land becoming available for the growth corridor. In this particular area we have seen a population increase of around 30 000 people, yet there are no trains and no police. So you grow metropolitan Melbourne, but there will be nothing there for them. We will be going back to the days of the wild west almost where people will have to defend their life and property on their own, because they do not have the support from this Brumby Labor government, which is not providing the resources to the protectors, the peacemakers, in our community.

Whilst on that, heaven help those officers trying to work on the night shift! Heaven help them if they make an arrest and have custody of someone and have to ensure that person's safety whilst in the police jail! The neighbouring police station should watch out, because it is going to lose troops as well. They will be recalling them and bringing them back to take care of the jail matters.

Mr Haermeyer interjected.

Mr TILLEY — In these areas I speak with some experience, unlike the former minister heckling away up there in the back. I speak from personal experience of working at the coalface of crime, serving the communities, having those contacts and having the general experience and understanding that you need to address more than just the command structure. Members of the command structure will espouse the government views and the party line to keep their jobs and bonuses, but if you speak to the working policemen and women who have to deliver the services, you will find that they are simply not getting resourced. It is an absolute disgrace.

Members in this place, who take an oath, should reflect on how important taking an oath is and what it means to take an oath to protect your community. Police take an oath that after their appointment, whether they be promoted or reduced in rank, they will without favour, affection, malice or ill will and until their discharge keep the peace and preserve it and prevent all offences to the best of their powers. If you swear an oath, you want to be adequately resourced so you can keep that oath you are bound by. So those hypocrites on the other side should stop standing up in this place; they should get out there and properly resource Victoria Police!

I turn back to the Premier, whose six main policy priority areas included education, transport, federalism, water and early childhood development — but did we hear one single word about law and order? Absolutely not; it just dropped off the list. Law and order obviously is not an issue for the Premier and this government.

Mr McIntosh interjected.

Mr TILLEY — It is not in the top six, so I would be interested to know where exactly law and order and resourcing our police actually fall.

Ms Allan — It is the safest state in Australia.

Mr TILLEY — That is not thanks to you; that is thanks to the hardworking policemen and women on the street with no resources, who go out day and night and work tirelessly — —

The ACTING SPEAKER (Mr Seitz) — Order! Interjections are disorderly, and the honourable member should ignore them.

Mr TILLEY — The government is leaving the cops holding the bag, and they are not able to deliver on any of the services.

In the March edition of the *Police Association Journal* there is a very interesting read from some hardworking officers who are now in the twilight years of their service with Victoria Police. Knowing both of them personally, I can say they are definitely dedicated, hardworking police officers who now have the courage to stand up, knowing that with their careers coming to an end they can speak openly about the lack of resources this government provides them with. In such circumstances you cannot adequately keep a night shift on the road. If a divisional van goes out of, say, a town in the north-east to back up one of the one-man stations, which may be closed at the time, a whole town and a population of say 35 000 people is left unprotected. That is an absolute disgrace when it comes to country Victoria.

We are looking at considerations regarding closing down houses in which police live. Police live in our country towns because there is a house provided for them there. In any case, here is a message for the Premier: no more excuses; we want solutions; get off your hands, get up and back our police.

Ms DUNCAN (Macedon) — Listening to that contribution by the new member for Benambra makes me think that we have made Benambra a safer place for people by having the member in this chamber rather than out on the streets! The very aggressive, outrageous behaviour we have just seen from him also demonstrates the need for the good work Christine Nixon is doing in changing the culture of police in this state. It is why she has been so effective.

The contribution of the member for Benambra was from beginning to end a constant undermining of police command. If all of these things that he and members of the opposition state are true when they say how underresourced the police are, just imagine how much worse it must have been when there were 1400 less police in this state and a 50 per cent smaller budget. Imagine how outrageous Victoria must have been prior to 1999. Their suggestion that all these bad things have occurred with 1400 extra police only demonstrates how bad things must have been under their government.

What we heard from the opposition was a quite desperate politicising of this very critical law and order issue. It is not uncommon for conservative parties to do this; in fact, it is their stock in trade. It is the fear factor that they seek to instil in the hearts of people. In order to do that there are constant lies, mistruths and in some instances, I think, complete misunderstandings of the way in which the police actually work.

The classic in recent times was the report in the *Maryborough District Advertiser* of the Leader of the Opposition claiming that the Victoria Police statistics from 2001–07 show there has been an increase in crimes against the person within the Central Goldfields shire. Wrong again, Mr Baillieu! Crimes against the person have actually fallen 15.8 per cent in that region thanks to the great work of the police and the additional resources that they have received. In a further comment from Mr Baillieu, who runs around the state making almost embarrassing claims at times — —

The ACTING SPEAKER (Mr Seitz) — Order! I ask the member to use the proper title in referring to the Leader of the Opposition.

Ms DUNCAN — The Leader of the Opposition made further claims about regional Victoria, which were reported in the *North Central Review* of 11 March 2008, and in particular about the Seymour police station. The Leader of the Opposition highlighted the number of vacancies in the area, which prompted the following response from police divisional headquarters:

> As such, the number of vacancies advertised over any given period of time is a particularly poor, if not meaningless, indicator when it comes to assessing issues around attraction and retention of staff.

This is the sort of poor, if not meaningless, comparisons that the Leader of the Opposition goes around this state making. Previously the opposition has been embarrassed by some of its claims made, for example in its discovery of particular statistics through FOI. They did not need to go through FOI, they just needed to search Google to find all of those statistics. However, it is presented by the opposition as some deep-throat investigation it has conducted in obtaining these statistics, which are actually available for all to see.

This government has been the first to acknowledge that there have been increases in crime in Victoria, which in some instances have been due to changes in the code of practice for the investigation of family violence, for example; and we know that now police are required to take action on all reports of family violence when previously police would not have got involved. Inevitably this leads to an increase in reporting. We and the police see this as a good thing, because previously this has been an underreported crime.

Prior to the last state election former members were heard to say that the police would be better served if they did not investigate these sorts of matters in homes,

when we know that this is where some of the worst violence in the state occurs. We know where they sit on a lot of these matters. We saw it again when the government, acknowledging that there has been an increase in alcohol-related crime around some hot spots in the city, introduced legislation late last year. This legislation was opposed by the Liberal Party, and who could forget the *Herald Sun* headline of 6 December last year 'Booze bust — Libs sink laws to make our city safer'?

The opposition went to the last election with a policy similar to that of the Labor Party — I think it was the same policy — on the position of the Office of Police Integrity. Then the wind blew in another direction, and they came out some weeks or months later to completely change their policy. Again they stand for nothing and will go whichever way the wind blows.

We heard a lovely radio interview with the ex-police commissioner who claimed hundreds of police are working as gay and lesbian liaison officers. Hundreds! We have heard this said by members of the opposition, and we have seen some of the most vitriolic, unsubstantiated claims made in the other house by members of the Liberal Party. There was a subsequent radio interview with Simon Overland in which he was asked how many gay and lesbian liaison officers there are in this state. He said there are two, so we have gone from hundreds to two.

I will move on to some of the positive things this government has done and, I suggest, put paid to some of the lies of and the complete misunderstanding by opposition members. The best spin I can put on it is that they do not understand it. In a press release of 26 February the Leader of the Opposition claimed crimes against the person in Central Goldfields shire increased by 23 per cent. That is not true; in fact they fell by over 15 per cent. He said crimes against the person in the Horsham shire increased by 14 per cent, but in fact they fell by over 8 per cent. He also said crimes against the person in Alpine shire increased by over 35 per cent, which again is not true, because in fact they fell by 7.4 per cent. Everywhere you go, the Leader of the Opposition is there, completely misleading the people of Victoria.

Some further examples of the support we have given, particularly in regional Victoria, are that in Geelong, the number of police has increased by 28 per cent while the crime rate has fallen by over 33 per cent. In Ballarat the number of police has increased by over 35 per cent while the crime rate has fallen by 17.9 per cent. In Central Goldfields shire the number of police has increased by 23.1 per cent while the crime rate has fallen by 47.6 per cent. In Macedon Ranges shire, in my electorate, the number of police has increased by 19.5 per cent while the crime rate has fallen by 33.5 per cent. Now there is only silence on the opposition benches: they do not like good news, they do not like statistics, they do not like facts and they never let the facts get in the way of what they consider to be their good stories.

In Shepparton the number of police has increased by 21.8 per cent while the crime rate has fallen by 28.9 per cent. In Benalla the number of police has increased by 13.5 per cent while the crime rate has fallen by 19.9 per cent. Are opposition members listening now? Are they getting this into their minds? In East Gippsland the number of police has increased by 9.6 per cent while the crime rate has fallen by 23.1 per cent.

In terms of resourcing police in the growth areas of Victoria, the number of police has increased in Melton by 22 per cent while there has been a 30 per cent reduction in crime. A new police station was built in Caroline Springs in 2006. In Wyndham there has been a 65 per cent increase in police numbers, and we are currently in the process of building a new station in North Wyndham. In Cardinia there has been a 127 per cent increase in police numbers. There is a new police station in Bunyip and a new police-State Emergency Service-Country Fire Authority station in Pakenham.

In the city of Casey there has been an 86.7 per cent increase in police numbers while there has been an 11 per cent reduction in crime. In Surf Coast shire there has been a 23 per cent increase in police numbers and a 24 per cent reduction in crime. In Bass Coast shire there has been a 19.8 per cent increase in police numbers and 33 per cent reduction in the crime rate. We have new and refurbished stations right across Victoria — and the list goes on and on. In the shire of Mitchell there has been a 45.8 per cent increase in police numbers and a 14 per cent reduction in the crime rate.

This government's track record speaks for itself. Members of the opposition — an opposition that when in government let police numbers fall by 800 — have the audacity, the gall, to make the claims they make when this government has done everything opposite to what the former government did. I am gobsmacked by what some of them have said, because we have increased the police budget and we have increased police numbers. The former government did the opposite, but in here today opposition members have talked absolute rubbish, trying to scare the community by playing politics with law and order. It is the mainstay of conservative parties; it is what they always do. If they cannot tell a good story, they say, 'Let's

scare the community. Let's get misinformation out there. Let's again tell this government' — which is doing the right thing — 'to do what we say, not what we did'. They are now sitting here and telling us to do what they should have done.

Mr HODGETT (Kilsyth) — I support the matter of public importance (MPI) that is before the house. Labor has not and cannot manage law and order in Victoria. The first step for the government to take is to admit it has a problem. It has to acknowledge the problem before it can do anything about it. John Brumby has been trying to fool Victorians for almost eight years that the alarming rate of serious violent crime against Victorians is not a problem. But last year there were 42 138 violent crimes against Victorians, including assault, sexual assault, homicide, stabbings and rape. Brumby must move from a state of denial — —

The ACTING SPEAKER (Mr Seitz) — Order! The member should refer to the Premier by his correct title.

Mr HODGETT — You are quite right, Acting Speaker. Premier Brumby must move from a state of denial to a state of action. I urge the Premier to do that sooner rather than later. Even the police minister, Sideshow Bob, must get out from behind his desk and wake up to what is going on. Last year the Minister for Police and Emergency Services claimed that Victoria was the safest state in Australia, yet in January Chief Commissioner Christine Nixon admitted that:

> We know that the level of violence is higher than we've seen before …

A range of matters and concerns with law and order have been raised in recent weeks, but this government continues to hide its head in the sand, ignore the problem and make constant excuses. It is more concerned with public relations and spin than making our local neighbourhoods safe.

I will give an example. I arrived home last night and picked up the local paper only to find another example of the government's PR spin. Last week it trotted out a senior police officer to do a series of interviews with community newspapers to assure all and sundry that all is fine in our local streets. The minister — also known as Minister Sideshow Bob — was on the front foot last week to hose down concerns over operational police numbers. The newspaper stated that the officer:

> … played down concerns about falling police numbers and slow response times …

Funnily enough, in the same edition of the newspaper are letters from local residents who have written about local problems. One says:

> On many occasions, we have called the police, but it takes so long for them to respond (if at all) and most times the louts have gone.
>
> We love the area and, being pensioners, it is so handy to everything, but now we are considering leaving the area.
>
> …
>
> … please, more police for Mooroolbark. I do not feel safe walking the streets here.

That letter sums up the very essence of this debate. On the one hand we have the PR spin that everything is okay and there is nothing to worry about on our local streets, when the truth as it has been reported by local residents is that they do not feel safe in their local area. The government and the Premier should have the decency to admit that they have a problem, instead of sending out the troops to defend the government's spin and lies. How must hardworking, decent local officers feel when they hear glib lines and spin but know damn well what is happening in their local patch?

At the outset I say that this is not an attack on hardworking, decent, honest police officers who serve our community and go about doing their jobs to the best of their ability with the resources they are provided with; it is about condemning the Victorian government for failing to support our policemen and policewomen in their efforts to protect the community from increasing levels of violence. They are offered nothing but excuses from a government that is seeking to deflect attention from the dramatic rise in violent crime throughout Victoria.

We have heard a lot of waffle from members on the other side, but let us get the facts straight. These are the facts. Violence is going up across Victoria. The government would have us believe that only one or two spots are a problem, such as the central business district (CBD) or Chapel Street, or that it is confined to a couple of areas, but since 2000 violence has increased more in 57 of the 79 local government areas than in the Melbourne CBD. Since 2000, assaults have more than doubled in the municipalities of Melton, Wyndham, Casey, Cardinia, Moreland, the Mornington Peninsula and Whittlesea.

Since 1999 the number of juveniles — people under 18 — committing assault has more than doubled statewide. Also since 1999 the total number of assaults per year has increased from 19 856 to 31 020 per year — a 56 per cent increase statewide. The number of senior victims of assault — people over 60 — has more

than doubled since 1999 statewide, and in the last 12-month reporting period assaults in schools, TAFEs and universities increased twice as much as assaults on licensed premises.

These are the facts. They are not just some figures I have plucked out of thin air, as government members do. I will give a couple of local examples. In my local area, in the city of Maroondah, in the period 2000–01 to 2006–07 crimes against the person were up by 42.1 per cent. In the same period assaults were up 56.3 per cent, sexual assaults were up by 64.9 per cent and homicides were up by 150 per cent. Those are the facts.

The government propaganda would have us all believe that more police are on the beat, but as we have heard people say time and again, 'Where the hell are they?'. I give as an example a local police station in Melbourne. It has 42 police on the roster. Of those 42 police, 10 are seconded, 2 are on light duties and 2 are on extended leave. There is no backfilling for the 10 who are seconded; none has been replaced. Some of the secondments are permanent and some are indefinite — it is not known how long they will be for. There are 42 police on the roster but only 28 officers are physically available to perform the duties of that station. We keep being told by front-line cops that there are now more non-operational positions than there have ever been. On paper there are 42 police at the station, but in reality not all 42 are there, and that is not sustainable.

We keep hearing from local police that there are not enough resources to allow them to engage in proactive policing anymore. We continue to hear how disappointing it is that the Police in Schools program no longer exists. It is an insult to our local police when they hear government representatives — Sideshow Bob or the Premier — out there putting on the spin that everything is okay and that crime is limited to only a couple of spots in and around Melbourne, when in reality they know damn well what is going on in their local areas. As we have seen in past weeks, officers are gagged and prevented from talking about it.

The Premier must stop telling lies; he is kidding no-one. People are getting hurt on our streets; they are getting injured or killed. All we get from the government are excuses. The government refuses to believe law and order is an issue. The problem requires real solutions from the government, not glib lines and spin. As we have heard from government speakers today, they are happy to try to use the crime statistics to their advantage and to paint a positive picture, but they must face up to their responsibilities. Victorians do not want more excuses; they want police put back in the community where they belong. People want to be in neighbourhoods where they feel safe. The government should cut the excuses and get more police on the street fighting crime. We want no more excuses from the Premier. He should put police back in the community where they belong. For the sake of our communities John Brumby must stop counting beans and put his spending money into front-line police.

The ACTING SPEAKER (Mr Seitz) — Order! The member should refer to the Premier by his correct title.

Mr HODGETT — For the sake of communities the Premier must stop counting beans and put his spending money into extra front-line police. It is time Premier Brumby stopped burying his head in the sand. He must put more police on the streets to stop violent crime spiralling out of control. We want no more excuses. The government must put police back in the community where they belong.

Ms RICHARDSON (Northcote) — I rise to speak in opposition to the matter of public importance before the house. Listening to the debate today can I say to members opposite that you truly have the morals of alley cats to walk in here and try and present yourselves in this place as the champions of the police force or as the great crime crusaders. Your record in government was simply appalling. Your actions here today and your lame statements — —

Mr O'Brien — On a point of order, Acting Speaker, the honourable member should direct her comments through the Chair rather than to members opposite.

The ACTING SPEAKER (Mr Seitz) — Order! I note that the member said 'you', which is a plural term and not unusual. Therefore I do not uphold the point of order.

Ms RICHARDSON — The truth always hurts, does it not?

The point is this: when members opposite were in government they slashed police numbers by 800 and let police facilities across the state run down. This was particularly harmful for local communities in rural and regional Victoria where the previous government closed police stations and ripped the hearts out of those communities. That will never be forgotten by residents of rural Victoria.

In contrast the Labor government has done much to support our police force, and Victorians have seen the results of this investment. A record $1.6 billion has been put into the police budget. This represents a 50 per

cent increase since 1999. All of this had to be done to address the years of neglect by the Liberal-National government. We have seen a record increase in police numbers, which have increased by 1400. We have refurbished or built 149 police stations across the state — another record number.

For the residents of the municipality of Darebin in my electorate this commitment to police means there are 172 uniformed police serving in Darebin. That is an extra 22 police, or a 15 per cent increase, since 1999. We have a brand-new police station in Northcote with the old one having been decommissioned and a new one built. That was an election commitment we made in 1999 and we delivered on it when we came to government.

I would like to take this opportunity to congratulate the hardworking police in the Northcote electorate. Led by Senior Sergeant Paul Gunning, they have a tremendous commitment to and care and concern for the community they seek to serve. I cannot speak highly enough of their efforts in my area. Their efforts, supported by the state government via extra resources, have had a direct impact on crime rates. In the Darebin police service area we have seen a 25.4 per cent fall in crime since 2000–01. A small pocket of my electorate — about half the suburb of Alphington — is within the city of Yarra and those residents have also seen a dramatic fall in crime.

Mr R. Smith — Have they told you they feel safe?

Ms RICHARDSON — Yes, they have.

The ACTING SPEAKER (Mr Seitz) — Order! Interjections are disorderly, and the member for Northcote will ignore them.

Ms RICHARDSON — There are 169 police serving in the Yarra police service area. That is an additional 35 police, or a 26 per cent increase, and again we have seen a drop in crime rates as a consequence of that increased resource. There has been a 21.1 per cent fall in crime. More uniformed police and more resources in the areas of intelligence, crime and traffic tasking units, task forces, child abuse units and proactive policing programs have had a measurable effect in reducing crime in the cities of Darebin and Yarra.

I would like to take this opportunity to congratulate the Chief Commissioner of Police, Christine Nixon, on her leadership and her capacity to get the job done. For my constituents her efforts and the efforts of our local police have, as I have outlined, had a direct impact on their feeling of community safety and wellbeing in living in the cities of Darebin and Yarra. Unlike members opposite, we believe the government's role is to provide resources and leave operational decisions to the chief commissioner. Her operational decisions, combined with these extra resources, have, as I emphasised earlier, had a direct impact on community safety for constituents in my electorate. I am proud to say that as a result of all this happening in my municipality and in many other municipalities Victoria has the lowest crime rate of any state in Australia.

I would like to take a moment to address the misleading statements that have been made by members opposite concerning the increase in assaults and crimes against the person. It is true that there has been an increase since 2000–01. However, this increase has come about largely through a change in policing practice which has resulted in better reporting of family violence. The member for Kew acknowledged this earlier today. I encourage members opposite to have a look at the *Hansard* and read what the member for Kew actually said. We all know that, sadly, most domestic violence incidents go unreported. In the past the community attitude to domestic violence was to ignore what went on behind closed doors in someone's home. It was always regarded as someone else's business. But community attitudes have changed, and the police have played their part in leading that change in attitude and have been shaped by it.

In 2004 the police introduced a new code of practice for the investigation of family violence. This code focused on greater reporting and investigation of family violence matters. Police are now required to take action on all reports of family violence, whereas previously incidents may have been ignored. As a result we have seen a jump in the incidence of reported assaults. However, the police regard this as a success as previously these incidents went unreported and were hidden behind closed doors. Of course members opposite have in the past criticised Victoria Police for taking this step and this important stance against family violence. We on this side of the house and the Labor government have always commended the efforts of the police and supported them in their endeavours.

A number of organisations and community groups have played roles in changing community attitudes. I would like to acknowledge and highlight the role the City of Darebin has played in tackling domestic violence in our community. The City of Darebin rightly enjoys its status as one of the leading municipalities in Victoria. Members would have seen the announcement of its transport strategy last week, which is a first. Darebin was the first council to show leadership in the most important area of domestic violence. In 2000 Darebin

seized on Labor government policy to provide a more integrated approach to addressing domestic violence. It brought together representatives from the judiciary and the police force and council officers to develop a plan to tackle domestic violence. The leadership the council showed was recognised in May 2006 when it won the anticrime award at the Victorian crime prevention awards.

However, encouraging victims to report domestic violence incidents and the change in approach by the police has led directly to an increase in the number of incidents that are reported. We saw this in the city of Darebin, where incidents rose. But, as I said earlier, this is regarded as an important step in tackling domestic violence which was previously swept under the carpet.

I want to talk about crimes arising from alcohol abuse and emphasise that the police and the Minister for Police and Emergency Services have acknowledged that we have also seen an increase in violence around licensed venues. However, the government's response has also been decisive in this area. Last year the government introduced legislation to tackle alcohol-related incidents around venues. These laws were designed to give police extra powers to shut down nightclubs and to ban troublemakers from these venues. I emphasise that at the time the legislation was put before the house the Liberal Party opposed it. I would also like to touch upon the — —

Mr O'Brien — On a point of order, Acting Speaker, the honourable member is misleading the house in stating that the Liberal Party opposed the legislation. The Liberal Party nowhere opposed the legislation. The honourable member well knows that and she is misleading the house. I ask you, Acting Speaker, to remind the member of the importance of not misleading the house.

The ACTING SPEAKER (Mr Seitz) — Order! If the honourable member for Malvern wishes to correct the situation, he can refute the statement made by the member for Northcote when he gets the call.

Ms RICHARDSON — In conclusion, I would like to commend the work of the police, particularly in my area and the municipality of Darebin. I commend the Labor government, which will continue to support the efforts of the police and the wider community to tackle crime in this state and ensure Victoria continues to be the safest state in Australia.

Mr BURGESS (Hastings) — I am pleased to speak on this matter of public importance, which I support wholeheartedly. Surely it must occur to members of the government, if they have listened to both sides of the debate, that there is a problem. The opposition is quoting specific figures for specific crimes, but the government is quoting different figures. Clearly there is a problem. These things need to be cleared up, and that should be reserved for a parliamentary inquiry.

The issue at the heart of the MPI — that is, police resources — is accurately reflective of the performance of the Brumby government and therefore, the Bracks government as well. The epitaph of this government will be 'High on spin, low on performance'; when you dig deep under the surface, the numbers do not stack up.

The matter of public importance should be the golden opportunity for clarifying the situation, but both sides of the chamber are arguing a different point. I would like to see those figures clarified, but at the moment that is just not happening. There is an opportunity for members of the government to stand up and let us know where these magical crime reductions are happening, because they are certainly not obvious to us. We are quoting from official police statistics, which say that the crime rate is up in most of the areas that truly matter to Victorians.

Members of the government love to jump up and trumpet, as a trained galah would do, the reduction in crime of 23 per cent, yet there is no substantiation of that. Today is the opportunity. No more spin, no more untruths, it is time to come forward and tell the house where this magical reduction in crime has taken place.

Ms Green — It's on the police website, you whacker!

Mr BURGESS — I ask members of the government: in which areas have there been reductions? Has there been a reduction in the incidence of rape or of assaults?

The ACTING SPEAKER (Mr Seitz) — Order! The honourable member will address his remarks through the Chair and not invoke interjection from the government benches.

Mr BURGESS — I am addressing my remarks through the Chair. Has there been a reduction in the number of rapes? Has there been a reduction in assaults? Has there been a reduction in the incidence of sexual assault?

In my electorate I have three local government areas. The Mornington Peninsula Shire Council is one of those local government areas, and in the years 2005–06 and 2006–07 the incidence of rape in the Mornington

Peninsula shire increased by 67.7 per cent. Are you happy with that?

Ms Kosky — On a point of order, Acting Speaker, being consistent with previous points of order, the member has referred to you when he should be referring to the government.

Mr BURGESS — Is the government happy with that?

The ACTING SPEAKER (Mr Seitz) — Order! I uphold the point of order and ask the member for Hastings, when he is referring to the government, to use the title 'government' and the proper title of each member of the house.

Mr BURGESS — I will reword it, Acting Speaker. Rape is up 67.7 per cent. Is the government happy with that? Assault is up 12.3 per cent. Is the government happy with that? Arson is up by 18.2 per cent and theft is up by 11.6 per cent. In the city of Casey the number of rapes has increased by 23.9 per cent, robbery by 31.3 per cent, assault by 20.7 per cent and property damage by 40.1 per cent. In Frankston city, the third of the local municipalities in the area I represent, assault is up by 54 per cent, sexual assault by 31 per cent and rape by 19 per cent. These are official police statistics off the website, whacker! These figures are reflected across the state.

The Brumby government says it is proud of its performance in fighting crime. I want to know which figures it is proud of, because it should be ashamed of the figures I have. The government has exposed the Victorian community to unprecedented levels of crime but is doing nothing about it. There is no doubt that the incidence of crime is rising in Victoria, and the Brumby government is in a state of denial about that. It shows a distain for the community, and instead of trying to come up with a solution, it comes up with spin.

Police are struggling to man stations. In my area the Hastings police station has had to close on more than one occasion. It is a 24-hour police station that is responsible for looking after a district. It is supposed to be open 24 hours a day, yet, as I said, it has had to close twice. What sort of response would you expect when a police station of that size closes?

There was a suggestion that the Firearms Act had been breached. They said they did not have enough police to keep the station open, so they closed it and in doing so breached the Firearms Act. What was the reaction? Were more police put there? No, they removed the guns. Now the police station at Hastings is unable to fit out its officers with guns because they are more than likely going to have to close the station again because there are not enough resources.

Recently obtained figures through FOI suggest that Victoria Police members had 26 004 days stress leave during the last financial year. The stress on an officer's life is extreme. The lack of support for police officers has forced them to speak out; they have no option.

At the police station in my area the workplace health and safety people conducted an inquiry. They found that, at a bare minimum, there should be a one-to-five ratio, which means one senior sergeant to five junior officers, or at least five senior constables. At the moment they are rostering at a one-to-three ratio because they do not have enough officers. The government tells us it is a full complement down at Hastings, but that is just not so.

Also in my area recently there has been a controversy about District Inspector Gordon Charteris. The circumstance I am referring to is an example of a government in denial and being a blatant bully. It is a case of denial at all costs, and it has resulted in the absence of that officer, so he is now no longer able to protect that community.

Gordon Charteris has had a 30-year plus career in the police force. He is decorated, he has served with the police ethical standards department, and up until now he has never felt the need to speak out. But speak out he has had to do; and what was the evil he perpetrated? He actually told the *Police Association Journal* that he did not have enough members to do his job and that his members and the community were at risk. He had exhausted every avenue and taken every opportunity to have something done about this situation, but nothing was being done, so he spoke out. How was he treated? Abominably! Within two weeks of his speaking out he had been hauled in to front his superior officer, he had been told that he would be put on a disciplinary program, that he would be moved, and that he would be likely to be charged for speaking out. That is the way this government treats its police. It attacked him, bullied him, threatened him and then banished him.

That brave public servant was rewarded for speaking up and for putting his career at risk by being treated in almost a subhuman way. There is no doubt that there is a problem with policing in Victoria, and that that problem has been caused by the Brumby government. Our local police are attacked often enough out in the community; there is no way they should have to worry about being attacked by their own force and their own government.

The government is commended for the 1400 extra police it has put on, but it is common knowledge that there are at least 650 fewer police on the beat now than there were in 1999. On the Mornington Peninsula there has been a 76 per cent increase in population between 1991 and 2006, with a large number of those residents falling within the 480 square kilometres for which the Hastings police station is responsible. Over that period not one extra policeperson has been posted to Hastings.

The Brumby government's use of spin is more than dishonest and misleading in this circumstance, it is an extremely dangerous situation for the members of the community and for the local police. By continuing to claim that crime is down and that there is no police resource problem, the increasing dramatic violence just gets ignored and police get attacked.

Mr HAERMEYER (Kororoit) — I have to say that during the contribution of the member for Hastings I felt that he was auditioning for a job with Mills and Boon. Today we have a motion which accuses this government — of all governments! — of failing to support our policemen and policewomen. The member for Kew has 'women' as a part of his motion but then he had a dig at policewomen who dare to take maternity leave.

The Liberal Party has come into this house and lectured us on law and order. The Liberal Party and The Nationals in this state are to law and order what the flat earth society is to geography — they are a comical anachronism. I would have thought they might have commenced with an apology and held a Liberal Party and The Nationals sorry day for police. They should apologise for what they did.

Some members on the other side of the house were not in this place during 1992 and 1999, but I am sure they pretty well remember what happened during those dark years. Who could forget election day of 1999 when policemen and policewomen, in uniform, lined up and asked for the Labor how-to-vote card in an unprecedented show of what they thought the previous government had politically done to them and what this government offered them? Who could forget the people with violin cases and crow bars and wearing stocking masks lining up and asking for the Liberal Party how-to-vote card?

We know the Liberal Party is the party of choice for crime in this state. We know it for sure; it was certainly the case in 1999. The mob opposite has to say sorry for what its members did. It is not what you say in this chamber that counts, it is what you do. So what did the former government do? In 1992 the Liberal Party came into office promising 1100 additional police. That was the Liberal Party policy — you can ask for that policy in the parliamentary library. The librarians will dig it out for you — 1100 additional police were promised. What did it do over seven years? It cut police numbers by 800.

In 1996 the police sought a pay rise. For two and a half years the then government held out. Finally, it agreed to a small pay rise on the condition that Victoria Police agree to a reduction in police numbers. The then government gave police a small pay rise after two and a half years in exchange for a reduction in police numbers. That is how much the opposition values our policemen and policewomen. That is absolutely pathetic.

At the same time that the police enterprise bargaining was going on there was a fiasco on the wharves. The then Minister for Police and Emergency Services, Bill McGrath, promised that he would spill police blood to do the dirty work for Chris Corrigan. At the same time that he was denying the police a pay rise, he would not even give provisions to the police. The police were sitting at the wharves and were hungry and thirsty. Eventually a police officer was sent out with the police credit card to buy Mars Bars and reconstituted orange juice, but guess what? The credit card bounced. That is how well the opposition, when in government, funded Victoria Police. The credit card bounced and Victoria Police had to write out an IOU for 1000 Mars Bars and 1000 containers of reconstituted orange juice. That is an example of the opposition's support of Victoria Police! How dare the opposition come into this chamber soaked in hypocrisy and lecture us about Victoria Police.

There were also police station closures. I remember making an FOI request for the Victoria Police strategic development plan of 1994. What did that reveal to me? It revealed that 34 police stations were earmarked for closure. Some of those stations went by the way, but we were actually able to save a few of them. Some of the stations earmarked for closure were Portarlington, Monbulk, Olinda, Hurstbridge and Kew. I remember quite a few rallies outside the Kew police station, but where was the member for Kew? He was nowhere to be seen. The police stations at Murrumbeena and Balwyn were another 2 of the 34 stations earmarked for closure. This government has actually built, or is in the process of building, around 150 new police stations — the exact number is 149.

I remember visiting police stations which had state-of-the-art equipment like AT computers. Do you remember those? You would if you were around at the

time of Noah's ark. That is how old the equipment was that they were working with. They had analogue radios. No wonder the criminals loved the then Liberal-National party government. The police were working on radios that the criminals could listen to. The criminals were using scanners listening to what the police were doing. Would the then government buy them new radios and new digital technology? Absolutely not! This government has provided a new state-of-the-art mobile metropolitan radio system for our police; it is a secure system. This government has provided a mobile data network and onboard data terminals for our police cars. We are in the digital age. Members of the opposition have not caught up. They absolutely deprived our police of resources when in government.

The former government sold off police housing. No wonder one has difficulties getting police to move into rural areas. The former government was selling off all of the houses that we expected those people to live in. The former government removed coverage for vicarious liability. Police officers, doing their job in good faith, had to worry about whether they would be exposed to a public liability claim because the Kennett government removed the coverage and protection regarding vicarious liability that was previously there for them — —

Dr Sykes — The Labor version of history!

Mr HAERMEYER — No, it is all there; don't you worry about that!

The former government punished the Police Association for daring to raise the horrors of the Kennett administration. The then government said, 'We are going to take away your payroll deductions!'. What absolutely disgraceful vindictiveness.

The 1992–99 years were the darkest years of policing. Crime was up; police numbers were down; morale was at rock bottom, with 8.5 per cent — nearly 1 in 10 police officers — walking from the police force each year. That was what police officers thought of the Kennett government. They were voting with their feet and telling the Kennett government what they thought of its management of the police force.

Under this government police have a record budget of $1.6 billion, nearly double what it was when this government came into office. There are over 1400 additional police officers, a record number of police out on the street. We have built up nearly 150 new police stations, and we have got police officers voting with their feet by wanting to come into the force. We have thousands of people applying to join Victoria Police. The attrition rate is down below 2 per cent, about one-sixth of what it was under the Kennett government. That is police officers saying what they think of the job under a Liberal government and what they think of the job under a Labor government. That is the difference.

Our investment in police is paying dividends. Our crime rate is 23.5 per cent down. Opposition members can question that as much as they like but it is official police statistics audited by the Australian Bureau of Statistics. So they can come in here and try to contort the figures any way they like.

The situation is that the road toll is the lowest in history. We have brought in the four lowest road tolls since statistics were first taken, and Victoria Police enjoy the highest level of community support of any police force in the country. By any measure our police force has paid off the investment that this government has made, and paid it off handsomely.

So our police force is one of which the government and the community are very proud, but unfortunately these guys in the opposition keep knocking it. That is a disgrace. Their record stands as something that will taint the name of their party and the government they supported forever and a day. Until they say sorry nobody is going to take them seriously on law and order issues, on anything to do with policing. These people have absolutely no credibility when it comes to law and order. Their record speaks for itself. I finish where I started: it is what you do, not what you say.

Dr SYKES (Benalla) — It gives me pleasure to join this enlightening debate, and I support the member for Kew's matter of public importance: the government is not supporting our policemen and women.

I would like to comment on the previous speaker, who epitomises the position of the Labor government, and that is: if you tell a lie often enough, it becomes a fact. The only fact here is that the government is failing to support our policemen and women. The statistics on this side of the house have demonstrated that clearly.

Like the Leader of The Nationals and the coalition colleagues I make it very clear that I strongly support our police officers. I find our local police to be committed, professional and contributing members of our community. But they are being let down by the Brumby government and police command, who remain in a state of denial. They are in denial about the level of police resourcing and the level of crime. The member for Hastings provided some very clear figures which

silenced the rabble on the other side of the house in relation to the increases in rape and violent crime.

In relation to resourcing, the government has failed to deliver a simple auditing of the police numbers— not the police numbers on the books, but the police numbers on the beat. I challenge the government to do the audit and present the figures to this Parliament, and then we can have an informed debate and not have to listen to the misrepresentation and government spin from the other side of the house.

In relation to crime levels, up until Christmas of last year the government and police command continued to say that crime levels were low and everything was fine. Finally early in the new year we had the Premier, the minister for police and the Chief Commissioner of Police telling us that we in fact had a serious problem with violent crime. Hello, hello! They have just woken up and come clean, and they are going to act on it. How are they going to act on it? We will come to that. They are going to put more police numbers on the beat, but where are they coming from? We will find out in a moment.

The resourcing of policing in country Victoria is an ongoing issue. For example, Myrtleford, with a six-person police station, has been one down for several years, making it very tough on the remaining staff to deliver the services and the level of security the local community wants.

At Wangaratta the station was closed to the public about 12 to 18 months ago because of inability to provide adequate staffing. There are ongoing problems at Swan Hill; at Minyip, a small station that has not been manned for 12 months, and at Shepparton, which according to the Police Association is about 20 understaffed. That means that outlying stations such as Murchison are not staffed when the local officer goes on leave, and Tatura is not being staffed.

To add some substance to this debate rather than the rhetoric from the other side I will go to an article in the March 2008 issue of the *Police Association Journal*. The first few paragraphs say:

> Police at Wangaratta were celebrating earlier this year. In January, for the first time in more than five years, the station had its full complement of troops. Within weeks six members, the equivalent to a full shift, were taken from Wangaratta to fill holes at other stations in the area. Then last month the Police Association discovered four members would be taken from Wangaratta permanently. The situation was going from bad to worse.
>
> The loss of the officers from Wangaratta occurred as the chief commissioner announced a new strategy to reduce the growing crime rate in the city by putting more police on the streets. But where are these police coming from? The already stretched north-east region of the state?
>
> Wangaratta is a station that has haemorrhaged from underresourcing. At one stage the station was 18 members down and really struggling.

What s the solution to Melbourne's problems? It is to take coppers from country Victoria. Thanks very much, Mr Brumby.

We then look at Wodonga. According to the *Police Association Journal* Wodonga is down 1 senior sergeant, 4 sergeants and 20 senior constables. They are operating with just 21 out of the 44 staff on their books. That tells me there is a problem. If we then look at the *Weekly Times*, we see there is further discussion about the difficulty in recruiting staff to country Victoria. On 5 March Peter Hunt reported that 15 rural and regional stations advertised 20 or more times to fill vacancies last year and that the Swan Hill station advertised 89 times. There is a problem out there in getting police to country Victoria.

Reiterating the significance of the problem, the *Border Mail* of 7 March this year carried the headlines 'Lack of staff is crippling stations and destroying morale' and 'More officers needed on beat as community gets "a raw deal"'. What do we get as a response from the government and the police command? We get denial. In today's *Weekly Times* an article by Kieran Walshe, a deputy commissioner of Victoria Police, states:

> Claims —

in last week's *Weekly Times* —

> … that Victoria Police is struggling to staff country stations, with vacancies remaining unfilled for months on end, are inaccurate and cause unnecessary community concern.

The article goes on to quote some stations where vacancies have been filled, but Mr Walshe does not reply to the basic claims about Wodonga operating on 21 out of 44 staff and Wangaratta, for example, being down to 18 below complement. Even with the government and police command spin, the fact remains that country police stations are underresourced.

There are solutions. We are saying the government should: firstly, get more police back on the beat, conduct the audit and show us what the true figures are so we can have an informed debate; and secondly, let us have more incentives for police to locate in country Victoria, including the upgrading of some of our major stations which are still absolutely appalling — I am referring to Benalla, Euroa and Mount Buller — while keeping in mind the benefits of co-locating emergency services along with police in those areas. We also need

to retain police houses in medium-sized communities to attract police officers and their families to and retain them in those communities. We want them to be an active part of our communities to build the trust, respect and good communication that exist when police are part of communities.

We also need to reactivate the Police in Schools program, which received universal acclaim while it was operating. It brought increased trust in and respect for police and improved communication between police and young people in the time before a small proportion of the young people started to go off the rails. Government claims about the effectiveness of the Police in Schools program are another example of government spin grossly misrepresenting the truth. I think it said that the Police in Schools program came into direct contact with only 5 per cent of children. The government failed to mention that if police go to the schools each year and address years 5 and 6, over a period of the time each primary school student will eventually have face-to-face contact with the police. Equally of course the police are in contact with the students out in the yard.

The Police in Schools program was a very successful program which was endorsed by the police but which was shelved in favour of a program of police youth resource officers. Do you know what the first job of the police youth resource officer in Benalla was? His first job was to go and get himself resourced. He had to go out and beg the community for a car so he could perform his duties of helping provide police resourcing to our schools.

I endorse the call of the Leader of The Nationals for an independent anticorruption commission. The Police Association is now asking for this. It has come on board and endorsed the claim, the request and the policy that The Nationals have had for a number of years. The government's proposal to strengthen the Office of Police Integrity has been criticised by the Department of Justice, and as the Leader of the Opposition is quoted as saying, it is simply tinkering around the edges.

Finally, in relation to the comment by the last speaker for the government about the impact of police on the road toll, I remind this house that country road fatalities continue at the same level or thereabouts as they were six years ago. There has been a reduction in deaths on roads in the city but not a corresponding reduction in deaths on roads in country Victoria. That needs to be the focus of a lot more police input, and it also needs the implementation of The Nationals program 'Fix country roads, save country lives'. In conclusion, the government is in denial. It denies there is underresourcing of the police, and until it addresses that issue we are going to have a problem.

The ACTING SPEAKER (Mr Seitz) — Order! There are 28 seconds left for debate on the matter of public importance.

Mr KOTSIRAS (Bulleen) — I stand to congratulate the hardworking member for Kew, because he actually cares for our police force, unlike the mushrooms on the other side, who do whatever the ministers tell them to do, especially the former minister — —

The ACTING SPEAKER (Mr Seitz) — Order! Time for debate on the matter of public importance has expired.

Before I call the next matter before the house, I would like to remind the house of the proper form of address for members. The Chair, in deference to members in the cut and thrust of debate, did not wish to constantly pull up members who were not using the correct term of address for other members in this house. I remind members that it is a matter of decorum and protocol and a requirement of standing orders to use the proper form of address when referring to other members in this chamber. I ask members to remember that in the future.

STATEMENTS ON REPORTS

Public Accounts and Estimates Committee: budget estimates 2007–08 (part 1)

Mr KOTSIRAS (Bulleen) — It is a pleasure to speak on the Public Accounts and Estimates Committee report on the 2007–08 budget estimates, part 1. In particular I would like to refer to page 3 of that report in relation to multicultural affairs. I will quote what the Premier said to the committee in that regard as the Minister for Multicultural Affairs:

> As I mentioned just briefly, the merger of VOMA —
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> Victorian Office of Multicultural Affairs —
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> into VMC —
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> Victorian Multicultural Commission —
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> has captured an extra $1 million, which enables us to put that into direct outcomes for the many multicultural communities and the grant program itself. New budget initiatives: three major cultural precincts to be refurbished — Lygon, Lonsdale and Little Bourke streets; an $8 million investment to restore the key laneways, undertake street beautification and boost resources to communities to showcase their cultural heritage. We are increasing the funding of the volunteer Ethnic Communities Council of Victoria — that is going to increase

from $180 000 to $250 000 — and we are establishing a new multicultural centre in Geelong with up to $1 million in matched funding.

While that sounds good I wish to refer to each of the three initiatives that the Premier announced as part of his report to the Public Accounts and Estimates Committee. The first one is the $8 million allocated to try to restore the three multicultural precincts. As far as I know only approximately half a million to a million dollars of that $8 million have been spent. There are no plans in place and there has been no feasibility study done on what the Premier had in mind when he announced this program.

I put on the record that I support the $8 million going to the three precincts. I support money going to Lonsdale Street and Lonsdale Street remaining the Hellenic precinct of Melbourne — and similarly for Lygon Street and Chinatown — but the question is: what has happened to the $8 million that the Premier and the government promised many years ago? Who is leading the group or the committee to ensure that the money is spent wisely? I said earlier that if the government is unable to come to an agreement with the shop owners along Lonsdale Street, I am happy to sit down with the government and try to work out a way forward. I am happy to work with the member for Dandenong and the Minister for Industry and Trade in the other house — the government — to make sure that the $8 million is spent wisely for the benefit of our community.

The second issue is the increase in funding to the Ethnic Communities Council of Victoria from $180 000 to $250 000. That is very good, but it is more like giving money to the ECCV, saying, 'Keep quiet, do not criticise us and we will give you the extra $70 000'. While I support the extra money going to the ECCV, I would have thought perhaps they should also encourage the ECCV to become an active member of the Victorian Multicultural Commission. If they had allocated one position on the VMC which would come from the ECCV, that would ensure the VMC would remain transparent and people knew where the money went. Although the money has increased over the years, no-one knows how the money has been allocated. Talk about transparency! A lot of groups say they are providing the funding in areas where they think they would get the most votes. If they are using the community to score cheap political points, I think it is going backwards and it is not the way the government should be treating our multicultural communities.

The final point is providing $1 million for the new centre in Geelong. On 7 October 2002 the Minister assisting the Premier on Multicultural Affairs announced $25 000 for a feasibility study into the establishment of a centre in Geelong. That was in 2002. In 2006, as part of the Australian Labor Party policy, the government promised $1 million to go towards the establishment of the centre in Geelong. What has happened since? The council is in support; the community is in support; and for newly arrived migrants especially this centre is vital and very important. What has happened? It just proves this government once again cannot manage or complete a major project on time and on budget. The question is what has the government done with the $8 million and what has it done with the $1 million? Has the government given it to the council? The community needs to know.

Drugs and Crime Prevention Committee: misuse/abuse of benzodiazepines and other forms of pharmaceutical drugs in Victoria

Mrs MADDIGAN (Essendon) — Today I would like to speak on the Drugs and Crime Prevention Committee report on the misuse/abuse of benzodiazepines and other forms of pharmaceutical drugs in Victoria released in December last year. Today I particularly want to refer to some of the evidence that came from that report in relation to the effects of benzodiazepines in relation to people's driving. This is an area where there is not a great deal of knowledge in the community, but the research that our staff were able to find and present to us raised particular concerns in relation to people driving, particularly when people started taking a course of benzodiazepines.

If you think of the common side-effects of benzodiazepines, you can see why they may cause problems for people driving. I remind the chamber that the side-effects are sedation, drowsiness, ataxia, psychometric slowing, motor incoordination and mental confusion. According to the VicRoads submission to the inquiry, the misuse or abuse of benzodiazepines is a major road safety issue in Victoria with significant numbers of drivers killed and drug-impaired drivers testing positive to these drugs. I think there is significantly more evidence that I should also refer to.

Professor Olaf Drummer from the Victorian Institute of Forensic Medicine looked at a number of cases and gave evidence that these showed that benzodiazepines were present in 65 per cent of impaired drivers, 15.8 per cent of injured drivers and between 3 per cent and 5 per cent of fatally injured drivers. He also noted that 33 per cent of injured women drivers aged more than 56 years tested positive, which of course is a very high percentage.

Another study in 2005 by Alford and Vester found that the impairment associated with some benzodiazepines was the equivalent of driving above 0.10 per cent blood alcohol level. That is in fact double the alcohol level that is legal in this state. I think that is a fairly significant figure. In a comprehensive review of the literature published between 1970 and 2002 on benzodiazepine use and driving Kelly, Darke and Ross found that after cannabis benzodiazepines were the most commonly detected drugs in drivers involved in road accidents.

More recent research taken in 2007 by Dr Chin Wei Ch'ng and Associate Professor Mark Fitzgerald at the National Trauma Research Institute found 15.6 per cent of adult drivers who presented for treatment at the Alfred hospital emergency and trauma centre between December 2000 and April 2002 as a result of a motor vehicle crash had benzodiazepines in their system, and similar results were found in a study conducted at the Royal Adelaide Hospital trauma service. That really is quite a significant number of drivers involved in accidents who had benzodiazepines, whether legally or illegally, in their system.

Some later research also showed that benzodiazepines are more likely to impair driving performance and increase the risk of collision in the initial stages of use. Various studies have shown that driving impairment and collision risk is highest in the two weeks after they are first consumed. Once the medication is stabilised and the tolerance is developed the risk impairment is reduced. That is a significant problem for the community as a whole, because if you are taking them for two weeks it is possible that you are taking them as legally prescribed drugs and therefore there is a difficulty if your doctor says to you that you must not drive while taking these drugs. For some people whose employment depends on being able to drive it really is a significant problem because obviously you do not want people to drive while taking these drugs, but on the other hand you do not want them to stop taking them because they may be dealing with significant medical problems.

One of the recommendations is for further research into this area. It is quite a complex and difficult medical problem to look at, because although these drugs can be beneficial, even if they are prescribed they can be quite dangerous for people driving cars or operating machinery. There is other research that also brings forward concerns about injuries in the workplace and testing which shows that benzodiazepines are often present in people who are involved in accidents.

There are some issues that arise from this and I do not refer only to benzodiazepines but also other legally prescribed drugs. I think we as a community have to investigate this issue so that we can ensure that people get the drugs they need for legitimate medical purposes but also that if there are serious side-effects they and the rest of the community are protected from the side-effects these drugs may have on those people.

Economic Development and Infrastructure Committee: mandatory ethanol and biofuels targets in Victoria

Mr CRISP (Mildura) — The inquiry, as part of its terms of reference, was to consider the use of biofuels to improve the fuel security of future Victorians.

In the course of that inquiry we looked at compressed natural gas. Natural gas is abundant in Victoria and the rest of Australia. It is principally used in households, but its take-up in transport has been extremely poor. The advantages of compressed natural gas (CNG) for transport are enormous for our future economy. The application of the technology for compressed natural gas use in transport is well known, with a million vehicles in Brazil and half a million in Europe running on compressed natural gas. So the technology is off the shelf, it is available, but we are lagging behind.

There are some key advantages with compressed natural gas. For those who are not aware, compressed natural gas is pressurised natural gas that consists primarily of methane. The natural gas is compressed at refuelling stations and taken from the existing pipelines. I will talk some more about that pipeline network later. Compressed natural gas is much safer than conventional fuels in that it has a very narrow range of flammability, and it is lighter than air so when it is released, it disperses rapidly upwards into the atmosphere.

One of the key constraints in compressed natural gas use as transport fuel is the large space requirements for the vehicle cylinders. As a consequence motorists are required to refuel more frequently. Where you have a natural gas grid nearby, that ought not be a problem. Natural gas has considerable advantages over unleaded petrol and LPG in terms of emissions or greenhouse gases. The production and use of compressed natural gas has been demonstrated to result in a significant reduction in pollution.

Also the cost of CNG is considerably below other fuels. When you have to pay for a home refuelling station it works out at about 22 cents to 50 cents a litre, and the cost of natural gas is not subject to the world oil price

rises, the foreign exchange rates or the whims of our trading partners.

Despite natural gas accounting for 20 per cent of Australia's energy needs, compressed natural gas representation is very poor. It is currently used in some trial transportation vehicles, forklifts, heavy vehicles and buses. As I said, it is safer, and its cost is lower. It is that cost factor that I want to focus on. If you were to have commercial-sized refuelling stations, the cost to the public would be in the range of 20 cents to 26 cents a litre.

So we have a one-off opportunity for some cooperative federalism from the other side of the house. If we want to get inflation down in Australia, we should take up and use compressed natural gas. We would then have a one-off, no-side-effect deflationary economic instrument in Australia that would take away some of the pain that is occurring elsewhere in our community as we battle inflation. We do not have to take money away from pensioners; we do not have to cut government services; we just need to be smarter in our approach to the use of natural gas.

What is holding back the use of natural gas? Essentially we need the gas network to be expanded. We have the natural gas extension program, which is a capital investment by the government that got under way in 2003. However, that work is pretty much done. We need it to be expanded to other areas. At present we are using liquefied petroleum gas in cylinders for homes, industry, forklifts and other vehicles. It needs to be used in vehicles. We need LPG for the future, not just now.

We need the natural gas to be extended, particularly into the north of country Victoria, where there are large-scale uses of gas for industry, and it could be used for transport. We need to use LPG for our vehicles. We need to stop using it to heat our homes and cook our dinners. We need to have homes connected to the gas network so we can use the remaining LPG in our vehicles and get on with the smart way to the future and get our inflation rate under control. I urge the government to deal with the future security of Victorians by adopting these recommendations on the terms of reference and working with their federal colleagues to make this happen.

Drugs and Crime Prevention Committee: misuse/abuse of benzodiazepines and other pharmaceutical drugs in Victoria

Mr SEITZ (Keilor) — I rise to speak on the Drugs and Crime Prevention Committee inquiry into misuse/abuse of benzodiazepines and other pharmaceutical drugs. In particular I want to address the findings of the committee and the submission that was made to the committee by John Calloway, chief pharmacist, pharmaceutical services branch, Tasmanian Department of Health in regard to the categories of doctors. He lists four categories of doctors. With doctor shortages and the pressures on those now operating in Victoria, naturally they will have extra workloads and little time to really assess their patients.

If the house would bear with me, I will quote from page 123 of the report:

> Doctor subgroup 1 (The regular doctor)
>
> These doctors form the great majority of general practitioners. We believe that their judgement is generally reasonably good. They are willing to prescribe opioids for patients with severe chronic pain. They are generally cautious about initiating opioids but they often inherit patients already on —

painkillers.

That is the issue. When people change doctors, the doctors do not have enough time to do all the tests, and the people who are already hooked on painkilling drugs simply tell the doctors which drugs help them.

The report outlines the second category of doctor:

> Doctor subgroup 2 (The intimidated doctor)
>
> These doctors are sometimes elderly, or are isolated. They are pressured or threatened by patients in various ways into prescribing drugs which may be abused. They also know that they will not have a policeman [sic] nearby all of the time to protect them from aggressive patients.

I have had my office in St Albans for many years, and I have known doctors who have put signs up saying they would not prescribe Rohypnol or other pharmaceutical drugs, simply to keep the patients away, especially after hours.

The report outlines category 3:

> Doctor subgroup 3 (The 'soft' prescriber)
>
> These are relatively few in number. They are usually sympathetic doctors trying earnestly to do good for each patient and they believe that they are doing good. However, their judgement is essentially poor and they are easily persuaded and manipulated by the patients.

That is also a very important factor. Some patients can be very aggressive and clever in obtaining scripts that are not actually needed for an ailment.

Then we have category 4:

> Doctor subgroup 4 (The rogue doctor)

> Fortunately these cases are very rare. These doctors turn a blind eye and supply drugs for non-medical purposes. Their actions are essentially criminal. They may have social links with those who abuse or sell drugs, and enjoy risk taking.

Having mentioned those four categories, I ask members of the house to read the report and consider the situation, because it is important that we are familiar with the pressure doctors are put under. Most members seem to think that doctors make all the decisions. The GP clinics are under a lot of pressure and have patients demanding various prescriptions. Sometimes these prescriptions have to be reviewed.

Sometimes in nursing homes there is an oversupply of prescriptions and the guardians do not wake up to it until the residents are shifted to another nursing home; then all of a sudden they discover that far too many scripts than were needed were being issued. People need to be aware of those things. It is quite easy in a nursing home — sometimes coincidentally and without deliberate malice — for a regular prescription to be oversupplied and for the medicine to stock up. The guardians often do not look at the prescriptions being made out, and it is only when the bill needs to be paid that they all of a sudden wake up and say that their mum, dad or sister has been oversupplied with medicine.

It is important that we look at those situations and keep it in mind that the medical profession is under pressure. I know that in my area people get scripts and send the medicine overseas to relatives who cannot afford it in their countries. Sometimes they are not available or they are not on the free list — —

The ACTING SPEAKER (Mr K. Smith) — Order! The member's time has expired.

Public Accounts and Estimates Committee: budget estimates 2007–08 (part 2)

Ms WOOLDRIDGE (Doncaster) — I rise to make some comments on the Public Accounts and Estimates Committee (PAEC) report on the 2007–08 budget estimates. In doing so I will refer to the part 2 report. The Minister for Mental Health testified to the committee regarding the youth early psychosis program. On page 10 of the transcript of evidence relating to the chapter 4.13 dealing with the mental health portfolio the minister is reported as acknowledging to the committee that early intervention services are an important area that require additional reform and that the youth early psychosis program will help achieve better outcomes, allowing services to intervene earlier. I agree with the minister that mental health services in Victoria need additional reform and that early intervention services are the best place to start. But the coalition, unlike the minister, is committed to this position in deed and not only in word. Under the former coalition government Victoria was recognised as a national leader in mental health reform and service provision.

The Liberal commitment to youth mental health in the last election campaign was unmatched by this government. Rather, what we see today is that Labor's Victorian mental health system is characterised by a lack of access and no continuity of care. While we all know the situation is bad across the board, for young people the system is particularly unresponsive and crisis driven. For example, Orygen Youth Health reports that it manages to treat 800 young people every year but is forced to turn away 1200. The Boston Consulting Group says the number of young people receiving care is incredibly small and that there has been limited investment in prevention and early intervention. Services targeted at young people are desperately needed because 75 per cent of mental illness presents before the age of 25 and over a quarter of young people experience a mental health problem every year. Many of them do not access any services.

Increasingly we are becoming aware of the benefits of getting young people help in the very early stages of a mental illness. In such cases there is a much greater chance of their leading fulfilling and productive lives with stable and rewarding relationships and employment. In light of the government's ongoing failure in this area I am disappointed to report to the house that in the last fortnight Labor rejected a proposal that would have made significant inroads into fixing our broken mental health system. The National Youth Mental Health Foundation, known as headspace and driven by a national partnership of leading mental health providers, submitted a proposal to the minister for funding in the upcoming budget. The proposal was to create a community of youth services, incorporating an expanded and enhanced version of the youth early psychosis services the minister speaks of at page 2 of the transcript relevant to chapter 4.13.

These service hubs would focus on young people from 12 to 25 years of age and would break down the service silos that epitomise this government's failed approach to service provision. At the moment mental health and drug and alcohol services are separate entities despite the fact that over 50 per cent of young people with a mental illness also have a drug or alcohol problem. The reality is that rather than coming to the 'no wrong door' that the minister is constantly spruiking, many young people are going round and round in a revolving door. Rather than seeing young people shunted from one

service to another, the proposed community of youth services would provide a continuum of care, utilising not only mental health and drug and alcohol workers but also GPs and youth and vocational workers. The youth early psychosis program discussed in the PAEC hearings would also be expanded from the current partial service, and the services would be moved from their current location — inappropriately tacked on to adult services — into the youth hubs.

This was an exciting proposal to radically reform Labor's failed system and to create a statewide early intervention service providing holistic care. It is profoundly regrettable that the Brumby government has seen fit to reject it. The headspace organisation was set up under the previous federal government with generous funding in an initiative that brings together the best and brightest. It is truly world leading in the work it does and the service models it employs. Other states have recognised this and jumped on board. Notably, New South Wales has poured in over $30 million to co-fund headspace, but the Brumby government has consistently refused to get involved. Ian Hickey, executive director of the Brain and Mind Research Institute, was quoted last year as saying:

> The emphasis has changed under (Premier Morris Iemma) to respond to the need for early intervention and community-based services. The Premier has got it, and the other states have yet to get it.

I say to our Victorian Premier and to the Minister for Mental Health: it is time to 'get it'. In the last funding round four new locations in Victoria were funded by the federal government to develop the headspace program. However, the demand for the program is so high that for every two applications the federal government was able to fund, five missed out. The result of this government's continuing failure to commit to genuine, world-leading youth mental health programs is that important country areas like Ballarat and Bendigo and the entire east of Melbourne, all of which desperately need these services, simply have not got the headspace program, and the young people go without. This government needs to commit to funding these sorts of important initiatives and should not be going at it alone. I ask the minister and the Premier to reconsider the proposal.

Public Accounts and Estimates Committee: report 2006–07

Mr FOLEY (Albert Park) — I rise to discuss some implications from the Public Accounts and Estimates Committee (PAEC) 2006–07 annual report, which was tabled in October last year. In doing so I acknowledge the work done by that committee. I take this opportunity — I am sure I am speaking on behalf of everyone — to wish the member for Narre Warren South, a member of that committee, a speedy recovery. We look forward to seeing her back here as soon as she is able to return after her recent illness.

The area I wish to specifically focus on in the annual report is at page 23 and the following few pages and deals with a separate report on private investment in public infrastructure that PAEC had undertaken. I want to look at this because hindsight shows how groundbreaking the 2006 report by PAEC on private investment in public infrastructure really was. We are seeing an increasing pickup by a number of jurisdictions of the principles of public-private sector investment in the productive capacity of the Australian and Victorian economies.

It is important to note that the new Rudd federal Labor government has taken particular account of some of the groundbreaking work done by the Victorian government and, I suspect, has cast its eager eye over some aspects of the PAEC's work in this regard. That is important because the Rudd government has foreshadowed that with its new Infrastructure Australia Authority it will be seeking to break through the logjams that have been created in the productive capacity of the Australian economy. It will be dealing with capacity, skills and infrastructure restraints that were for too long ignored by the previous federal government. It of course takes the view that there is a significant role for public-private sector investment in the efforts to remove capacity restraints. It could do a lot worse than look around at the examples of what happens in other jurisdictions and find the work done by PAEC in considering the Victorian government's handling of public-private partnerships.

Of course public-private partnerships (PPPs) are increasingly favoured as a mechanism for management of significantly large investments in this state, in the productive capacity of the economy, because they bring in approaches of innovation in design and different levels of using the competitive tension of the marketplace in delivery, design and in cost. They do so in a manner that compares such arrangements to the public sector through the public sector comparator.

The benefits of PPPs, as the committee found, can generally be seen in these larger capacity projects which would derive some significant benefit from this competitive tension in the bidding, design and project management and the ongoing maintenance of such projects. I think it would yield the federal government some benefit to consider in further detail the work that has now been done by this Victorian government and

levered off the work done by PAEC as it considers some of these successful public-private partnerships that as time goes on we can see are delivering for Victoria.

Already we have seen projects such as the Southern Cross Station and the showgrounds as being successful models of this approach. At the moment we have the children's hospital and the new fruit and vegetable wholesale market out at Epping together with a number of projects — I think it is 11 — for the delivery of schools in the very near future. I think it behoves us all to acknowledge the leadership shown by the Victorian government in this respect and the work done by PAEC as it continues to monitor this important area of private and public sector investment in Victoria.

SENATE ELECTIONS AMENDMENT BILL

Withdrawn

Mr HULLS (Attorney-General) — By leave, I move:

> That the following order of the day, government business, be read and discharged:
>
> > Senate Elections Amendment Bill 2006 — Second reading — Resumption of debate.
>
> and that the bill be withdrawn.

In so doing I will just make a number of comments in relation to this matter. As we would recall, before its spectacular election defeat last year the Howard government passed what could only be described as an ominous electoral bill aimed at trying to keep itself in office by disenfranchising thousands of young Australians — preventing them from voting. The Electoral and Referendum Amendment (Electoral Integrity and Other Measures) Act was introduced by the Howard government in June of 2006.

The so-called electoral integrity act was a fairly sinister piece of legislation perpetrated on the Australian public by the Howard government. The proposed changes in that piece of legislation had the possibility of denying hundreds of thousands of Australians the right to vote. As we will recall, since 1984 the Electoral Act has required a seven-day period of grace between the issuing of the writs and the close of the electoral roll. It has been estimated that on average there are something like 350 000 roll movements during the seven-day period of grace, and about 80 000 of these are new to the roll.

As a result of changes that were introduced by the Howard government, the electoral rolls were to close at 8.00 p.m. on the day that the writs were actually issued. Closing the rolls on the day an election was called had the potential to disenfranchise some 80 000 new voters, most of whom would have been young people about to vote for the very first time.

Members might recall that in mid-2006 opinion polls were reporting that on a two-party preferred basis, 18 to 25-year-olds preferred federal Labor to the coalition. Those polls were showing something like 64 per cent for Labor to 36 per cent for the coalition. It is very clear that these were matters that were taken into account when this sinister piece of legislation was introduced federally, and it is clear that the changes that would have been perpetrated by this legislation would certainly have benefited the federal coalition. It is the most plausible explanation of why it pursued this issue so doggedly and for so long.

It was unashamedly clear that the former Prime Minister knew what he was doing. He was attempting to limit the political power of young people by shutting them out of the democratic process — making it far more difficult for young people to vote. It was a deliberate attempt by the former Prime Minister to silence a voice that rarely sang from the same song sheet as he did. In Victoria, the Brumby government wholeheartedly opposes legislation that attempts to disenfranchise young voters. In fact we oppose any attempts to disenfranchise any voters.

Unfortunately, when the federal Electoral Act was passed, the Victorian government was advised of a need to introduce the Senate Elections Amendment Bill to bring the closure of the rolls into line with the new commonwealth law. Members of this place will recall last year that the Victorian government certainly expressed its opposition to suppressing the voice of young voters by not proceeding with the Senate Elections Amendment Bill, but it has remained on the notice paper of this house.

I recall that on numerous occasions opposition members would come in here and in effect demand that this particular piece of legislation be debated and want to know why we were not debating it. We made it clear that it was the policy of the then opposition federally, if it was elected, to seek the withdrawal of this piece of legislation to ensure that it did not proceed with the general tenet of the legislation and to re-enfranchise young voters. Despite that, members of this place on the opposition benches were very keen for us to pursue the attempt to disenfranchise in particular young voters from being able to vote.

I draw the attention of the house to the fact that the newly elected Rudd Labor government has indeed foreshadowed that it will be repealing the electoral integrity act. That is something that we on this side of the chamber wholeheartedly support. I would hope all members wholeheartedly support the repeal of that legislation. As a result we will not have to amend our legislation and it gives me a substantial amount of pleasure to officially withdraw the Senate Elections Amendment Bill from the Victorian Parliament.

Of course it remains to be seen how many first-time voters were actually excluded from voting in last year's federal election. As I recall, the writs for the federal election were issued on, I think, the Wednesday and the rolls closed at 8.00 p.m. on that same day, whereas previously the rolls would not have closed for some seven days, allowing people to update their enrolment forms and get enrolled in time to vote. The rolls closed on the same day that the writs were issued. At this stage it is impossible to know how many people were able to enrol to vote in that very short period of time and how many people were unable to vote and were as a result deprived of their democratic right to vote at the last federal election. Until these figures are collated — and I have no doubt they will be collated in due course — we can only speculate about whether the massive defeat of the Howard government would have been even greater had many tens of thousands of particularly young people been able to enrol. Nonetheless that is simply speculation.

I have to say that the changes that were introduced by the Howard government were draconian and undemocratic. As I have said, they were a deliberate attempt to silence a section of the community that had already voiced its disapproval of the Howard government. The legislation sought to deny vast numbers of young people the right to vote, in my view for no other reason than that the Howard government wanted to hang onto power for as long as it could and it attempted to do whatever it could to hang onto that power.

Closing the rolls immediately after an election is called has not been in the best interests of parliamentary democracy in the past and we are of the view that it is not in the interests of parliamentary democracy going forward. That is why we will continue to look at new ways to strengthen parliamentary democracy in this state and to enfranchise more Victorians to vote rather than to disenfranchise a section of the community from participating in the democratic process.

That is an explanation as to why we are not proceeding with this piece of legislation. We have sought and have obtained advice from the new Rudd government that it will be repealing the federal legislation. We welcome that; we think that is appropriate. We believe the legislation was absolutely inappropriate. That is why we are more than happy to be withdrawing the Senate Elections Amendment Bill from the notice paper.

Mr CLARK (Box Hill) — The motion before the house raises three issues — first of all, the merits of the commonwealth legislation which the bill being withdrawn was intended to assist in giving effect to; secondly, why the Labor government in Victoria failed to pass prior to the last election legislation which the government itself introduced into this house; and thirdly, what the appropriate course of action should be in relation to this bill.

In relation to the first of these matters, the Attorney-General is following the old Leninist principle that if you assert a proposition loud enough and long enough people can be browbeaten into believing it. We have had the Attorney-General banging on and on and on with this claim, which he put in a dozen different ways, alleging disenfranchisement of young people by the Howard government. The fact is that that is a complete nonsense. The reason for the legislation that was passed under the previous federal government in this aspect was to help overcome a chronic problem being faced by the Australian Electoral Commission — namely, being swamped with large numbers of last-minute enrolments which cause it considerable difficulties in processing. If you read the reports of the various commonwealth parliamentary committees it becomes pretty clear that the Australian Electoral Commission was looking for ways to help overcome this difficulty.

One of the adverse consequences of the Australian Electoral Commission being swamped by last-minute lodgements of paperwork is the potential for electoral fraud. Those opposite have great experience with that. It is a disgrace that both federally and at a state level the Labor side of politics has been resisting measures to ensure greater integrity of our electoral process.

What needs to be made absolutely clear is that the measures that were being undertaken by the commonwealth government were accompanied by a vigorous and extensive advertising program by the Australian Electoral Commission designed to achieve exactly the objective that I have referred to — namely, to encourage people to lodge their initial enrolments or change of enrolment details in a timely manner. The point needs to be made clear that the matters concerned relate to people enrolling to vote for the first time, and you are entitled and expected to enrol to vote for the

first time when you first become qualified to enrol to vote — for example, when you turn 18 years of age or when you take on Australian citizenship.

Mr Stensholt — No, 17.

Mr CLARK — I thank the member for Burwood, who makes the further point that you can provisionally enrol when you turn 17.

Honourable members interjecting.

Mr CLARK — The Australian Electoral Commission has again put considerable effort into drawing that to the attention of young people. The member for Burwood indicates that his daughter did so; my own daughter did so. It can and should be a matter of course that young people provisionally enrol upon turning 17 years of age. If you believe the fanciful notions of the Attorney-General and others on that side of the house, then the wicked Howard government would have been repealing rather than supporting provisional enrolments and working with the Australian Electoral Commission to encourage people to go out and provisionally enrol when they turned 17. Similarly the Howard government was in fact facilitating people being able to vote in circumstances where they became Australian citizens between the day after the issue of the writs and the election day.

Sitting suspended 1.00 p.m. until 2.03 p.m.

Debate interrupted pursuant to standing orders.

QUESTIONS WITHOUT NOTICE

Health professionals: industrial action

Mr BAILLIEU (Leader of the Opposition) — My question is to the Premier. I refer the Premier to the strike announced today by the Health Services Union, of Australia which, the union states:

> … will result in the closure of all Victorian public hospital admissions and will mean that patients in every public intensive care unit will need to be evacuated.

Why, for seven months, has the Premier refused to negotiate with the health services union, leading to yet another confrontation and crisis in the Victorian health system?

Mr BRUMBY (Premier) — Under the former government we saw hospitals close, 8000 nurses sacked and beds closed right across the state.

Honourable members interjecting.

The SPEAKER — Order! The Premier should not debate the question.

Mr Wells — That is disgraceful.

Mr BRUMBY — The truth hurts.

Mr Wells — Premier, you would not understand because you take no responsibility for capital recovery.

The SPEAKER — Order! I warn the member for Scoresby. I will not have that manner of interjection today. I ask the member for Narre Warren North for some cooperation.

Mr BRUMBY — Obviously it is important that we run our hospital system in the best way possible. We have put more than 8000 additional nurses into our hospital system, and on average most hospitals have a budget today which is twice the budget they had when we were elected in 1999.

In relation to the matter to which the Leader of the Opposition refers, the government is always willing and wanting to sit down and negotiate with the relevant organisations the EBA (enterprise bargaining agreement) arrangements going forward. I repeat: we are willing and wanting to do that.

We have a wages policy which has been a longstanding wages policy. It is based around an increase of 3.25 per cent and productivity offsets above that. That is the same wages policy that we applied in relation to the police EBA, the same wages policy that we applied in relation to the nurses EBA and the same wages policy which applied in relation to public service wages and conditions. In all of those cases that wages policy served as an appropriate framework for getting an outcome which was in the interests of both the employees in those industries and in the broader public interest for the people of Victoria. It represents an appropriate balance between value for money and service expansion for the people of our state.

Climate change: government initiatives

Mr NOONAN (Williamstown) — My question is also to the Premier. I refer the Premier to the climate change challenge facing Victoria. How is the government acting to deliver on new jobs as well as protect the environment?

Mr BRUMBY (Premier) — I thank the honourable member for his question. I think it is true to say that climate change is a challenge not just for the people of Victoria but for the people of Australia and for the planet generally. That is why our government

welcomed the first major decision made by the new federal government, the Rudd government, which was to ratify the Kyoto protocol.

I joined the Prime Minister in Bali last year for the United Nations conference. While I was there I addressed a number of audiences in relation to the measures our government was putting in place to tackle climate change and to create, at the same time as helping our environment, a new climate of economic opportunities that would come through positive action.

I was pleased to announce, for example, that the Victorian government is leading the way with its actions through VRET, the Victorian renewable energy target, which comes into force this year. It means that energy retailers will be forced to purchase 193 gigawatt hours of renewable energy this year, building to 3274 gigawatt hours by 2016.

This is the best scheme of its type in Australia. It will save 27 million tonnes of greenhouse gas. To put that into perspective, it is equivalent to removing every car from Victoria's roads for two years. Just as importantly, the VRET is expected to generate something like $2 billion worth of new investment in clean energy, as well as create 2000 jobs.

One of the greatest examples that has come from VRET is the partnership with Solar Systems, where the state government is contributing up to $50 million to Solar Systems. I recently joined the federal and state ministers at the launch of the Solar Systems manufacturing plant in Abbotsford — $22 million. It is great news for regional Victoria because that new plant will be built in north-western Victoria. In aggregate this will be a $420 million investment and will create hundreds of jobs in the process of construction. It will be the largest solar powered power station anywhere in the Southern Hemisphere. It will generate enough power for 45 000 homes with zero emissions.

I am pleased to say that through our ETIS (energy technology innovation strategy) program we have also put $6 million into demonstrating that carbon dioxide can be sequestered underground — that is, carbon capture storage. Victoria will have the world's first large-scale trial commencing on 2 April. We have also contributed $30 million to the Centre for Energy and Greenhouse Technologies, which is located in the Latrobe Valley, and which now has hundreds of millions of dollars of potential investment opportunities.

The issue of climate change will be front and centre of the agendas of the federal government, our government, and indeed the private sector this year. As I have announced previously, I will be undertaking a climate change summit. It will be held here, in this very chamber, on 4 April this year. As I speak, invitations are being emailed to more than 120 leaders in this area — experts and community groups. In addition I am inviting the leaders of the Liberal, Nationals and Greens political parties to join me in exploring how Victoria will tackle the climate change challenge. I know that the Leader of The Nationals will be looking forward to joining us in that climate change summit and contributing towards the solutions.

Health professionals: industrial action

Mr RYAN (Leader of The Nationals) — My question is to the Minister for Health. I refer the minister to his statements of December 2007 that industrial action by the Health Services Union of Australia was unnecessary because the government was still prepared to discuss the issues. Will the minister advise the house if he has had any meetings with the health services union between December 2007 and today, and what the outcome of those meetings was?

Mr ANDREWS (Minister for Health) — I thank the Leader of The Nationals for his question. As the Premier has made clear and as I have made clear on numerous occasions, the government has a wages policy that is about fairly balancing the need to appropriately reward, in this case, medical scientists and members of the no. 4 branch of the health services union with the need to appropriately leave sufficient capacity in the budget to employ more medical scientists, to expand our health services, to treat more patients and to provide better care.

Mr Ryan — On a point of order, Speaker, the minister is debating the question. I have asked about meetings, and I ask you to have him answer that question.

The SPEAKER — Order! I do not uphold the point of order. The question clearly referred the minister to his December 2007 statements about industrial action. It did go on to expand on the points that the member has raised in his point of order, but I am not prepared to uphold that point of order.

Dr Napthine — How many meetings did you have? None!

Honourable members interjecting.

The SPEAKER — Order! I warn the member for South-West Coast.

Mr ANDREWS — As I was saying, the government has a wages policy that is about fairly balancing the need to reward in this case medical scientists and others who are members of the no. 4 branch of the Health Services Union with the need to leave sufficient capacity in the budget to continue our record investment.

In terms of the foreshadowed industrial action by this union, as I understand it the commission, the independent umpire, terminated the bargaining period last week, and the way to get an outcome here that is in the best interests of all concerned is to — —

Honourable members interjecting.

Mr ANDREWS — What is important here, rather than taking unnecessary industrial action, is to come together, supported by the independent umpire playing its proper role as part of the compulsory conciliation process, to reach a fair and balanced outcome. I am absolutely confident that with the support of the independent umpire — —

Mr Ryan — I renew my point of order, Speaker. The minister is debating the question. I have asked about meetings, and I ask you to direct him to answer that question.

The SPEAKER — Order! The Speaker cannot direct a minister to answer a question. Under standing orders — and I think in the past I have mentioned to the member for Ferntree Gully that he needs to get a good grip on standing orders — answers need to be relevant, succinct and factual. The minister is being relevant to the overall question posed by the Leader of The Nationals. I cannot direct him to answer or not answer any particular part of that question.

Mr ANDREWS — What is absolutely important here is a fair, reasonable and balanced outcome, and I have confidence that that is exactly what we will deliver.

Water: Melbourne usage

Mr STENSHOLT (Burwood) — My question is to the Minister for Water. I refer the minister to the government's commitment to make Victoria the best place to live, work and raise a family, and I ask: can the minister outline to the house what the Brumby government is doing to ensure that Melbourne water users continue to use water efficiently?

Mr Delahunty interjected.

Mr HOLDING (Minister for Water) — This is urban — not country water but urban water. There is a difference. I thank the honourable member for Lowan for his interjection.

I particularly thank the member for Burwood for his question. This is good news for all Victorians, because what it shows is that all Victorians are doing more than their bit to help us respond to the challenges of climate change, drought and a future with less water availability. The data show us that in recent years Melburnians particularly have responded magnificently to the challenge of reduced water availability. There has been a great response from Melburnians to the challenges of climate change and drought. In fact in the year 2006 the people of Melbourne used 438 billion litres of water, and in the calendar year 2007 Melburnians used 369 billion litres of water — a 16 per cent reduction in water usage, which is the equivalent of three reservoirs of equivalent size to the Maroondah Reservoir. This is an outstanding achievement — a 16 per cent reduction in water use by the people of Melbourne.

Dr Sykes interjected.

The SPEAKER — Order! The member for Benalla is warned. Interjections in that manner are most disorderly.

Mr HOLDING — This urban water that has been saved can be put to more productive uses and can offset the reduction that we have seen in inflows into our storages. It is great news because it means industry is doing its bit. In accordance with government legislation, those industries or businesses that use 10 megalitres — 10 million litres — or more of water each year are now required to complete a water MAP, a water management action plan. This requires them to set targets and to propose strategies to meet those targets. I know that the Deputy Leader of the Opposition mocks this, but this will supply 5 billion litres of additional water for Melbourne every year in the years to come. It is a great outcome, and it shows that industry is doing its bit to meet our needs.

Of course households are also doing their bit. They have responded to the government's rebate program by applying for and receiving 186 000 rebates for more water-efficient shower heads and dual-flush toilets, and they have applied for rebates for rainwater tanks. I know this is of passionate interest to the Deputy Leader of the Opposition, who is a person deeply committed to rainwater tanks.

It has been used by all sorts of Melburnians for all sorts of measures to help householders reduce their water consumption, as 60 per cent of water in Melbourne is used by households. We have also seen a great water recycling outcome, with Melbourne now recycling 22.5 per cent of its water and meeting its 2010 target almost three years ahead of schedule — and we are building on that with the upgrade for the eastern treatment plant, which will see Melbourne able to access more than 100 billion litres of recycled wastewater that would otherwise have gone to waste.

Ms Asher interjected.

Mr HOLDING — The Deputy Leader of the Opposition interjects about 2012. The 22.5 per cent wastewater recycling target has been met now, which means we have already met the target we set ourselves for 2010.

We have our Smart Water Fund, which has provided more than $20 million in funding for water conservation projects right across Victoria since 2002. This has supported more than 120 projects. Melburnians are doing their bit and Victorians are doing their bit. This is all part of the government's $4.9 billion augmentation to provide water infrastructure projects to increase Victoria's water supplies — a desalination plant, modernised irrigation infrastructure and a statewide water grid to provide water security for Victorians for the next 50 years.

We have a plan, and we have the runs on the board of what has been achieved already. The opposition members cannot even decide amongst themselves which water projects they are committed to and which ones they have ditched based on their new coalition arrangements. We look forward to hearing from the urban water spokesperson and the rural water spokesperson to fill in those gaps. In the meantime this government is getting on with the job of delivering major water augmentations to provide water security for all Victorians.

Health professionals: industrial action

Mr BAILLIEU (Leader of the Opposition) — My question is to the Premier. I refer him to the strike by the Health Services Union of Australia and to his previous answers and the previous answers of the Minister for Health, and I ask: does the Premier stand by the minister's claim that the Australian Industrial Relations Commission terminated the health services union bargaining period last week, or will the Premier now do what he has previously refused to do and request the AIRC to intervene today?

Mr BRUMBY (Premier) — In relation to this matter and to the previous related matter raised by the Leader of the Opposition, I can only reiterate that the government is keen to see this dispute settled at the earliest opportunity. Whether that is a matter of continuing through negotiations or — —

Mr Baillieu — On a point of order, Speaker, the Premier is debating the question. Does he stand by his minister's claim of a few minutes ago or will he ask the AIRC to intervene?

The SPEAKER — Order! I do not uphold the point of order.

Mr BRUMBY — As I have indicated, the government is keen to see this matter resolved at the earliest opportunity. We have a wages policy. Obviously the union also has its log of claims. In the nature of these arrangements, what obviously occurs is that the government and the union will finally agree on an outcome. Whether it is through the Australian Industrial Relations Commission or whether it is through the parties agreeing on the new enterprise bargaining agreement arrangements going forward, I can only repeat that we intend to build that around our wages policy at the soonest opportunity.

Climate change: agriculture strategy

Mr HOWARD (Ballarat East) — My question is to the Minister for Agriculture. I refer the minister to the government's commitment to make Victoria the best place to live, work and raise a family, and I ask: can the minister inform the house of the action the government is taking to prepare Victorian farmers for the challenge of climate change?

Mr HELPER (Minister for Agriculture) — I thank the member for Ballarat East for his question. The Brumby government is on the front foot in terms of delivering better farming services and better services to farmers in the face of climate change. We have seen 10 years of dry conditions. In this chamber we all know the difficult circumstances to which our farming and agricultural communities have been exposed. Current predictions are that circumstances will get tougher still — the climate will get hotter, the climate will get drier and we will have more extreme weather events confronting agriculture and the community as a whole.

The Australian Bureau of Agricultural and Resource Economics has estimated that the potential impact of climate change on agricultural production is a 15 per cent drop by the year 2050 if we do nothing in the meantime. But I can reassure the member for Ballarat

East that the government is acting. We are acting in terms of research, we are acting in terms of practice change and we are acting in terms of policy development. For example, the Victorian climate change adaptation program is a $3.2 million Brumby government program that is about developing a clear picture of the impacts and responses to climate change by Victorian agriculture. It includes the Department of Primary Industries greenhouse in agriculture program to reduce emissions. One example of this program is the co-investment we are doing with the dairy industry into mitigation, new breeding, feeding and animal husbandry programs. Another example is the $13 million research and development program, which includes carbon offsets and emission and trading opportunities. Helping rural communities to respond is of course an important part of our response to climate change.

We are working in research development, for example, on drought tolerant grains which are suitable for Victoria and suitable for a drier future climate. Economic and policy research includes a statewide assessment of risks, challenges and opportunities, which also includes carbon markets. We do this through a consultative process which involves us talking to farmers right across the state and engaging with farm leaders about the future of farming under climate change.

We are working with the federal government; it is great to be able to work with the federal government and other state jurisdictions on coordinated efforts in terms of the work program that each jurisdiction sets itself. We do not want to duplicate our effort; time is too precious and resources are too precious to duplicate. The coordination of jurisdictions is excellent and something that we are still further developing. As a government we are determined to deliver better services to our farmers. We are on the front foot to work with farmers and to meet the challenges and opportunities of climate change.

Rail: rolling stock

Mr MULDER (Polwarth) — My question is to the Minister for Public Transport. I refer the minister to the chronic overcrowding on Melbourne's train network, and I ask: will the minister immediately exercise the government's confidential option for an additional 20 new six-car trains, or has the Premier decreed that this decision be delayed for a pre-election stunt?

Ms KOSKY (Minister for Public Transport) — I thank the member for Polwarth for his question and his sudden interest in public transport. We have indeed had patronage increases — quite unusual patronage increases, and increases that we actually welcome as a government, because we are very committed to public transport — of 23 per cent on trains over the last two years, and we are expecting that patronage increase to continue. In the Meeting Our Transport Challenges plan there was a commitment to additional rolling stock for trains. The Brumby government has seen fit to bring forward the acquisition of some of that rolling stock, so it has commissioned the purchase of 18 new trains. That is well ahead of the Meeting Our Transport Challenges commitment, and the trains will begin to be rolled out in 2009. In Meeting Our Transport Challenges there is also a commitment for new-generation trains; that is still a commitment that we have. This government is very committed to public transport and to ensuring that we invest in public transport. We have committed to $7.5 billion over the next 10 years. That is a commitment that the Brumby government has made, and it will continue to make those commitments to public transport.

Energy: efficient households

Mr SCOTT (Preston) — My question is to the Minister for Energy and Resources. I refer to the government's commitment to making Victoria the best place to live, work and raise a family in a carbon-constrained world, and I ask: what is the Brumby government doing to help Victorian families minimise their energy use and hence manage their energy bills?

Mr BATCHELOR (Minister for Energy and Resources) — I have just come back from a lunch — —

Mr Ryan interjected.

Mr BATCHELOR — That is right, it was a Women of Influence lunch where the guest speaker was Cathy Zoi. Cathy Zoi is the founding chief executive officer of the Alliance for Climate Protection. This is a non-government organisation chaired by Al Gore. Cathy said in her luncheon address today that while it was up to individuals to change to energy-efficient light bulbs, it was up to governments to change the laws affecting climate change. That is what this government is doing here, and that is what Labor is doing at the national level. All of the experts agree that once the cost of carbon takes effect in energy prices — —

Honourable members interjecting.

The SPEAKER — Order! I seek some cooperation from the member for Kororoit and also the member for South-West Coast.

Mr BATCHELOR — Experts all agree that once that cost has been factored into prices, they are likely to increase in the future, but before that happens this government is taking action to try and ameliorate that cost of carbon. Victorian families will be able to undertake action now in advance of the new emissions trading scheme coming into service, and those Victorian families will be able to ensure that they can better manage their energy bills by minimising their energy use order to reduce the price of energy in the years ahead.

Some of the things that can be done by these Victorian families to save on their energy bills are really surprisingly simple. For example, as Cathy Zoi suggests, if you change the light globes in your home and install the compact fluorescents, you are able to reduce your energy bills, and we know you can save up to 80 per cent of your lighting costs.

Mr Baillieu interjected.

Mr BATCHELOR — Clearly Victorian households are much smarter than the Leader of the Opposition over here.

The SPEAKER — Order! I warn the Leader of the Opposition!

Mr BATCHELOR — Victorian households are much smarter than the member carrying out the actions that we have just seen over here. Whilst it is up to the individuals who will change their light globes and save money, the government does have a role to play. The Climate Institute has carried out research, and it has found that 90 per cent of Australians think there is a role for the government to help make homes more energy efficient, and that is what this Brumby government is doing. We are already acting on this issue. Our black balloons campaign has been so effective that it has been copied, and it will be screened in cinemas in the USA in the coming months. It is a successful behavioural change program that people overseas see as world leading.

Last year the Victorian Parliament passed legislation whereby it created our world-leading Victorian energy efficiency target scheme (VEET), and this will come into operation at the commencement of the next calendar year. VEET will make it easier for people to make their homes more energy efficient and save money on their energy bills. Modelling suggests that the actions they take can cut the average participating household power bill by around $45 a year.

The Brumby government has also established the energy and water task force to specifically help disadvantaged households. As the member for Preston would know, because of the many homes in his electorate that have received the benefit of this initiative, there are some 4600 homes here in Victoria — mostly public housing — that have been retrofitted with around $300 of energy-saving and water-saving materials which have been installed in each of the residences.

Energy efficiency does not mean sacrificing quality of life; it is about being smarter with our energy. The Brumby government is really ahead of the pack in introducing these changes well in advance of the national emissions trading scheme so our Victorian families can minimise their use of energy, minimise their contribution to greenhouse gas emissions and be smarter.

Mr K. Smith interjected.

Mr BATCHELOR — Much smarter than the member for Bass!

Timber industry: licence reduction program

Mr RYAN (Leader of The Nationals) — My question is to the Minister for Agriculture. I refer to recent VicForests sawlog auction results, which show Blue Ridge Hardwoods, located at Eden, as a successful bidder for more than 8000 cubic metres of timber, and I ask: given that Blue Ridge Hardwoods closed its sawmills in Victoria under the government's voluntary licence reduction program, will the minister explain the benefits of providing a taxpayer-funded handout to the company and then allowing that company to purchase Victorian-grown timber and process it in its new $11 million mill in New South Wales?

Mr HELPER (Minister for Agriculture) — I thank the Leader of The Nationals for his question and his new-found interest in forestry issues. Can I just say from the outset that the Victorian government — the Brumby government — is of course committed to a sustainable, effective and positive forestry industry across this state. With the introduction of the auction system by VicForests we have seen a commercial value — a realistic economic value — being placed on our timber resource.

Now the auction system, as I understand it, takes into account a number of factors — of course resource availability and economic factors such as price et cetera — and takes into account the social impact of the auction outcomes. Clearly as the auction system plays out — the auctions were deferred as a consequence of the resource insecurities resulting from

the impact of bushfires and other resource impacts — and we go forward with it, the policy of VicForests and the policy of the government is to take into account the economic benefits, because the people of Victoria expect a return on the forest resource, and to take into account the social impact on our small timber communities and other small communities right throughout East Gippsland and Victoria.

Drought: sport facilities grants

Ms THOMSON (Footscray) — My question is to the Minister for Sport, Recreation and Youth Affairs. I refer the minister to the government's commitment to make Victoria the best place to live, work and raise a family, and I ask: can the minister update the house on how the Brumby government continues to help Victoria's sporting clubs combat the effects of climate change?

Mr MERLINO (Minister for Sport, Recreation and Youth Affairs) — I thank the member for Footscray for her question. It is a timely question given that over the coming weeks hundreds of local Victorian football clubs will begin their seasons. Twelve months ago they were in trouble. Clubs could not get onto their grounds because the surfaces were too hard and leagues were forced to push seasons back one or two months while pre-season training was in many cases not possible at all. We have a very different story today.

In great news for tens of thousands of local footballers and footy fans, I was advised this morning by the Victorian Country Football League and AFL Victoria that we will see no delays anywhere in the state this year. Every football league will begin its season on time and is on track to play the season fixture in full. Along with its partners in local government, state sporting associations and local sporting communities, the Brumby government can take some credit for this remarkable turnaround. It was the Brumby government that not only saw the effect that drought and climate change was having on community sport, we acted on it. It was swift and strategic and included just under $20 million in funding.

Members just have to look at the results we have delivered over the past 12 months: at 100 sportsgrounds tanks and water harvesting measures have been installed, at 50 warm season grasses have been introduced, at 40 irrigation systems have been installed, at 40 bores have been sunk, at 30 recycled water is being accessed and at plenty more synthetic surfaces have been laid. But it is not just ovals. Following a recent $200 000 Brumby government grant every clay tennis court in Melbourne will have the opportunity to be treated with calcium chloride, which will reduce water use by up to 80 per cent and open up hundreds of previously closed courts. I have been informed today by Tennis Victoria that already this funding has seen 370 courts at 70 clubs both treated and reopened, which has directly benefited over 60 000 tennis players.

This typifies the Brumby government's response to climate change. More grounds are open, more people are playing sport and more water is being saved. This will only grow as we continue to fund further successful projects. There will be more headlines like the one in the *Williamstown Advertiser* that said 'Footy oval gets tank, goes green — goal: drought relief', there will be more endorsements like the one in the Swan Hill *Guardian* that said 'Water relief for sporting facilities: wish granted' and more outcomes like those highlighted in the *Colac Otway Echo*, which said 'Golf club survives drought and plans for the future'. The article begins by describing how the drought almost killed the Winchelsea Golf Club and how a $40 000 drought relief government grant has led to this comment by Mr Brian Gibson, a member at the golf club:

> Much work still remains to be done but with 2008 being the club's 75th year, the members and the Winchelsea community can now look forward with confidence to having a recreational asset that the course will provide into the future.

Mr Gibson is right. There is still more to be done. We are not yet over the drought. We are not yet over the long-term effects of climate change, but it is only the Brumby government that can be trusted to combat climate change; to sustain community support, and to ensure Victoria is the best place to live, work and raise a family.

SENATE ELECTIONS AMENDMENT BILL

Withdrawn

Debate resumed.

Mr CLARK (Box Hill) — As I was saying before the suspension of the sitting, changes to the commonwealth electoral law made under the Howard government included provisions so that persons who became Australian citizens between the day after the issue of the writs and election day were able to enrol and therefore able to exercise their democratic right to vote in the forthcoming election.

The overall election scheme that was put in place by the amendments also meant that those persons and persons who were 17 years of age but who would turn 18 between the day after the issuing of the writs and

election day could enrol; and they, together with impending citizens, could enrol for up to three working days after the writs were issued, as could people who were already on the rolls but who had outdated addresses or name details. Other persons enrolling for the first time or those persons who were off the rolls and are re-enrolling are required to enrol by 8.00 p.m. on the day the writs for the election are issued, which of course in common parlance is the day on which the election is called.

As I alluded to before the suspension of the sitting, one of the key reasons giving rise to these amendments was concern on the part of the electoral matters committee of the federal Parliament that the flood of last-minute enrolments that took place under the previous measures would present an opportunity for those who were seeking to manipulate the rolls to do so at a time when little opportunity existed for the Australian Electoral Commission to undertake the thorough checking required to ensure roll integrity.

The committee also expressed the view that in the case of those turning 18 years the act of enrolling should be considered as much a symbol of transition to adulthood as applying for a proof-of-age card for entry to licensed premises or a drivers licence. In other words, people should be encouraged to update or maintain their enrolments or to undertake their initial enrolments in a timely manner in accordance with their responsibilities as citizens rather than leaving them to the last minute. The various arguments are set out at pages 34 to 36 of the report of the electoral matters committee following the 2004 federal election.

That of course was a contested issue as to the merits of that matter, but the point that needs to be made absolutely clearly is that there is no foundation whatsoever in the argument the Attorney-General was presenting prior to the suspension of the sitting about the disenfranchisement of young voters or of other voters. I went through the fact earlier that the Australian Electoral Commission was undertaking an extensive advertising campaign to promote early enrolments, and that there are provisions for provisional enrolments. As well as that, one can cite the evidence given by the commonwealth electoral commissioner, Mr Ian Campbell, to the federal electoral matters committee, which is at 2.111 of the report. He said:

> Even with the 7-day close of rolls, I have no doubt that we now have people who try to enrol on days 8, 9 and 10. In that sense, wherever you draw a cut-off point, you will have people who, for whatever reason, did not get to enrol before the rolls closed — there is under current arrangements and there would be in any changed arrangements …
>
> My point is that I could not draw any conclusion that a change in the closure date of the rolls would automatically lead to a particular number of electors who want to vote not being able to vote.

That was the evidence coming from the electoral commissioner himself. The arguments being put by the Attorney-General are completely fanciful. It is not ultimately a matter for the house to judge the merits of any particular electoral reforms being undertaken by the commonwealth. Our primary duty is to ensure that the electoral system that is implemented in Victoria for federal elections is sound, is clear of ambiguity and doubt, and will operate without potential for disruption.

That brings me to the second aspect that I raise on this motion now before the house: why it is that the state government, having introduced the legislation, then failed to proceed with it? I cite no lesser authority than the Attorney-General himself as to the reasons why it was important that this legislation should have been passed prior to the last federal election. He said in his second-reading speech way back in 2006:

> Failure to amend section 4 of the Senate Elections Act 1958 will mean that the section is invalid. Even if the federal government did not challenge section 4 uncertainty and inconsistency would prevail with the possibility that some electors would be ineligible to vote for the Senate but not for the House of Representatives.

The minister's own words were that this legislation was necessary so that uncertainty and inconsistency did not prevail. Yet in the end the government failed to bring this legislation on for debate in the Parliament prior to the federal election despite repeated urgings from this side of the house. The only explanation we got from the government prior to the election was the following weasel words, which the Attorney-General delivered to the house on 9 October 2007 in the debate on the business of the house. He said:

> The Premier will be advising the Governor, when the writs are issued, in relation to the federal government's laws, and they will be adhered to. But we do not believe it is appropriate, particularly in light of the comments made by the federal opposition that it will repeal such legislation, that we should be acquiescing in the disenfranchisement of 80 000 voters in this state.

What he was saying was: while the government does not like the legislation it is still going to comply with it, but it is not going to pass the legislation to actually give effect to what it is going to comply with. What sort of a position is that in terms of the certainty and clarity given to the electoral rules that prevailed in Victoria during the last federal election?

I have previously referred the house to the chaos that was created in the United States of America, with the

oddball series of constitutional challenges to the validity of various polling results there. The last thing we would want in Australia is to have a constitutional challenge or a Court of Disputed Returns challenge to the outcome of a Senate election in Victoria based on the fact that the Labor government said it would comply with the federal law but failed to enact state laws to ensure that was what the law of Victoria required. Indeed you have to speculate whether the government wanted to reserve to itself or to the Labor Party some sort of option so that if last year the outcome at the polls in Victoria for the Senate had gone a certain way, it would have been able to pull out an issue like this, like a rabbit out of a hat, and give itself the grounds to head off to the Court of Disputed Returns. Whatever its reason, it has certainly not given an adequate explanation to this Parliament.

The propositions I am putting to the house are strongly supported by the government's fellow Labor government in South Australia, which in September last year moved to amend its legislation in a similar way to that contained in the bill currently before the Parliament. In his second-reading speech, after having expressed his government's disagreement with the commonwealth, the South Australian Attorney-General, Mr Atkinson, said:

> Nevertheless, the government considers itself, by dint of the commonwealth amendments, forced to amend South Australian legislation to remove the inconsistency.

Later on he said:

> I have obtained advice from the Crown Solicitor on whether section 109 applies to invalidate section 2(1c) of the act. The Crown Solicitor advises that the position is not clear. There are two lines of authority. One is that section 9 of the Constitution of the Commonwealth of Australia confers authority on the state parliaments to determine the date of polling day and the location of the polling booths only. The second is that section 9 goes further and authorises the state parliaments to legislate about the entire electoral process, including the date for the close of the roll.

Then he put it very succinctly:

> As the next federal election can be called at any time, I put the bill to members. If the house is unwilling or unable to pass the bill, the matter will inevitably end up before the High Court, where it is possible that the South Australian act may prevail.

So the South Australian government had legal advice from the Crown Solicitor that failure to act would create ambiguity. Presumably if the Attorney-General were doing his job properly he would have sought similar advice about the consequences of his action here and also would have got similar advice about the potential ambiguities and uncertainties that would be created by not proceeding with the legislation. Yet because of base political motives he deliberately did not to do so, and the potential for electoral turmoil to result in Victoria arose as a consequence of his actions.

I turn to the third issue that we need to address in considering this motion — that is, the course the house should now follow. I certainly do not intend to anticipate what the commonwealth Parliament may or may not decide about its electoral laws in future. That is a matter for the commonwealth to decide. The question is what this house should do given the current state of commonwealth law. The conclusion should be that we proceed to pass this legislation so that it is on the books and so Victorian electoral law in relation to Senate elections conforms with commonwealth law. If the commonwealth law changes in the future, then legislation can be brought to this Parliament to again reflect that new commonwealth law. And no doubt if it comes to this place, we will be able to express our own views on the merits or otherwise of what the commonwealth Parliament has enacted. However, save for absolutely extraordinary circumstances, this Parliament should bring its laws into conformity with commonwealth laws so that the electoral law governing Senate elections is clear.

Members may say that there is no prospect of a Senate election for some time and therefore it does not matter much, but we have already heard the Prime Minister talking about the potential for double dissolutions. We all know the saying that a week is a long time in politics, and who knows what may unfold over coming months. I suggest that it would seem to be a fairly remote possibility, but we should ensure that if a Senate election were held our laws would be in the appropriate format.

The view of the opposition is that we should not remove the item from the notice paper; instead we should proceed to enact it. We should proceed to debate and then pass the relevant legislation so that Victoria's law is clear and we lessen the legal risks which were highlighted, firstly, by the Attorney-General himself, and which were then reinforced very explicitly and forcefully by the South Australian Attorney-General and in the legal advice from the South Australian Crown Solicitor, to which the South Australian Attorney-General referred. The last thing we want in this state is a repeat of the Al Gore-style constitutional turmoil that the United States suffered some years ago.

As the South Australian Attorney-General said, and as the Victorian Attorney-General started off saying, the views of this house on the merits of the legislation are essentially irrelevant. The government has its views about it, but nonetheless the primary duty of this house

is to have its legislation in conformity with commonwealth legislation, as is shown by the fact that even the Attorney-General said that in practice there was administrative advice that commonwealth legal requirements were complied with. The law should reflect that position. Accordingly this item should not be removed from the notice paper; instead it should be proceeded with and enacted.

Mr LUPTON (Prahran) — We have just sat through a fairly lengthy contribution from the member for Box Hill. It took us quite a while to have any kind of understanding about where the opposition stands in relation to this bill. I am leaning towards the notion that the opposition is opposing this motion. We are still in some suspense about that. No doubt we will see a little while later whether in fact that is the case. As the member for Box Hill appears to be nodding in relation to these remarks, I can only assume that we have guessed the right way and the opposition is in fact opposing this motion.

Mr Hudson interjected.

Mr LUPTON — As my friend the member for Bentleigh said, it is so opposed to it that it has only one speaker on the matter! Notwithstanding that, in a sense we now find that it is possible that the opposition has found something that it stands for.

In any event, a number of things have become apparent during the course of the limited but interesting contributions to the debate on this motion by opposition members. One thing I did find interesting, while I was pondering whether the opposition was supporting or opposing it, was that the opposition took another opportunity here today to show its feverish determination to stand up for everything the Howard government ever did. No matter how appalling a particular act of the Howard government was, the Victorian opposition will support it through thick and thin, even though the Howard government is now in the dustbin of history.

There has been another example of that today. The opposition here in Victoria is still prepared to stand up in this place and defend a change to the commonwealth electoral laws which had the effect of making it much more likely that a whole lot of people, particularly young people, would be kept off the electoral rolls when the federal election was called last year.

The effect of the legislation passed by the federal Parliament, which was called in a rather Orwellian turn of phrase the Electoral and Referendum Amendment (Electoral Integrity and Other Measures) Act, was to disenfranchise a large number of people in Australia from exercising their right to vote at the federal election last year. No doubt there are a number of other possible explanations for why the federal Howard government proposed and passed that legislation, but it is undeniable, based on the historical record, that the effect of the changes was to make it unlikely that a lot of people would get onto the roll or update their electoral enrolment details in order to be able to vote.

The particular thing I want to concentrate on in these remarks is to contrast what the legislation was at the time of the 2004 federal election with the situation that obtained last year. Over many decades the period of grace given to people to get onto the electoral roll or to update their electoral roll details was one week after the issuing of the writ. The federal government's changes meant that people coming onto the electoral roll for the first time only had until the end of the day on which the writs were issued — the day the election was called — to get onto the electoral roll and be able to vote in the election. I contrast that now with the situation that obtained in 2004, when people had seven days after the writ was issued to get onto the electoral roll so they could vote.

In that period in 2004 some 78 000 people enrolled for the first time, and 345 000 people updated their electoral details. In 2007, because of those changes in federal electoral law, those people who previously had had one week to get onto the electoral roll only had until the end of the day on which the election was called. There can be no doubt that a large number of people who ordinarily would have been able to get onto the electoral roll under the previous legislation were unable to get onto the electoral roll as a result of those changes.

Other arguments have been put forward — for example, the argument that it is difficult for the electoral commission to administer the electoral rolls when a large number of people enrol in a short space of time. However, the electoral commission did not have any difficulty with that in 2004. It enrolled 78 000 people in that week, and it dealt with a situation where 345 000 people updated their details in that week after the federal election was called in 2004. The real and simple reason the Howard government passed this appalling change to the commonwealth electoral laws was to make it more difficult for people who were trying to get onto the electoral roll for the first time to be on it and able to vote.

As far as the Victorian government's position is concerned in relation to this matter, the initial view was that some Victorian legislation was required in order to

deal with Senate voting matters. The government ultimately came to the view that that legislation was not required. Given that the federal opposition last year indicated that if it won the federal election it would repeal this Howard government legislation, we decided properly to await the outcome of the federal election to determine what to do with this particular bill.

As a result of the Rudd government's election, this bill is no longer required. I therefore ask that this Parliament properly support this motion so that the bill can be removed from the notice paper and so the Rudd government can go ahead and repeal what was an appalling piece of Howard government legislation.

Mr INGRAM (Gippsland East) — I rise to speak on the motion before the house that seeks the removal of the Senate Elections Amendment Bill 2006 from the notice paper. This legislation came about because of the passage of the commonwealth Electoral and Referendum Amendment (Electoral Integrity and Other Measures) Act that passed through the federal Parliament. A range of changes were made to the federal legislation, some of which related to when people were required to enrol. I will make a number of comments on that.

Those amendments came about because of recommendations of a partisan parliamentary committee. It is interesting to note that some of the changes that also came about were changes to the disclosure limits on political donations. I wish both sides of politics were quite as forthcoming about changing the requirements in relation to the disclosure of political donations, which is an issue I have been fairly active on for a number of years.

There is a whole range of reports from the Australian Electoral Commission, which has been requesting that the federal government make proper changes to the rules governing disclosure, particularly for associated entities. An AEC report of 1998 states:

> … there has been an unwillingness by some to comply with disclosure; others have sought to circumvent its intent by applying the narrowest possible interpretation of the legislation.

We have seen that come about because of the passage of that legislation, and we are debating just one part of those changes. It is time the government got serious about dealing with the disclosure and accountability of political donations, but I believe the changes which have been announced recently only skirt around the edges of the real issue, which is how political parties channel donations through associated entities. The Australian Electoral Commission has continually made recommendations to the federal Parliament about this issue, yet even with these changes the disclosure requirements were watered down. Even the current federal government is dancing around the issue that the commission has raised.

When I was first elected in 1999 one of the things that was very noticeable at polling booths was the number of young people who were disenfranchised by the political system. We have to be careful about anything governments do that reduces the ability of young people to access the democratic system, because they already feel disenfranchised by the voting system and the political system, including often not believing they are being represented by the two-party system. We need to make sure that all those involved in our process believe they have the ability when they go to the polling booth to influence the outcome of elections or to have their vote recorded. If we limit the opportunities for registration by changing the cut-off time for enrolments, particularly for new voters, we have the potential for young people to lose connectivity with the democratic process.

I have noticed the bill on the notice paper and observed over a number of years the discussion going on about why it has not been debated and so on. It is important that we re-examine the situation and make sure the democratic process is as inclusive as we can make it. That is why I will be supporting the withdrawal of this bill, or supporting having another go at it. If they are serious about the issue both this Parliament and the federal Parliament must deal with the broadest range of issues concerning access to democracy and the removal of the potential for corruption in the political system. With those words, I support the motion.

Mrs MADDIGAN (Essendon) — I wish to support the motion that the Senate Elections (Amendment) Bill 2006 be withdrawn. It is a very interesting bill which has come to this house as a result of the federal Electoral and Referendum Amendment (Electoral Integrity and Other Measures) Bill 2005. The integrity of some of the information provided by opposition members could be doubted given the way it was presented to this house. According to Senator Abetz, speaking on behalf of the Liberal Party:

> During the rush to enrol in the week following the announcement of a general election, incredible pressure is placed on the Australian Electoral Commission's ability to accurately check and assess the veracity of enrolment claims received.

Further, in an address to the Sydney Institute in 2005 he said:

> … in this rush to get on the roll after the calling of an election, the level of scrutiny of applications simply cannot be what it is during a non-election period when the AEC receives enrolments at a much more steady pace.

But of course that is not true, and it has been clearly proved not to be true by the Australian Electoral Commission itself. The commission said — this is interesting, because the member for Box Hill tried to claim something different and it would be good to have the truth about the commission on the record — in its submission to the federal Joint Standing Committee on Electoral Matters in 2002:

> The AEC is on record repeatedly expressing its concern at suggestions to abolish or shorten the period between the issue of the writs and the close of the rolls. That period clearly serves a useful purpose for many electors, whether to permit them to enrol for the first time (tens of thousands of electors), or to correct their enrolment to their current address so that they can vote in the appropriate electoral contest (hundreds of thousands of electors). The AEC considers it would be a backward step to repeal the provision which guarantees electors this seven-day period in which to correct their enrolment.

I repeat part of that for the benefit of the member for Box Hill, who seems to be unclear on the issue:

> The AEC considers it would be a backward step to repeal the provision which guarantees electors this seven-day period in which to correct their enrolment.

If you read the report of the debate on the bill in the federal Parliament, you will understand that the Liberal Party, which was in government at the time, claimed this was to stop the many instances of fraud committed by people enrolling to vote. When it was challenged by the then opposition to provide any evidence of that fraud, it was unable to do so. The previous federal government was unable to provide one instance of a fraudulent elector being put on a roll, so in fact it is quite clear that the claims it put forward for the introduction of this bill are untrue. It is clear that it was a determined attempt by the federal Liberal Party to try to prevent young voters in particular, who are presumed to be Labor voters, to have a say in the election.

When this legislation has been changed and the federal act has been repealed there will be quite a different voting pattern among young people, because they will be extremely annoyed, thank you very much. They will be extremely annoyed that when it was in government the Liberal Party tried to prevent them from exercising their democratic right. What sort of party in a democratic society would purposely try to prevent people from voting? It really is quite outrageous, and the Liberal Party should be ashamed. I strongly support the removal of this bill, and I look forward to the federal government repealing the federal act.

Mr WAKELING (Ferntree Gully) — It gives me pleasure to rise to make a brief contribution on this important matter. First of all I want to remind the house that the government introduced this bill on 19 December 2006. The purpose of introducing the bill was to ensure that the Victorian Parliament had legislation in place that mirrored that which operated at a federal level. Whether those opposite like the legislation that was introduced federally on this issue is not the point. The point is that the federal legislature had introduced legislation on this important issue, and it behoves this Parliament to pass legislation to ensure that the state government has legislation that mirrors that which operates at a federal level. As the member for Box Hill and other speakers have indicated, it is important that legislation is enacted to ensure that our legislation with respect to Senate elections mirrors that which is in operation at a federal level.

In a robust democracy and with a change of government federally we know that from time to time legislation will change. In fact the Rudd government may choose to change this legislation or it may not; or it may seek to introduce changes to the legislation which may or may not be passed by the Senate. But it is not for us here to crystal-gaze to determine what will happen at a federal level. It is our responsibility and our obligation to ensure that the legislation that is on our statute book in relation to this issue mirrors that which is in operation at a federal level.

I call upon this Parliament to pass the legislation which this government introduced in December 2006 to ensure that we have legislation that mirrors the federal legislation. If at a later point in time the new Rudd government seeks to make changes to the legislation, and those changes are passed by the federal Parliament, then this house can consider them at that time.

With that brief contribution I call upon the Parliament to support this bill. Let us bring on the debate and let us pass the legislation. And for those on the other side who do not like the colour of the politics of those who introduced the legislation in the federal Parliament, let us see what the new federal government does and deal with that accordingly at a point of time in the future.

Mr HUDSON (Bentleigh) — I have a short period of time so I will cut to the chase. The member for Box Hill said that this is about the integrity of the electoral rolls. That was the kind of argument that was put forward by the then Special Minister of State, Senator

Eric Abetz. The problem is that no-one agrees with them. In 2002 the Australian National Audit Office did an audit of the electoral rolls and found that the rolls were 96 per cent accurate, and that rose to being 99 per cent accurate when measured against Medicare cards. Here we had the body that is responsible for doing audits saying that the rolls are an accurate record of voters in Australia.

Then the Howard government had the problem that the body responsible for preserving the integrity of the commonwealth electoral rolls, the Australian Electoral Commission, actually opposed the changes being brought in by that government. This is what the AEC had to say to the Joint Standing Committee on Electoral Matters in 2002:

> The AEC is on record repeatedly expressing its concern at suggestions to abolish or shorten the period between the issue of the writs and the close of the rolls. That period clearly serves a useful purpose for many electors, whether to permit them to enrol for the first time (tens of thousands of electors), or to correct their enrolment to their current address so that they can vote in the appropriate electoral contest (hundreds of thousands of electors). The AEC considers it would be a backward step to repeal the provision which guarantees electors this seven-day period in which to correct their enrolment.

Here we have the guardians of the integrity of our electoral system opposed to the Howard government changes. It ignored them of course.

Then in March 2006 a Human Rights and Equal Opportunity Commission representative, when speaking to the Senate Finance and Public Administration Committee on the electoral integrity bill, said:

> In the commission's view the proposed amendments may breach article 25 of the —

International Covenant on Civil and Political Rights —

> and article 5(c) of —

the International Convention on the Elimination of all Forms of Racial Discrimination —

> in that it unreasonably restricts the right of those otherwise entitled to vote from participating in an election.

So for all the sophistry of the opposition, here we have the Australian National Audit Office saying there is nothing wrong with the rolls, we have the Australian Electoral Commission saying that it is opposed to the changes being brought in by the Howard government, and we have the Human Rights and Equal Opportunity Commission saying that it was a fundamental breach of our human rights for the Howard government to introduce this legislation. It is bad legislation. When it was introduced it had nothing to do with the integrity of the rolls; it had everything to do with disenfranchising young voters to advantage the Howard government.

This motion should be supported by the opposition. Its members should say sorry. They should take a lead from the federal Leader of the Opposition, Brendan Nelson, and they should support the motion to withdraw this legislation from the house.

Mr R. SMITH (Warrandyte) — I rise to speak on the motion moved by the Leader of the House. I want to just comment on what was said by the member for Bentleigh; I was not planning to get up. The argument put by the member for Bentleigh seemed to be that because there are certain groups who do not agree with the legislation we should just ignore it. From what the member for Bentleigh said apparently many groups do not like it, including the AEC, but the fact of the matter is that this legislation was introduced into this house specifically to reflect the federal legislation.

I want to turn to some of the claims made by the Attorney-General in his second-reading speech. First of all he stated that the Victorian government did not support the early closure of the rolls because the government was concerned the changes could disenfranchise people who would be unaware that a federal election had been called. The fact is that you would have had to be living on another planet to not know that the last federal election had been called. There was widespread advertising by the AEC for many months on radio and television, in the print media and on the internet — I could go on and on — not to mention the saturation news coverage. Public campaigns, such as Enrol to Vote Week, were held across Australia. The AEC's Rock Enrol initiative is a promotion aimed at encouraging our youth to enrol. It would be very difficult to claim that people did not know an election had been called.

The Attorney-General also stated that he was concerned about the integrity of the rolls. I agree with that and say that that is an important part of our democracy. Labor is repeatedly on the record as saying there is no evidence of electoral fraud. How is it then that the Shepardson inquiry in Queensland found that there was? The inquiry found that electoral fraud, which involved tampering with the electoral rolls, was perpetrated by some Labor Party members in 1986, 1993 and 1996. It was done to increase the chances of an individual candidate in preselections. Albeit it was not done on election day, it was still electoral fraud.

One such person flushed out by the inquiry was Michael Kaiser, who at first denied the allegations but later admitted involvement in vote rigging in the 1980s and was forced to resign from his seat in the Queensland Parliament. Members on this side of the house will be pleased to know that Labor does look after its mates. The last I was heard, Mr Kaiser's political downfall had been short-lived; soon after he was given the role of chief of staff to the Premier of New South Wales, Mr Iemma.

The Attorney-General stated that many people do not enrol until an election is announced. But the fact is that that is in contravention of the Commonwealth Electoral Act, which states in section 101(4) that:

> … every person who is entitled to have his or her name placed on the Roll for any Subdivision whether by way of enrolment or transfer of enrolment, and whose name is not on the Roll upon the expiration of 21 days from the date upon which the person became so entitled, or at any subsequent date while the person continues to be so entitled, shall be guilty of an offence …

The electoral act actually compels people to register fairly quickly. The bill should stay on the notice paper. I do not support the motion.

House divided on motion:

Ayes, 53

Allan, Ms	Kosky, Ms
Andrews, Mr	Langdon, Mr
Barker, Ms	Languiller, Mr
Batchelor, Mr	Lim, Mr
Beattie, Ms	Lobato, Ms
Brooks, Mr	Lupton, Mr
Brumby, Mr	Maddigan, Mrs
Cameron, Mr	Marshall, Ms
Campbell, Ms	Merlino, Mr
Carli, Mr	Morand, Ms
Crutchfield, Mr	Munt, Ms
D'Ambrosio, Ms	Neville, Ms
Donnellan, Mr	Noonan, Mr
Duncan, Ms	Overington, Ms
Eren, Mr	Pallas, Mr
Foley, Mr	Pandazopoulos, Mr
Green, Ms	Perera, Mr
Haermeyer, Mr	Pike, Ms
Hardman, Mr	Richardson, Ms
Harkness, Dr	Robinson, Mr
Helper, Mr	Scott, Mr
Herbert, Mr	Seitz, Mr
Holding, Mr	Stensholt, Mr
Howard, Mr	Thomson, Ms
Hudson, Mr	Trezise, Mr
Hulls, Mr	Wynne, Mr
Ingram, Mr	

Noes, 31

Asher, Ms	O'Brien, Mr
Baillieu, Mr	Powell, Mrs
Blackwood, Mr	Ryan, Mr
Burgess, Mr	Shardey, Mrs
Clark, Mr	Smith, Mr K.
Crisp, Mr	Smith, Mr R.
Delahunty, Mr	Sykes, Dr
Dixon, Mr	Thompson, Mr
Fyffe, Mrs	Tilley, Mr
Hodgett, Mr	Victoria, Mrs
Kotsiras, Mr	Wakeling, Mr
McIntosh, Mr	Walsh, Mr
Morris, Mr	Weller, Mr
Mulder, Mr	Wells, Mr
Napthine, Dr	Wooldridge, Ms
Northe, Mr	

Motion agreed to.

Withdrawn.

BUSINESS OF THE HOUSE

Budget speech 2008–09

Mr BATCHELOR (Minister for Community Development) — I move:

That:

(1) so much of standing and sessional orders be suspended so as to allow on Tuesday, 6 May 2008, following the introduction and motion for the second reading of the annual appropriation bill:

(a) the minister moving the second reading to retain their right to speak (for 15 minutes) on the question later in the debate;

(b) John Lenders, MLC, Treasurer, under section 52 of the Constitution Act 1975, be permitted to attend the house for the purpose of giving a speech of unlimited duration in relation to the Victorian state budget 2008–09;

(2) a message be sent to the Legislative Council advising them that, under section 52 of the Constitution Act 1975, approval has been granted for John Lenders, MLC, Treasurer, to attend the Legislative Assembly on Tuesday, 6 May 2008 for the purpose of giving a speech in relation to the Victorian state budget 2008–09.

This is a procedural or operational motion that will enable the Treasurer in another place to attend this house in order to deliver the budget speech. We have a set of circumstances where the current Treasurer of the state of Victoria is a member of the Legislative Council. Of course he wants to deliver his budget speech, and we certainly want to make sure he is given that opportunity. This is a situation that is provided for in the constitution. If circumstances such as those we find ourselves in here in Victoria at that moment arise, the constitution provides for the Treasurer to attend and

speak. We are seeking through this procedural motion to achieve that outcome.

As members would expect, the Treasurer is working hard to get the budget together. He continues the fine tradition of previous Labor treasurers in this Parliament. The first Treasurer was the then member for Williamstown, Steve Bracks. Then there was the member for Broadmeadows, the current Premier, and now we have John Lenders, a member of the Legislative Council, and we want him to be able to come here. I do not intend to speak in much greater detail other than to say that the logic of what we are proposing speaks for itself, and I would be surprised if there were any other views. I commend the motion to the house.

Mr WELLS (Scoresby) — I rise to join this debate. This motion smacks of embarrassment for the Brumby government. Let me make it very clear: the reason for this motion is that the Premier could not find one person in the Legislative Assembly to become the Treasurer. That is why we are here now debating this motion. We will move amendments, but I need to go through a couple of points first. Section 62 of the Constitution Act is headed 'Appropriation Bills'. It states:

> A Bill for appropriating any part of the Consolidated Fund or for imposing any duty, rate, tax, rent, return or impost must originate in the Assembly.

We find ourselves in the extraordinary situation where the Treasurer is in the Legislative Council and the appropriation bill must be read in and passed by the Legislative Assembly first. We have a set of procedures and the Brumby government is out of kilter with those procedures, so we have this situation.

Mr Batchelor — It is provided for in the constitution.

Mr WELLS — The Leader of the House is right, it is provided for in the constitution, but it just raises the concern that the government could not find someone to step up to the mark and become the Treasurer. I am sure that the Premier went through an extraordinarily exhaustive process to find one person to be the Treasurer. I guess he had a choice between union hacks and ALP stooges, and he could not find one person in the Legislative Assembly. It is an extraordinary situation.

I wonder how many members on the government front bench have some sort of business experience or experience in an area where they have had to balance a budget and ensure a company has work to make sure there is a profit and it can secure the employment of its workers. I thought I would go through some members of the front bench to see how they fit into the mould of a proper, qualified Treasurer.

The first member I looked at was the Minister for Regional and Rural Development. What has her business experience been? Her business experience in total has been as an electorate officer for a former federal member for Burke, Neil O'Keefe, and the federal member for Bendigo, Steve Gibbons. That probably would not satisfy the criteria to be Treasurer. I looked at the Minister for Health. What are his business qualifications? He has been an electorate officer, he has been a state organiser for the ALP, and he has been assistant state secretary for the ALP.

Then we go to the Leader of the House. He has been an official of the Furnishing Trades Union, an ALP organiser and the ALP state secretary. Not only has he been a union hack but he has been an ALP stooge as well. That is a fine start. Then we go to the Minister for Finance, WorkCover and the Transport Accident Commission, Minister for Water and Minister for Tourism and Major Events. What are his business qualifications? He was an electorate officer for a former member for Dandenong North, Jan Wilson, a very good person. He has also been an adviser to a former federal Minister for Defence, Robert Ray — but there is still no business experience. Not one of these people has had to go out and earn a dollar by making sure a budget has balanced.

The Minister for Sport, Recreation and Youth Affairs and Minister Assisting the Premier on Multicultural Affairs was an electorate officer for Jan Wilson, and a national industrial officer for the Shop, Distributive and Allied Employees Association, so he certainly would not qualify.

The next is the Minister for Mental Health, Minister for Community Services, and Minister for Senior Victorians, Lisa Neville. Jeepers creepers! She was adviser to the Leader of the Opposition; national president of the National Union of Students; general secretary, National Union of Students; and general secretary, Queensland Union of Students.

Then we have the Minister for Roads and Ports. I wonder what qualifications he would have for running a business, balancing a budget or being Treasurer. He was the chief of staff of the Premier, assistant secretary of the Australian Council of Trade Unions, the National Union of Workers assistant general secretary and national industrial officer of the then Federal Firefighters Union.

The Minister for Education was the national industrial officer of the finance sector union. The Minister for Gaming was an electorate officer, private secretary to the Leader of the Opposition and then an electorate officer to Kelvin Thomson, MHR. The Minister for Housing was a ministerial adviser and electorate officer to former Labor minister Barry Pullen.

Now I understand why the Premier had to bypass the entire front bench — because not one of them has been able to balance a budget with a business qualification. There is one, however: the Minister for Agriculture and Minister for Small Business, to his credit, has been an owner of a service station and a motor mechanic, so I give credit where credit is due. But when it comes to business qualifications, in terms of finding ministers who can balance a budget to ensure they can input financially to this state, the government ranks are very thin on the ground.

The other point we need to make after pointing out that the Premier has not been able to find anyone to become Treasurer is that we need a full-time Treasurer in this house. In this motion the government is proposing that the Treasurer be allowed to come in here, read the second-reading speech on the budget and then leave and go back and hide up in the Legislative Council. There is no continuity in having the Treasurer here to listen to any of the second-reading responses — none whatsoever — which is of concern to us.

The opposition and the people of Victoria are screaming out for answers in the budget. We have massive hospital waiting lists that continue to blow out. The government's response is, 'We will blame everyone else'. Today in question time we heard about overcrowded and late public transport services, but there is no planning whatsoever. We have been in chaos on public transport, and the government has known about that problem for eight years. We have had no sustainable boost to the capital works on trains.

When it comes to police and law and order, we have had an increase in violence in the community and the incidence of overall crime against the person is up. In education we have had a massive shift from the public sector into the private sector, yet the budget will tell us that education is the government's no. 1 priority. Parents are voting with their feet to move their children from one school to another, so something is not right — and the budget will not correct it.

Where is the part-time Treasurer? He is up in the Legislative Council. He should be here. Had the government had the talent on its benches in this place to appoint someone to be Treasurer, we would be able to deal with this properly, but the reality is that because they could find not one person to do it, they have had to hide him up in the Legislative Council. It is incredibly disappointing.

The government came into office in 1999 with a $1.8 billion surplus and in almost 10 years the budget will have doubled from $18 billion to $36 billion. It has had record state taxes, record amounts of GST. Do not forget that this was the party that opposed GST, yet what has it done with that amount of money?

Land taxes have grown by over 160 per cent to almost $1 billion; insurance taxes have risen 106 per cent to $1.1 billion; stamp duty estimates have skyrocketed 250 per cent from $1 billion to $3.5 billion this financial year — and if you consider the median price of a house, you will realise that Victorians pay the highest stamp duty of any state in Australia; payroll tax has increased nearly 70 per cent, from $2.2 billion to $3.7 billion this financial year; and police fines have quadrupled, from $100 million to $400 million.

We have seen report after report over the last few months about how poorly this government is travelling when it comes to financial management. The mid-year financial report released on 6 March revealed a budget surplus of $1.172 billion just for the first six months of this term, which is $331 million above the revised budget surplus of $842 million — and that budget update was released in December last year.

The bit that Victorians still do not understand is: if you have record amounts of taxes coming into the state and record amounts of GST, why would you increase debt at the same time? If a government were using the money to fix the problems on our trains, fix the road congestion, fix hospitals and fix education, you could understand the argument; but when debt skyrockets from $3.5 billion to $20 billion at a time of record taxes, something is not stacking up. That is why we would have thought that the government's Treasurer should be in the Legislative Assembly on a full-time basis to answer those questions and give us the answers that we require.

The Liberal Party proposes the following amendments to the motion. I move:

(1) After paragraph (1)(b), insert:

'(1A) Standing and sessional orders be further suspended so far as to permit John Lenders, MLC, under section 52 of the Constitution Act 1975 to attend the house on Thursday, 8 May 2008 to hear the lead response to the budget from the opposition;'.

(2) Paragraph (2), after '2008–2009', insert:

'and to attend on Thursday, 8 May 2008 to hear the opposition lead speaker in response'.

We would expect the government to support these amendments, because it does not make sense that the Treasurer would come here on Tuesday to present the bill, make the budget second-reading speech, and then scamper off to the Legislative Council. Where is the sense in that? If the government has a Treasurer who is sincere, who wants to sell the budget and listen to the comments by and criticisms from the opposition parties, then surely he should be here to listen to debate to ensure he is fully informed of the situation. As we said when the now Premier delivered at the last budget here, at least the government had the decency to have its Treasurer here to listen to the criticisms and the comments about that budget.

If the Treasurer is allowed to leave and move off to the Legislative Council and then be oblivious to whatever is being said in this chamber, it makes his position irrelevant. I ask that the government carefully consider the amendments I have moved. I look forward to its continuing support of them.

Mr STENSHOLT (Burwood) — I rise to support the motion of the Leader of the House, but firstly I must say I am absolutely puzzled by the amendments moved by the member for Scoresby. We really are often puzzled by him. It does seem quite incredible. I am not too sure what is happening here. Does the member for Scoresby want an audience, he having suffered relevance deprivation here? Can we pass a special motion in the house to ensure that the member for Scoresby has an audience? This is a bit ridiculous — he wants somebody to hear his pearls of wisdom. He may be worried about the upper house. He mentioned it frequently enough to indicate he is concerned about it. Maybe he is worried about Mr Gordon Rich-Phillips, who was the assistant shadow Treasurer and is now the shadow minister for finance, breathing down his neck. Perhaps Mr Wells should be the assistant shadow Treasurer.

I will refer to the relevant section in the Constitution Act. Section 52(1), which was quoted by the member for Scoresby, says:

> … any responsible Minister of the Crown who is a member of the Council or of the Assembly may at any time with the consent of the House of the Parliament of which he is not a member sit in such House for the purpose only of explaining the provisions of any Bill relating to or connected with any department administered by him, and may take part in any debate or discussion therein on such Bill …

The Treasurer, who is in the upper house, is able to attend the lower house only to speak in a debate. The constitution does not say that the Treasurer in the upper house must come down to the lower house and listen to the member for Scoresby; the constitution says that the Treasurer must actually speak. We have longstanding arrangements. I refer the member for Scoresby to the special roped-off section in the public gallery where there are nice little gold letters that say 'Legislative Council'.

Mr Wells interjected.

Mr STENSHOLT — You are changing your mind? You are not supporting this now? You said that you were putting forward these amendments.

The ACTING SPEAKER (Mr Ingram) — Order! Members have a right to be heard and comments like the one made by the member for Scoresby are unparliamentary.

Mr STENSHOLT — We all have loudspeakers in our offices so we can follow the debate. Ways of listening to the debate have already been set up. I have had the opportunity, since the member for Scoresby was able to provide in advance some notice of his proposed amendments, to discuss the matter with the Treasurer. He has advised me that he is happy to follow the responses either from the gallery or from his office, as is the custom. I respectfully suggest to the member for Scoresby that, given the Treasurer's view on the matter, the Treasurer will no doubt pay some attention to what you are going to say, assuming you are the one to give the response.

The ACTING SPEAKER (Mr Ingram) — Order! The member for Burwood will address his remarks through the Chair!

Mr STENSHOLT — Certainly, Acting Speaker. I respectfully suggest to the member for Scoresby that, given that is the case, he should withdraw his amendments because they have absolutely no substance and do him no credit. This is not the first time in the Victorian Parliament when members have gone from one house to the other, as is suggested in the constitution. The practice goes back to 1903 and Tommy Bent, a former member for Brighton. I remember as a lad — —

An honourable member interjected.

Mr STENSHOLT — I come from Brighton too. Tommy Bent's statue has its hand outstretched and a beer bottle used to be there. Of course 1966 was a very famous occasion when Tommy Bent's statue was

adorned with the St Kilda Football Club colours. Tommy Bent was requested by the Council to attend the Assembly for the purposes of explaining provisions — not to listen to anybody, but to explain provisions of the then Surplus Revenue Bill. He did that, and he also attended the committee of the whole on another day.

Similarly in 1905 the then Minister for Water Supply was requested to attend the Council. He attended once, not to listen but to explain a bill. As has already been mentioned by the member for Scoresby, section 62 of the constitution says said that the place to explain a money bill is in the Assembly. In other legislation — for example, the Financial Management Act, and I will not go through the many provisions — there is provision for the Treasurer to make a statement, but this chamber is the place where the budget speech should be made. This has been done in the upper house before. In 1927 it was done in New South Wales.

Ms Thomson interjected.

Mr STENSHOLT — Yes, that is a good book. This is actually about New South Wales rather than Victoria, but the point is taken. It has now been a strong tradition there for a number of years on both sides of the political spectrum. In 1995, the Honourable M. R. Egan of the New South Wales Parliament became, he thought, the first Treasurer in the Legislative Council of New South Wales and the first Treasurer of the upper house of any Westminster Parliament. The current Treasurer of New South Wales, Michael Costa, who has been the New South Wales Treasurer since 17 February 2006, is also a member of the Legislative Council in that state, and arrangements are in place for him to go to the Legislative Assembly to give the budget speech.

Similarly in South Australia the Treasurer in the previous South Australian government, Rob Lucas, who sat in the Council, delivered the budget speech in the Legislative Assembly. This is a strong tradition. I hope that the opposition and the Independent member will support this motion, because it has happened elsewhere. In Tasmania the Treasurer is also in the upper house. It is a matter of having the best person for the job, and necessarily of trying to get the best audience. We are very supportive of the Treasurer. He does a fantastic job. We have a AAA economy here in Victoria, and I think it will be maintained. I am looking forward to the budget speech. I commend this motion to the house.

Mr BURGESS (Hastings) — It is a pleasure to rise to speak on this motion. I am in favour of the proposed amended motion. As was referred to by the previous speaker, for a short time in 1927 the Labor Party in New South Wales had to appoint a Treasurer from the ranks of the upper house, again in 1994 the Labor Party in New South Wales appointed a member of the upper house as Treasurer, and the current New South Wales Treasurer is in the upper house of the New South Wales Parliament. To the best of my knowledge those are the only three occasions on which this has occurred in Westminster-style parliaments throughout the world.

In Victoria the Labor Party has now appointed an upper house member as Treasurer. You really must ask yourself why that is the case. Why have we reached that situation? There are a few options. Firstly, the Premier could be so lacking in confidence regarding the financial performance of his government that he really would prefer to have the Treasurer away from the shadow Treasurer. Secondly, the Premier could have such little respect for the Parliament and the community that he thinks he can flout its conventions and standing and sessional orders at his merest whim. Thirdly, the Premier was so desperate to become Premier that, for all we know, a nice little factional deal might have been done, and in return obviously the current Treasurer took his role. Finally — and this is my favourite — the Premier could have so little confidence in members on the government benches of this house that he decided there was not enough talent there to fulfil the role. One can only imagine how low the talent pool must be in that case.

It is common ground that under section 52 of the Constitution Act the Treasurer can come into this house and present the budget speech, and it would be a valid delivery of that budget. But if the Brumby government does pay more than lip service to the democracy of our state and the role of Parliament and its mechanisms, then the Premier will ensure that the Treasurer returns to listen to and absorb the speech in reply by the shadow Treasurer. This sort of mechanism is very important to our democracy.

The approach being taken by the current government reminds me of what happens in the community at the moment, with the state government's approach to consultation. Consultation in the view of this state government is one-way traffic, or one-way information. The government does not come out and consult with the community; it comes out and tells the community what it is going to do. In this case the Treasurer is going to come into this house where he is a stranger and tell Parliament what is going to happen, but he will not be around to listen to any response. I think it will be a great shame if that is allowed to occur.

The government has been the beneficiary of record levels of stamp duty, land tax, payroll tax and fines, to mention just a few of its income streams. Yet this state is enduring a water crisis, chronic traffic congestion, public transport passengers subjected to cancelled and overcrowded services, dilapidated schools and record levels of violent crime. And yet the Brumby government is still pushing Victoria further and further into debt. This year total state revenue will have increased from $18.9 billion in 1999, when there was the famous $1.8 billion surplus, to more than $35 billion, which is an increase amounting to more than 80 per cent. Debt will have quadrupled from $3.5 billion in 2002 to a staggering $20 billion in 2011. The amount of money that pours into the coffers of this state government is staggering.

Over 2007–08 Labor will receive $44 million every day from GST payments — and we know they have increased just recently — and federal government grants. In addition it will receive $33 million a day from its own taxes. In return for this record revenue and expenditure little improvement is seen. In fact the performance in nearly all areas of the state is worsening. We often hear the government extolling the health of the Victorian budget, but the budget is built on a flood of GST revenue and property taxes and until recently a strong, booming stock market. The budget is essentially dependent on everything going right. It is so finely balanced that if the property market slows or the stock market continues to fall, Labor will take Victoria straight back to the bleak days of Cain and Kirner.

The government has remained intent on increasing debt. However, all good financial managers would advise that debt should be paid off in boom times to insulate budgets from a possible economic downturn. We are now in the precarious position that if the fundamentals turn down we will have no avenue available by which to shore up the financial position. The proposition therefore is that Premier Brumby should concentrate less on preening his feathers and more on addressing the problems that confront the state of Victoria, and he should ensure as a matter of urgency that the Treasurer attends this house a second time to listen to the budget reply from the shadow Treasurer.

Ms RICHARDSON (Northcote) — I rise to speak in support of the motion to suspend standing and sessional orders to enable the Treasurer to speak on the Victorian state budget 2008–09. Members would be aware that section 52 of the Constitution Act of 1975 states:

> … any responsible member of the Crown who is a Minister of the Council or of the Assembly may at any time with the consent of the House of Parliament of which he is not a member sit in such House for the purposes only of explaining the provisions of any Bill …

Like the majority of members in the house I welcome the opportunity that the Constitution Act affords us to hear directly from the minister in the other place on the next state budget. No doubt the Treasurer in outlining the state budget for 2008–09 will build on the solid economic foundations that have been created by the Labor government — a solid foundation that has enabled Labor to deliver significant economic reform in this state.

Members opposite detest good news for Victorian families, but I feel sure that those same Victorian families will welcome another important chapter in the delivery of services to all of Victoria. We know that members opposite in contrast have a reckless disregard these days for financial management. In the lead-up to the 2006 state election the team I refer to as Ted Baillieu's cuff-and-collar team — members opposite — announced over $3.7 billion worth of promises. It did not take long for the numbers to be crunched and for voters to work out that this meant that either the state budget had to plunge into deficit or services had to be cut — services such as schools, hospitals, teacher numbers, nursing numbers, police numbers et cetera would be cut. It was all too familiar to all Victorians.

The Nationals also racked up a fair few dollars in promises. That party had over $7.8 billion worth of promises in the lead-up to the last election. Now that they are in coalition we all know that that spells disaster for the state of Victoria and all Victorians.

As I said earlier, the Treasurer will build on the solid foundations in the Victorian economy and will no doubt talk about the strength of our economy, which is growing at a record rate of 2.7 per cent over 2006–07 — the strongest growth rate of any non-resource state.

For Victorian families the issue of jobs growth is of critical importance, and the state budget will no doubt again help deliver more jobs for Victorians. Our state leads the nation on jobs growth, with over 90 000 new jobs in the last 12 months — a very proud record indeed for the Victorian state government. In regional Victoria we have seen a 4.3 per cent increase in jobs across the state, and I am sure members opposite welcome that improvement in the position for all regional Victorians.

But the greatest endorsement that I think the state government has received since the last state election has been the more than 1000 people a week who have decided to move to our state, become Victorians and

enjoy the economic prosperity that we all share. This obviously puts pressure on our services, on our schools and on our hospitals, and the state budget will no doubt seek to meet the challenge of those extra people and the pressure that has been put on services.

I would like to speak just briefly about the amendments that the member for Scoresby moved earlier. I urge him to consider withdrawing his amendments on the basis that the Treasurer is ever diligent in following what goes on in this house, and no doubt, given the gallery here that is obviously always available to him and also the speaker box in his office that is always available to him, he will be able to hear the member for Scoresby when he makes his address — if he is still the person to make the address at the time of the state budget — and he will also have the *Hansard* report available to him. There is no need for the Treasurer to actually eyeball the member for Scoresby directly in the house. Therefore I think his amendments are ill-considered and should be withdrawn. In conclusion, I urge all members to support the motion before the house. I look forward to hearing from our Treasurer in May, and I look forward to another excellent Labor state budget.

Mr RYAN (Leader of The Nationals) — I rise to speak in relation to this motion and particularly to support the proposed amendments to the motion which, if passed, would see the attendance at this chamber on Thursday, 8 May, of the Treasurer so that he could have the benefit of hearing the opposition lead speaker in response.

Mr Batchelor interjected.

Mr RYAN — I hear interjections, which I understand are disorderly, Acting Speaker, from the Minister for Community Development. I was going to come to him a little later, but since he has spoken up now I want to make the point that I thought it was a very good assessment of the government's ministry in this chamber that was provided by the member for Scoresby when he highlighted essentially the fact that to get itself a Treasurer the government had to go over the road to the other chamber. I just mention that in context, because I reckon that deep down in his heart of hearts, if he had the chance and if he got the phone call, the Minister for Community Development would love to be the Treasurer. Pity help us if it happened, but I think he would love to get the call — and even as I speak, he is blushing. I can understand that he feels a bit embarrassed about all this, with just cause, because it is, I think, a reflection on the government that it has had to motor over the road to get hold of a Treasurer. Nevertheless we have got what we have got. Of course for the Treasurer it will be a homecoming. He was in this chamber when first elected, if I remember correctly, and then by wont of the system which somehow operates in the Labor Party he was dispatched across to the other place where he now sits, so it will be a homecoming. I wonder if one of the great traditions of the Labor treasurers will be continued upon his return: will his tie match the colour of the budget papers? I am sure this will be a significant issue about which he will take advice from the Premier and the community development minister, who is about to give me a bit more advice anyway! These are important issues under consideration.

Mr Batchelor interjected.

Mr RYAN — A black tie?

The ACTING SPEAKER (Mr Ingram) — Order! The Leader of the House should not interject across the table.

Mr RYAN — I can understand why it would be a black tie; that sounds about right. It is the issue of the amendments to this motion which really draw me to my feet to make a contribution today, because historically the Treasurer of the day has listened to the response from the opposition parties — that is, what they in turn have to say about the government's budget. Sometimes, if circumstances have arisen, that has not been possible. I readily acknowledge that. I might say that over the years when I have had the honour to make a response on behalf of The Nationals and the Treasurer has been otherwise engaged, he has invariably spoken to me to that effect.

I understand that commitments reign, and so be it. But you must remember that it is so important for the government, through the Treasurer, to be actually here, present, at the time that the lead speaker for the opposition parties makes a response, and so it is that these amendments are before us today. When you think about it, it is the height of absolute patronising arrogance that this government sees fit not to have the Treasurer come across and at least comply with that convention by being here while that response is made. It is the absolute height of patronising arrogance. It is this government to a tee, and I urge it to support the amendments before the house.

There will be a lot of things in the budget that quite obviously, by their nature, we will all want to consider for the purposes of our budget consideration. There will be issues around the way that Victoria now enjoys wealth that is probably unparalleled in its history. We had a budget last year of about $35 billion, give or take

a few hundred million dollars. This year what is it going to be — $36 billion, $37 billion, or something of that order? We invariably have the budget understated by way of income so that the government can come out halfway through the year and at various other periods and announce that — surprise, surprise! — the income flow has been greater than it thought it would be, usually because of increases in stamp duty incomes or GST, or both. We go through that charade each year. Of course we have been spared the result of going into the red over the past years because fortunately those excesses in income have more than accommodated the excesses in expenditure. That is important, because every single time this government has brought down a budget it has failed to comply with it and it has always, without fail, expended in excess of what its budgeted allocations have been. It is just a feature of the fact that Labor cannot manage money.

The other point to be made about these amendments is that when the Premier gave his speech to mark the opening of Parliament this year and made his statement of government intentions, of course we had a debate of similar proportions in the sense of changing our standing orders so that members of the upper house could come over and join us. I think I remember saying at the time that it was a pity we could not give them a job and that while they were over here they could really do something constructive instead of sitting up in the gallery and just looking on.

Why is it, I ask rhetorically, that on one hand the government sees fit on the occasion of the Premier making his statement of government intentions to change the appropriate standing orders so that upper house members can come across to this chamber as part of that process, and yet on the other hand it is not prepared to adopt an amendment which is put by this side of politics — and which essentially is in similar terms and relates only to one individual — to allow the Treasurer, on his own, to come over here and spend the time appropriate to hearing the response which is put to the Parliament by the opposition?

I urge the government to support the amendments. They are very sensible amendments. I think if it is that the government is going to hold true to this notion, as it purports to do, of governing for all Victorians, then it should have the good grace to comply with the usual convention which has been part of the history of this place and to make sure that the Treasurer is over here to actually participate in that response which is given on behalf of the opposition.

Mr BATCHELOR (Minister for Community Development) — In my summing up the debate, it is important for the house to understand that what we are seeking to do by this substantive motion is to provide the opportunity for the Treasurer of the state of Victoria to deliver the budget. The Treasurer is a member of the upper house and in accordance with the requirements and procedures that are provided for in the Constitution Act, this procedural motion is being moved to take up a provision that has been mentioned.

The same provision makes no reference to providing for an audience for the member for Scoresby, the shadow Treasurer. The member for Scoresby clearly feels inadequate, he feels uncertain, he feels insecure, he feels unloved, and he is saying that he feels stupid. To overcompensate for this he feels there should be a requirement that he must have the Treasurer, by way of resolution of the house, come in here to listen to what he has to say. It is a great pity that he should feel like that.

I would have thought that the member for Scoresby would have had more gumption, so that when the proposal was floated in the coalition party room he would have seen the obvious set-up that was provided for him. Here he was in his own party room, being given support at that meeting to have a silly, nonsensical amendment moved. When push comes to shove there is one person from the Liberal Party and one person from The Nationals in the chamber who are prepared to support the member for Scoresby. The rest of the coalition party room have abandoned him on this debate. He feels so bereft of friends and support that he feels he needs to move an amendment to my motion that requires not that his own members support him but to elevate his status; to overcome his own inadequacy, he needs the Treasurer to be required to attend the house by way of resolution of this chamber.

This is a tragic position for the Liberal Party — once a proud political party in this state — that it has to stoop to such base activity of a futile and juvenile nature. This sort of behaviour would not even be regarded as humorous or funny even in student politics. This is the silliest set of amendments I have seen in my short period in this chamber.

Mr Wells interjected.

Mr BATCHELOR — Short! I say to the member for Scoresby that the government will not support his amendment to the motion. We cannot support it. Not even the Liberal Party or The Nationals are prepared to support the member's amendment. Unfortunately for the Independent member, he is in the Chair during this debate so he has to be in the chamber. The member for Scoresby is suggesting a nonsensical arrangement.

The member for Hastings made the most pertinent comment in this debate. He crawled out of obscurity to make a pitch or a plea that the member for Scoresby as the shadow Treasurer's amendment to the motion be supported because it is likely that no other persons will be in the chamber to listen. We will make some members available to listen to the member for Scoresby. In our party room I will make sure a sufficient number of members are here to pay respect to the shadow Treasurer in the manner in which the Leader of The Nationals suggested. Even if the members of the Liberal Party are not prepared to do it, the government will ensure some of its members are present in the chamber to listen to the shadow Treasurer.

I am sure he will get assistance from the member for Box Hill in preparing his contribution; if he is prepared to take that assistance from the member for Box Hill, it will be very detailed; but if he does not, he will be in all sorts of trouble — but we will have members here to listen to his response.

Mr Wells interjected.

Mr BATCHELOR — I often come to listen to the response from the shadow Treasurer, but I do that by way of interest. I do not do it because the house has so resolved. I think the member for Scoresby understands because of our record in delivering surplus budgets and good financial management that very important issues are to be addressed in the budgets that this government delivers, but we are yet to hear in any of the responses from the opposition how it would tackle in any substantive or real way the important economic issues of the day.

We are hoping that the member for Scoresby will be able to deliver something of substance, but irrespective of that, we will have members in the chamber to listen to him. In that context there is no reason for the government to support his amendment. I am a man of my word, and I will deliver that audience for the member. Accordingly the government will not support the amendments moved by the member.

Mr Andrews interjected.

Mr BATCHELOR — The Minister for Health says he is likely to be here for the response.

The government will not support the amendments to the motion before the house.

House divided on amendments:

Ayes, 31

Asher, Ms	O'Brien, Mr
Baillieu, Mr	Powell, Mrs
Blackwood, Mr	Ryan, Mr
Burgess, Mr	Shardey, Mrs
Clark, Mr	Smith, Mr K.
Crisp, Mr	Smith, Mr R.
Delahunty, Mr	Sykes, Dr
Dixon, Mr	Thompson, Mr
Fyffe, Mrs	Tilley, Mr
Hodgett, Mr	Victoria, Mrs
Kotsiras, Mr	Wakeling, Mr
McIntosh, Mr	Walsh, Mr
Morris, Mr	Weller, Mr
Mulder, Mr	Wells, Mr
Napthine, Dr	Wooldridge, Ms
Northe, Mr	

Noes, 51

Allan, Ms	Kosky, Ms
Andrews, Mr	Langdon, Mr
Barker, Ms	Languiller, Mr
Batchelor, Mr	Lim, Mr
Beattie, Ms	Lobato, Ms
Brooks, Mr	Lupton, Mr
Brumby, Mr	Maddigan, Mrs
Cameron, Mr	Marshall, Ms
Campbell, Ms	Merlino, Mr
Carli, Mr	Morand, Ms
Crutchfield, Mr	Munt, Ms
D'Ambrosio, Ms	Noonan, Mr
Donnellan, Mr	Overington, Ms
Duncan, Ms	Pallas, Mr
Eren, Mr	Pandazopoulos, Mr
Foley, Mr	Perera, Mr
Green, Ms	Pike, Ms
Hardman, Mr	Richardson, Ms
Harkness, Dr	Robinson, Mr
Helper, Mr	Scott, Mr
Herbert, Mr	Seitz, Mr
Holding, Mr	Stensholt, Mr
Howard, Mr	Thomson, Ms
Hudson, Mr	Trezise, Mr
Hulls, Mr	Wynne, Mr
Ingram, Mr	

Amendments defeated.

Motion agreed to.

JUSTICE LEGISLATION AMENDMENT (SEX OFFENCES PROCEDURES) BILL

Statement of compatibility

Mr HULLS (Attorney-General) tabled following statement in accordance with Charter of Human Rights and Responsibilities Act:

In accordance with section 28 of the Charter of Human Rights and Responsibilities, I make this statement of compatibility

with respect to the Justice Legislation Amendment (Sex Offences Procedures) Bill 2008.

In my opinion, the Justice Legislation Amendment (Sex Offences Procedures) Bill 2008, as introduced to the Legislative Assembly, is compatible with the human rights protected by the charter. I base my opinion on the reasons outlined in this statement.

Overview of the bill

The bill seeks to amend the following acts:

Crimes Act 1958

Crimes (Criminal Trials) Act 1999

Evidence Act 1958

Sentencing Act 1991

Sex Offenders Registration Act 2004

The underlying purpose of the bill is to amend the legislative time frames within which special hearings (pre-recording of evidence and cross-examination) for child and cognitively impaired complainants in sex offence trials are held.

The bill also provides for administrative and procedural amendments to other provisions of the acts which relate to sex offence procedures.

Human rights protected by the charter that are relevant to the bill

Section 24 — fair hearing

Section 24 of the charter provides that:

(1) A person charged with a criminal offence or a party to a civil proceeding has the right to have the charge or proceeding decided by a competent, independent and impartial court or tribunal after a fair and public hearing.

(2) Despite subsection (1), a court or tribunal may exclude members of media organisations or other person or the general public from all or part of a hearing if permitted to do so by a law other than this charter.

(3) All judgements or decisions made by a court or tribunal in a criminal or civil proceeding must be made public unless the best interests of a child otherwise requires or a law other than this charter otherwise permits.

Clause 10 of the bill provides that evidence of previous representations made by child complainants is admissible in some circumstances and that the hearsay rule does not apply. The clause arguably engages section 24 of the charter because rules of evidence are designed to promote accuracy in legal fact finding.

However, what amounts to a fair hearing takes account of all relevant interests, including those of the accused, witnesses and society. Clause 10 requires the evidence to be relevant and sufficiently probative and provides the judge with discretion to exclude the evidence. If such evidence is admitted, the judge must give appropriate warnings to the jury. Accordingly, the right to a fair trial is preserved by clause 10 and is not limited.

Clause 11 of the bill provides that the court may permit only specified persons to be present in court while a child or cognitively impaired person is giving evidence. This clause arguably engages section 24(1) of the charter because it infringes on the defendant's right to a public hearing. However, section 24(2) of the charter enables the exclusion of people from part of a hearing if permitted to do so by another law.

The Evidence Act currently allows for exclusions of specified persons during the testimony of vulnerable witnesses and this is intended to protect vulnerable persons. Accordingly, whilst the right is engaged by clause 11, it is not limited.

Section 27 — retrospective criminal laws

Section of the charter provides that:

(1) A person must not be found guilty of a criminal offence because of conduct that was not a criminal offence when it was engaged.

(2) A penalty must not be imposed on any person for a criminal offence that is greater than the penalty that applied to the offence when it was committed …

Clauses 8, 10 and 13 provide for transitional arrangements for the substantive clauses in the bill. However, clauses 8 and 13 do not deal with criminal conduct or penalties and do not engage this right. Clause 10 does not apply retrospectively.

Clause 9 may appear to engage section 27 of the charter because it concerns sentencing of offenders. It imposes a life reporting condition on offenders sentenced after the commencement of the bill, regardless of when the offence was committed.

However, section 27 applies to penalties only, and the clause does not impose any new or increased penalties on offenders. Reporting obligations as a sex offender are not considered a penalty under the Sentencing Act 1991 and the Sex Offenders Monitoring Act 2004. Accordingly, the right is not engaged and therefore not limited.

Conclusion

I consider that the bill is compatible with the Charter of Human Rights and Responsibilities because it does not limit, restrict or interfere with any human rights protected by the charter.

ROB HULLS MP
Attorney-General

Second reading

Mr HULLS (Attorney-General) — I move:

That this bill be now read a second time.

In 2004 the Victorian Law Reform Commission (VLRC) released the 'Sex Offences Final Report' which made a number of significant recommendations for legislative and non-legislative reform in relation to sex offences in the Victorian justice system.

The majority of the legislative reforms were implemented through the Crimes (Sexual Offences) Act 2006 (the first act), the Crimes (Sexual Offences) (Further Amendment) Act 2006 and the Crimes Amendment (Rape) Act 2007.

One recommendation (implemented through the first act) was to provide that vulnerable witnesses — child and cognitively impaired complainants — would only have to give evidence once in sex offence trials. Further, the VLRC recommended that this evidence should be given at a 'special hearing', via a remote recording facility, before the trial starts and without a jury present.

The current provisions governing the special hearing process have achieved the aims of this recommendation to a significant extent. All key legal stakeholders have worked hard to ensure the special hearing process is effective. In some instances, however, the short time frame for the holding of the special hearing has resulted in a number of unforeseen consequences for all parties involved in this process.

The 21-day period has sometimes provided insufficient time to prepare adequately for the special hearing. There has also been duplication in resources with two different judges presiding and two different defence counsel appearing at the special hearing and the subsequent trial. The benefits of the early special hearing have also been reduced by the waiting period between the special hearing and the trial itself.

This bill will address these concerns by building on the VLRC recommendations and further improving the experience of these vulnerable witnesses in sex offence trials. Accordingly, the bill amends the Evidence Act 1958 and related acts to provide a more effective and efficient timetabling process for the holding of special hearings. The bill is necessary to ensure one primary object of the VLRC recommendations — to improve the system for child and cognitively impaired witnesses — is not undermined.

In summary, the main amendments in the bill are to:

extend the time requirement for the holding of a special hearing from 21 days to three months. This will address the administrative and timetabling difficulties experienced to date. It will provide adequate time for parties to prepare for the special hearing.

provide that the County Court trial for relevant sex offence matters must commence within three months after the Magistrates Court committal unless it is in the interests of justice to extend this time.

The amendments are designed to enable the special hearing to be held and the trial commenced before the same judge within three months of the accused person being committed for trial. The bill is designed to ensure that vulnerable witnesses still only attend once to give evidence whilst simultaneously expediting the entire trial process, providing certainty for complainants and other witnesses involved in the trial.

It will also realise efficiency gains by reducing duplication of court resources (as both the special hearing and the trial will be listed before the same judge).

It is further designed to ensure that pretrial matters are resolved prior to the scheduled special hearing, thereby preserving the benefits for complainants of only one attendance to give evidence.

In addition to amendments to the special hearing process, the bill makes a small number of technical amendments and other changes as a consequence of the experience gained through implementation of the VLRC recommendations. In essence, the additional proposed amendments will:

achieve consistency in terminology used across the acts (for example, the definition of child will be increased in one section from under 17 to under 18);

remove ambiguity in the operation of some provisions (for example, the use that can be made of certain types of evidence);

update relevant sentencing schedules (for example, to incorporate recently amended sexual offences as 'serious sexual offender' offences for the purposes of sentencing).

The bill is consistent with the government's Access to Justice policy and will further improve the experience of child and cognitively impaired witnesses who have to give evidence in sexual offence matters.

I commend the bill to the house.

Debate adjourned on motion of Mr CLARK (Box Hill).

Debate adjourned until Wednesday, 26 March.

EDUCATION AND TRAINING REFORM AMENDMENT BILL

Statement of compatibility

Ms PIKE (Minister for Education) tabled following statement in accordance with Charter of Human Rights and Responsibilities Act:

In accordance with section 28 of the Charter of Human Rights and Responsibilities (the charter), I make this statement of compatibility with respect to the Education and Training Reform Amendment Bill 2008 (the bill).

In my opinion the bill, as introduced to the Legislative Assembly, is compatible with the human rights protected by the charter. I base my opinion on the reasons outlined in this statement.

Overview of the bill

The purpose of the bill is to amend the Education and Training Reform Act 2006 (the principal act).

The bill modifies the statutory responsibilities and functions of the Victorian Curriculum and Assessment Authority (the authority). The authority will now be required to perform functions in relation to early childhood development and will be able to conduct assessments of students against 'national standards' for measuring and reporting on student performance. In addition, a new provision will be inserted into the principal act to enable the chief executive officer of the authority to issue a written reprimand in respect of a suspected minor contravention of the examination rules. Provision is also made for the student to seek review of that decision.

The bill also introduces a unique student identifier, referred to as the Victorian student number, and establishes the Victorian student register which operates as the central repository for student information that is collected through the allocation of Victorian student numbers to all students.

Human rights issues

The Victorian student number and the Victorian student register — right to privacy (s 13 of the charter)

Clause 11 of the bill (new part 5.3A) creates a mandatory requirement that a student in a course or program of study or training or a student receiving home-schooling be allocated a Victorian student number. This clause engages the right to privacy, because the process of allocating a Victorian student number to a student requires the provision of the student's personal information to the secretary. The secretary then holds that information in the Victorian student register. The information is held by the secretary for the purpose of monitoring student movement across the education and training sectors, which is anticipated to lead to more effective program evaluation and improved delivery of education and training services, consequently leading to the reduction in underperformance and premature departure of students from schools. As a consequence, higher retention rates will lead to an increasingly skilled and educated workforce.

While the collection, maintenance and use of a student's personal information raises the right to privacy, it does not limit the right to privacy because the provision and use of the information is lawful and not arbitrary. The personal information that is required to be provided to the secretary is confined to the student's full name, date of birth and gender as well as their date of enrolment or cancellation of enrolment.

Furthermore, the use and maintenance of the information is protected by numerous safeguards including the Information Privacy Act 2000 and an offence provision. For example, only authorised persons and bodies such as the secretary, the Victorian Curriculum and Assessment Authority and the Victorian Registration and Qualifications Authority can access the Victorian student numbers and a student's related information. If the secretary authorises another person or body to access the information it can only be used for one or any of the purposes specified under clause 5.3A.9(2) of the bill, which is limited to the purposes of: monitoring and ensuring student enrolment and attendance; ensuring education or training providers and students receive appropriate resources; statistical purposes relating to education or training; research purposes relating to education or training; and ensuring students' educational records are accurately maintained.

The restrictions imposed on the type of information that must be provided in order for a student to be allocated a Victorian student number, coupled with the safeguards surrounding the maintenance and use of that information in the Victorian student register, clearly show that any interference with the right to privacy, in the context of the operation of this bill, is reasonable and not arbitrary. In addition, there are clear and reasonable policy objectives behind the collection, maintenance and use of such information — namely, for the overall purpose of more effective program evaluation and improved delivery of education and training services in order to increase retention rates to lead to a more highly skilled and educated workforce. Accordingly, the right to privacy is not limited by this bill.

Application of the Victorian student number regime to students aged under 25 years — right to equality (s 8 of the charter)

The application of the Victorian student number regime to students under the age of 25 years (as provided by new section 5.3A.2 of the bill) does not raise the right to equal protection of the law without discrimination under section 8 of the charter. This is because the requirement to provide personal information, which is imposed on students under the age of 25 years, does not adversely affect those students so as to cause them disadvantage in comparison to students over 25 years who are not required to provide such information.

Conclusion

I consider that the bill is compatible with the Charter of Human Rights and Responsibilities because to the extent that some provisions do raise human rights issues, these provisions do not limit human rights.

Hon Bronwyn Pike, MP
Minister for Education

Second reading

Ms PIKE (Minister for Education) — I move:

That this bill be now read a second time.

The Education and Training Reform Act 2006 has introduced significant reforms to the education sector since it came into operation on 1 July 2007. It has amalgamated, updated and streamlined 12 separate acts. A number of amendments are required to further improve its operation and broaden its scope in line with government policy.

The purpose of this bill is to modify the statutory responsibilities and functions of the Victorian Curriculum and Assessment Authority (the VCAA); to introduce a unique student identifier, referred to as the Victorian student number; to establish the Victorian student register which operates as the central repository for student information that is collected through the allocation of Victorian student numbers to all students; and to make a number of statute law revision changes and technical amendments to improve the operation of the act.

As the provisions of the bill are grouped under these main purposes, I propose to deal with them in that order.

The bill will expand the functions of the VCAA to enable it to develop policies, criteria and standards for learning, development and assessments which relate to early childhood. This will empower the authority to contribute its expertise to the integration of education and early childhood development, supporting the government's commitment to giving Victorian children the best start in life, and ensuring they establish firm foundations for learning and development.

The bill will also provide the authority with the capacity to implement the national literacy and numeracy testing arrangements agreed upon by state, territory and commonwealth governments for primary and secondary school children in years 3, 5, 7 and 9.

The VCAA delivers a quality Victorian certificate of education examination process to Victorian students, parents and schools each year. Part of this process involves administration of examination rules. The bill will make an amendment to the way the VCAA deals with minor infringements of examination rules, to enable a less formal response (a reprimand letter from the chief executive officer) to be implemented where appropriate.

In 2004–05 extensive work undertaken by my department determined that there is a strong case for the implementation of a unique student identifier. The department undertook multiple rounds of consultation with all key stakeholder groups across the school and vocational education and training sectors in Victoria, and an examination of unique student identifier initiatives across all Australian and leading international jurisdictions.

To support the initiative it was proposed that a Victorian student register (VSR) be established to store, for each learner, minimum identifying information and an enrolment history.

The bill provides for the implementation of these commitments.

The introduction of the Victorian student number and Victorian student register is supportive of the Victorian government's goal of having 90 per cent of young Victorians complete year 12 or its educational equivalent by 2010. It will assist in achieving this target by identifying students at risk of 'dropping out' of the education and training system prior to completion of year 12 or an equivalent qualification. This will aid the provision of targeted, timely and appropriate support and services for those 'at-risk students'.

The bill will make provision for the introduction of a unique student identifier through the requirement that all students in Victoria from prep up to and including age 24 being educated by registered education and training providers are allocated a Victorian student number.

It establishes a Victorian student register as a repository for Victorian student numbers and associated information and provides the Secretary of the Department of Education and Early Childhood Development with responsibility for administering the allocation of Victorian student numbers, the collection of information and the monitoring and maintenance of the Victorian student register. The secretary will have the capacity to delegate this responsibility to a statutory authority such as the Victorian Curriculum and Assessment Authority or the Victorian Registration and Qualifications Authority.

Importantly, the bill only allows for specific persons or bodies to access and use the Victorian student number and specifies the purposes for use of the identifier and any related information. These will be limited to monitoring student enrolment and attendance; ensuring students' educational records are accurately maintained, and for statistical and research purposes.

The bill also creates offences for unauthorised use or disclosure of a Victorian student number or information contained in the Victorian student register.

The bill provides for a staggered 'rollout' of the Victorian student number scheme to ensure it is successfully implemented across a large and diverse range of education and training providers.

The Office of the Chief Parliamentary Counsel has requested a number of statute law revisions. These are not considered to change existing policies or procedures or remove existing rights.

The government is committed to ensuring that the Victorian education system is constantly improving and its goal is to build a cohesive education system that ensures smooth transitions through each phase of early development and education. Within this context, the amendments proposed in this bill will serve to further strengthen the already significant reforms to the education sector.

I commend the bill to the house.

Debate adjourned on motion of Mr DIXON (Nepean).

Debate adjourned until Wednesday, 26 March.

ENVIRONMENT PROTECTION AMENDMENT (LANDFILL LEVIES) BILL

Statement of compatibility

Mr BATCHELOR (Minister for Energy and Resources) tabled following statement in accordance with Charter of Human Rights and Responsibilities Act:

In accordance with section 28 of the Charter of Human Rights and Responsibilities (the charter), I make this statement of compatibility with respect to the Environment Protection Amendment (Landfill Levies) Bill 2008 (the proposed bill).

In my opinion, the proposed bill, as introduced to the Legislative Assembly, is compatible with the human rights protected by the charter. I base my opinion on the reasons outlined in this statement.

Overview of bill

The proposed bill increases the landfill levies for categories B and C prescribed industrial waste from 1 July 2008. It also makes some minor and administrative amendments to remove anomalies and improve the operation of the act.

Human rights issues

Section 6(1) of the charter sets out that only human beings, and not corporations, have human rights. Prescribed industrial waste producers are all corporations or other such entities, as by definition, prescribed industrial waste arises from industrial, commercial or trade activities, or from laboratories or hospitals.

The administrative amendments are to sections of the Environment Protection Act 1970 which also apply only to corporations.

Conclusion

I consider that the bill is compatible with the Charter of Human Rights and Responsibilities because it does not affect private individuals.

PETER BATCHELOR, MP
Minister for Energy and Resources

Second reading

Mr BATCHELOR (Minister for Energy and Resources) — I move:

That this bill be now read a second time.

I am very pleased to present the Environment Protection Amendment (Landfill Levies) Bill to the house today. This bill represents an important next step in achieving the government's vision for a resource-efficient society: a society that understands that the waste that ends up in our landfills not only presents potential hazards to our environment and our health, but that it represents wasted energy, wasted water and wasted materials; a society in which hazardous waste is no longer sent to landfill; a society that values the innovation, ingenuity and creativity required to turn waste into a resource. That is the society we aspire to.

Prescribed industrial waste is not merely the problem of industry. Each one of us contributes to the production of prescribed industrial waste through the products and services we use on a day-to-day basis: the phones we carry with us; the computers we use daily. The manufacture of these and many more of the products and services we all use produce prescribed industrial waste. Through this bill, and other initiatives of the Brumby government, we are now helping solve this collective problem.

This government committed to follow the decision of an independent panel of experts examining the proposed Nowingi long-term containment facility. When the panel recommended against construction of the facility, this government stood by its commitment and on 9 January 2007 announced that there would be

no new long-term waste containment facility in Victoria.

With no long-term containment facility and a finite amount of space available in the two remaining landfills licensed to accept high hazard waste, this government has committed to eliminating the disposal of high hazard waste to landfills by 2020.

This government has a three-pronged strategy to achieving this:

1 tighter controls on wastes accepted at landfills and banning some wastes from landfill;

2 substantially increasing the cost of sending waste to landfill through landfill levy increases; and

3 supporting industry through reinvesting levy funds in technologies to reduce wastes.

On 1 July 2007 the government introduced a prescribed industrial waste classification system, which will drive better segregation, treatment and recovery of waste. The classification system divides prescribed industrial waste into three categories, A, B and C. Category A, the highest hazard waste, is banned from landfill and must be treated before disposal, while categories B and C have differential levies to promote hazard reduction and alternatives to disposal.

The Environment Protection Authority has helped companies make a smooth transition to the new hazard classification system by providing guidance and expertise, and by funding the classification of certain waste streams. Now, more than ever before, industry is aware of the chemistry of their hazardous waste.

In the six months since the hazard classification system was introduced, this system, in combination with levies and reinvestment of moneys into industry support programs, has delivered significant success. Already our preliminary data suggests we are on target to reduce high hazard waste from 85 000 tonnes to about 60 000 tonnes this year. This is a reduction of 30 per cent.

To accelerate the drive for zero high hazard waste by 2020, this bill will fulfil the government's commitment to increase the landfill levies from 1 July 2008:

category B waste will increase from $130 to $250 per tonne

category C waste will increase from $50 to $70 per tonne.

Importantly, the Environment Protection Authority, in partnership with industry, will continue to reinvest the revenue from these additional levies to help eliminate prescribed industrial waste. The Environment Protection Authority is currently advertising for investment opportunities in new technologies, research and development and upgrades, which improve the reuse, recycling, reprocessing and recovery of prescribed industrial waste. Government has a priority to reduce large volumes and high hazard waste streams, having regard to payback periods, likelihood of success and the transferability of outcomes.

In an example of the type of project funded from the landfill levies, the Environment Protection Authority committed $2 million to a partnership with Veolia Environment Services. Veolia will bring forward the completion of a major upgrade of its Brooklyn waste treatment facility. The project will reduce an estimated 32 000 tonnes of high hazard waste going to landfill over the next five years.

In another example the Environment Protection Authority committed $1 million to the Australian Sustainability Industry Research Centre to work with the three key waste treatment companies in Victoria. These three companies together dispose of more than 50 per cent of all hazardous waste sent to landfill. Investing in innovative technologies and promoting access to new markets from products made from wastes is expected to drive further significant reductions.

The combination of increasing landfill levies through this bill, the hazard classification system, and reinvestment in industry, sees Victoria leading the world in managing hazardous waste.

Finally, the bill provides for a couple of 'housekeeping' amendments to remove minor inconsistencies and anomalies to improve the operation of the act.

This bill demonstrates the Brumby government's genuine commitment to moving Victoria towards a resource-efficient future.

I commend the bill to the house.

Debate adjourned on motion of Ms **ASHER (Brighton).**

Debate adjourned until Wednesday, 26 March.

RELATIONSHIPS BILL

Second reading

Debate resumed from 6 December 2007; motion of Mr HULLS (Attorney-General).

Mr CLARK (Box Hill) — The Relationships Bill is a bill to allow persons to register relationships as 'couples' and to enter into relationship agreements, to provide for maintenance orders and to extend property adjustment provisions for domestic partnerships.

Under the bill two persons who are in a registrable relationship may apply to the registrar of births, deaths and marriages for that relationship to be registered, provided they live in Victoria, are not married — to each other or anyone else — and are not in another registered or registrable relationship.

A 'registrable relationship' is defined as a relationship between two adults who are not married to each other but are a couple where one or each of them provides personal or financial commitment and support of a domestic nature for the material benefit of the other, irrespective of genders and whether or not they are living under the same roof, other than for fee or reward or on behalf of another person or organisation. The term 'couple' is not defined in the bill.

The bill provides that certificates of registration may be issued. No ceremony is required. Registration is revoked by the death or marriage of either person, or 90 days after the lodgement of an application by either person for revocation of registration.

Before, during or after a domestic relationship, two people may enter into a relationship agreement providing for financial matters connected with their domestic relationship.

A court may vary or set aside a relationship agreement in certain circumstances but may not alter property interests in a way inconsistent with a relationship agreement if the agreement was formally entered into with independent legal advice.

The bill re-enacts provisions currently in the Property Law Act on the power of courts to adjust the property interests of certain domestic partners and extends the criteria applied by the courts to include the financial resources and needs of each partner.

The bill also provides that a court may make an order for maintenance against a domestic partner if the court is satisfied the applicant is unable to support himself or herself adequately due to the circumstances of the relationship.

The opposition parties have received a range of detailed and considered views, and we thank all those groups and individuals who have provided submissions to us. The Victorian Gay and Lesbian Rights Lobby supports the legislation but believes there should be a legally effective ceremony option, mutual recognition between jurisdictions and a lower registration fee. It says:

> A relationship register provides practical benefits — by making it easier for couples who are in a domestic relationship to demonstrate their status in order to access existing benefits. It also confers symbolic benefits through increased acceptance of same-sex relationships. We also believe a relationship register is necessary for those couples who are either legally not allowed to, or do not wish to, marry.

Civil Union Action has informed us that it supports the bill but it also believes there should be an option for a ceremony, there should be same-sex adoption, and that the registration opportunity should be available to a broader range of couples.

The Law Institute of Victoria supports the registration but considers that the registration age should be lowered to the age of 16 with court approval, that it should be made clear that the receipt of a carer allowance by a member of a couple does not disqualify them from registration, and that there should be interstate recognition and other changes.

The Australian Christian Lobby has raised concerns which, as far as I am aware, remain unresolved. The legislation is opposed by Endeavour Forum, the Australian Family Association, the Festival of Light, SaltShakers, the Melbourne Catholic Lawyers Association and the Catholic Women's League. It is also opposed by the Ad Hoc Interfaith Committee, which has members from bodies including the John Paul II Institute for Marriage and Family, the Institute for Judaism and Civilization, the Uniting Church's Committee on Bioethics, the Presbyterian Church, the Good Shepherd Antiochian Orthodox Mission Parish, Ridley Melbourne Mission and Ministry College, CityLife Church, the Christian City Church and the Anglican Church.

The bill is also opposed by the Catholic Church. Archbishop Hart put many of the arguments against the bill in a homily he gave at the opening of the legal year on 29 January, when he said:

> … society owes its continued survival to the family, founded on marriage. The inevitable consequence of legal recognition of same-sex unions would be the redefinition of marriage, which would become, in its legal status, an institution devoid

> of essential reference to factors linked to heterosexuality; for example, procreation and raising children.
>
> …
>
> A state which gives legal standing to such unions fails in its duty to promote and defend marriage as an institution essential to the common good …
>
> The church teaches that men and women with same-sex tendencies must be accepted with respect, compassion and sensitivity and not subject to unjust discrimination.
>
> The legal registration of relationships between same-sex couples on the other hand is a radical departure from the principle of tolerance and must be opposed.

The bill raises a wide variety of issues from many different perspectives. It raises the issues of whether the bill should provide for legally effective ceremonies as part of the registration process; whether the registration age should be lowered to the age of 16; and whether the bill simply recognises and provides for existing relationships or in fact establishes a parallel regime to marriage through marriage-like provisions on registration, maintenance, property adjustments and relationship agreements.

The bill raises issues about the messages given about commitment and the interests of children through the status conferred on various relationships by the bill. The bill also raises the issue of whether it should allow the registration of a broader range of interpersonal relationships rather than being based simply on persons registering being a 'couple'.

In addition the bill raises a number of definitional issues and anomalies. Unlike in Tasmania, the Victorian bill does not exclude members of the same family from registration of relationships. On the other hand, there is no suggestion that the law of incest is being altered. There is the issue of whether the receipt of a carer allowance can disqualify a relationship for registration, as has been raised by the Law Institute of Victoria.

There are issues concerning the use of two separate definitions of domestic partnership, one being a narrow definition, the other being a broader definition, and the use of criteria that are specified in relation to the broader definition in order to determine whether or not a relationship qualifies under the narrower definition. This anomaly exists under the existing legislation and it is being extended by the bill — for example, if one contrasts subclauses (1) and (2) of clause 39.

There is also the use of the broader definition for the purpose of determining eligibility for registration, and once registration has been achieved, that qualifies for recognition and status whereas previously only the narrow definition applied. For example, this is the case in relation to tax concessions connected with relationships, as is effected by item 17 of schedule 1 of the bill in relation to the Duties Act.

There are also issues that are highlighted by the reports of the Scrutiny of Acts and Regulations Committee, such as the unexplained discretion for the registrar to register or refuse to register relationships, and the wide power conferred on the registrar to conduct inquiries to verify information given in applications, including the power to require third parties to answer questions or provide information as to what they know about the relationship, subject to a penalty of over $1000 for refusing to comply.

However, beyond these definitional issues the bill involves fundamental issues about the family, about the recognition and social consequences the state gives to various forms of relationship and about the social messages being sent by legislation such as this. Many people from across the political spectrum would consider that a number of these issues go to the core of their moral and personal beliefs. The Liberal Party and The Nationals have always respected the diversity of views that may be deeply held on such issues, and the parties have decided that they should allow their members a free vote on this legislation. Accordingly the views that I am about to express on the legislation are my own views and not views being expressed on behalf of the Liberal Party and The Nationals.

In summary my view is that the bill is not a bill about overcoming inappropriate discrimination. Rather it is a bill designed and intended to put a wide range of uncommitted relationships on a basis as close as possible to that of marriage and other committed relationships. The bill does so without requiring of those relationships the personal and social responsibilities of marriage or other committed relationships. This has very serious consequences for individuals and the community and in particular for children. It will send messages to the community that will further undermine support for marriage and other committed relationships as invaluable social institutions. Accordingly I will be voting against this legislation.

It has to be said that the Attorney-General has been speaking with a forked tongue about this legislation. He says to those who have been seeking such legislation:

> … what this bill does is to enable couples who want the dignity of formal recognition of their loving relationship to register it, to receive a certificate, and to have the security of knowing that their decision to commit to a shared life with each other is respected in Victoria.

Indeed in his letter of 3 March to the Scrutiny of Acts and Regulations Committee, as reported by the committee yesterday, the Attorney-General went further and said the registration scheme:

> … aims to provide a formal means of recognition for couples who do not marry, either because they choose not to or because they are not able to as a result of the application of the commonwealth Marriage Act 1961.

Yet at the same time as the Attorney-General is saying that, he is saying to those who have concerns about the legislation that they should not be concerned because the bill is simply about ending discrimination and allowing easier access to existing entitlements. In fact not only the registration but the other provisions of the bill are carefully and deliberately designed to put both registered relationships and other uncommitted relationships on as close as possible a parallel footing to marriage as Victorian law can achieve, save in relation to IVF (in-vitro fertilisation) and adoption, and the Attorney-General has already announced that legislation is to come on IVF and has foreshadowed changes on adoption.

If one looks at the issue of property adjustments, until now, on the break-up of a relationship, that has been based on equity in terms of the contributions the parties have made to each other's assets, on avoiding exploitation and on reflecting the parties' likely views of fairness in the circumstances of the relationship. However, under the bill property adjustments will also be based on post-relationship criteria of future needs and resources, as applies in the case of break-up of marriage. In relation to maintenance, again the criteria will to a large extent be based on future needs and resources, as applies in the case of break-up of marriage.

In the case of relationship agreements, there is no objection in principle to any two people entering a legally binding agreement in relation to property and assets, as, for example, two flatmates might do. Nor is there any objection to having such an agreement prevail over court-ordered adjustments if certain formalities are complied with. But here this mechanism of the relationship agreement is not made available to flatmates or to those in other interdependent relationships; it is only made available to those who enter into certain specified relationships and who make agreements in a way that parallels agreements relating to marriage under the commonwealth Family Law Act. In addition, it is to be noted that the registrar of births, deaths and marriages will be managing the register created by this bill, which will bring the registration arrangement into the same office as that which administers marriage.

Overall this bill creates what may be described as marriage lite, giving to the parties virtually all of the social benefits of marriage but without the benefits to society of parties being in a committed, long-term relationships. If I can draw on some words used by the Australian Family Association, the bill's practical effect will be to reduce marriage to just one of a range of equally valued relationship or lifestyle options. It will break the nexus with attributes of the relationship such as a shared life, commitment, faithfulness and an inherent procreative dimension.

Some people have argued that the absence of a ceremony means the relationships being registered under this bill are not being put on a par with marriage or other committed relationships. However, it is not the absence of a ceremony that causes a problem; the problem is in the status and benefits being conferred without the requirement for a commitment. It does not really matter whether one calls it a relationships register, a civil union, a civil partnership or a registered partnership. The differences between the models are minor and the overall result is the same. Ironically this is a conclusion that is reached not only by many who oppose the legislation but also by many who support the legislation.

The talk about including a separate category of caring relationships along the Tasmanian lines is a red herring. That simply results in two separate headings of registration in the one act. It does nothing to overcome the problems of putting couple relationships with no ongoing commitment requirement on the same basis as committed relationships. It would be possible to have a law that enabled a wide variety of interdependent relationships to be registered so as to allow individuals to give effect to their wishes, and without any requirement for two people to be a couple. Going down that route could well avoid the problems with legislation of the sort before us. However, simply having a separate Tasmanian-style category of caring relationships would not achieve that.

This bill is not about discrimination. It is about the status that society chooses to confer based on various attributes. For example, one does not give veterans' entitlements to people who are not veterans. One does not give a seniors card to a person who is not a senior, but in the ordinary sense of the term no-one would presume that that is discrimination. Likewise it is not discrimination if you do not give the social benefits of a committed relationship to a relationship with no up-front commitment requirement and that is terminable unilaterally on 90 days notice.

Discrimination on the basis of lawful sexual activity or sexual orientation is already illegal, and the law already gives the same rights as spouses to people in de facto heterosexual and same-sex relationships in matters such as medical treatment. Indeed this is one of the boasts of the Attorney-General about his 2001 legislation. The argument that the bill is needed to overcome evidentiary problems in medical emergency cases is fanciful. It is not even mentioned as an issue in publications such as *Over the Rainbow*, the guide to the law for same-sex couples funded by the Department of Justice, and the Attorney-General can hardly be suggesting that Victorian public hospitals are engaged in widespread breach of the law.

Overall what this bill is doing is giving the status and benefits of marriage without the responsibilities. The Attorney-General would hardly propose, nor would he expect society to accept the proposition that marriage could be entered into without the bride and groom making commitments to each other for an ongoing relationship and with the marriage terminable by either party on 90 days notice. Yet that is effectively what he is proposing with this bill. There is no requirement for a commitment to exclusivity or duration in this legislation. When the legislation uses the word 'commitment', it talks only about commitment for the material benefit of the other party, not about commitment to an ongoing and exclusive relationship. Of course the parties may have a commitment between themselves to an ongoing and exclusive relationship, but it is not a requirement of the legislation and there is no obligation to make such a declaration of commitment in a public context. By contrast the Marriage Act provides that:

> Marriage, according to law in Australia, is the union of a man and a woman to the exclusion of all others, voluntarily entered into for life.

Traditionally when the law has recognised de facto relationships, that has been a move to recognise relationships that are, in practice if not in law, of a nature akin to marriage.

The problem with giving marriage lite relationships the same social status as marriage and other committed relationships is not an academic debate about similarities and differences, nor is it based on a traditionalist's support for marriage for marriage's sake. When the state formally recognises uncommitted short-term relationships on the same basis as committed long-term relationships it says that these relationships are of equal social benefit. This issue is important because the message we give today and the message that this legislation will give on an ongoing basis, if it is passed, will have consequences for decades to come for our social cohesion and stability and for the domestic and social environments in which our children will grow up.

As the Australian Family Association (AFA) has pointed out, spouses have onerous responsibilities to their children, their extended families, to friends and to the community. It is in part in recognition of the existence of these onerous responsibilities that are being undertaken with a social benefit that over virtually the whole course of human history a particular status has been accorded to what is now defined as a marriage. Social cohesion will of course suffer if family instability becomes increasingly common, and that will lead to greater disadvantage, particularly amongst children growing up in non-maritally based families.

As the AFA points out, all members of society, regardless of sexuality or gender, have a vital stake in the ongoing vitality of marriage and family as they are traditionally understood because of the significant role of these institutions in fostering social cohesion — and research certainly supports the role that stable families play in fostering personal wellbeing as well as greater economic capacity.

Overall children and adults are likely to be better off if they are able to grow up in a family founded on the ongoing marriage of their biological mother and father. Children are likely to have poorer outcomes and experience more difficulties if they grow up in families founded on the cohabitation of parents or in other family settings characterised by the presence of step-parents or other sexual partners of a child's parent. In short, children need their mother and father. This was put very well by the late Richard McGarvie, the former Governor of Victoria, who was appointed under the Cain and Kirner governments. He said:

> The way children learn civilised living is in the family. The best gift you can give to a child is to have that child brought up in a family whose parents share the child's genes and … it never enters the child's mind that the family won't continue.

Those remarks are reported in the *Sunday Age* of 3 September 1995.

Former Prime Minister John Howard made very similar points in his recently reported Washington speech, when he said that marriage is a bedrock social institution and that we should be ceaselessly expounding the advantages for a child of being raised by both its mother and father. That is certainly the ideal. Sometimes it is not achieved, and quite often not due to the fault of either or both of the partners concerned — and those persons who bring up their children in less than ideal circumstances often work very hard to

overcome those disadvantages and achieve good outcomes for their children. Nonetheless that is the ideal that the community should be aiming for and supporting.

The Attorney-General is a proud advocate of his Charter of Human Rights and Responsibilities. He hardly needs me to remind him that that charter is based on the International Covenant on Civil and Political Rights of 1966. Article 23 of that international covenant provides that:

1. The family is the natural and fundamental group unit of society and is entitled to protection by society and the state.

2. The right of men and women of marriageable age to marry and to found a family shall be recognised.

It is clear, despite the Attorney-General's rewriting of the charter of so-called universal values to suit his own view of the world, that the document on which the Attorney-General's own charter is based rightly identifies the family as the natural and fundamental group unit of society, rightly links the family to the marriage of men and women and rightly singles out the family and the marriage of men and women for special protection and recognition by society. Almost identical sentiments are expressed in article 16 of the Universal Declaration of Human Rights of 1948. As a society what we should be doing is reinforcing the importance of stable and committed relationships between mothers and fathers as the best environment for raising children. That is part of an overall growing social need for people to take greater personal responsibility in life.

If you look at issues being debated in society at present in a far broader context, you see that an increasing number of people from many different walks of life and from right across the political spectrum are concerned about the direction in which society is heading as we confront a wide range of growing social problems, including street violence, family violence, road rage, drug abuse and binge drinking. Many thoughtful people are drawing the conclusion that one of the fundamental changes in society's direction that is needed to reverse these problems is a greater sense of personal responsibility. Yet the message we are giving with this bill is completely the opposite. This bill is saying that you can enter a relationship with no up-front commitment to continue it and then tear it up on 90 days notice. If this bill is passed, the law will be saying that such a relationship attracts virtually all the legal rights and benefits of a marriage, which at least starts off as a lifelong commitment.

Of course greater personal responsibility does not necessarily require government action or laws. If one looks at the example of 19th century Britain and North America one sees that people transformed themselves through a community spirit of revival and self-help and took themselves out of the squalor and misery depicted in Hogarth's *Gin Lane* and Dickens's *Oliver Twist*. However in many fields the rule of law is an important and sometimes essential reinforcement of social and community attitudes, and a law that gives all the wrong messages is highly counterproductive. The need for a greater sense of responsibility in the community is not something that is becoming apparent by reference to abstract notions of morality or religion; it is becoming apparent because of a blunt recognition, justified by evidence, that particular failures of responsibility in our community today are having harmful consequences for others, and not least of all for our children.

Reversing that direction and achieving a greater sense of personal responsibility and obligation in our community will be a great move in the right direction. However, it will not be an easy task. The first step to any reform is recognition of our problems and a determination to remedy those problems. What we should be doing today is taking our first steps in that direction down the road to reform, rather than heading in the wrong direction, as this bill does.

Mr LUPTON (Prahran) — This bill is about treating people with dignity, respect and fairness. Domestic relationships, whether they be heterosexual or same-sex relationships, have been recognised as being on an equal legal footing in this state since 2001, when this government passed groundbreaking relationships legislation which removed from Victorian laws discrimination against people who were in domestic partnerships, no matter what the sexual orientation of those people might be. That applied to all domestic partners, and it applies now.

What this bill seeks to do is not confer new rights or responsibilities but clarify existing rights and responsibilities and make the process of providing proof of an existing relationship simple and easy to do rather than, as is often the case for people at the moment, a very cumbersome, complicated and often embarrassing process. In particular, same-sex couples living in Victoria at the moment often need some form of documentary evidence when dealing with employers, service providers, government departments, administrative bodies or the legal system. Establishing the fact of an existing domestic relationship can in those circumstances often be difficult, time consuming and embarrassing for the people involved. The lack of documentary proof means that partners may not have

access to rights in property and estate settlement, life insurance and superannuation. Those are rights which they have at law, which this Parliament has already recognised, but which they have difficulty accessing.

Because of the burden of gathering proof of their partnership, people in that situation may not be able to tackle unlawful discrimination by their service providers, employers, landlords or others. In these circumstances they may miss out on the protection of the law owed them as citizens of this state.

This issue is not at all about new rights; it is about a simple and clear process for gaining access to existing rights. The domestic partnerships that we are talking about, be they same-sex partnerships or heterosexual partnerships, are fully lawful in this state. Some people are nonetheless prevented in certain circumstances from gaining full access to those rights and the full responsibilities that those partnerships require. In essence a legally recognised right that is very difficult to access becomes in fact a hollow right. It is a right that some people are not able to exercise in a full and free manner, yet one which most members of society take for granted.

This government has consulted very widely about the development of this legislation. In the first instance the government appointed me to chair a working group of members of Parliament to consult on this issue. I thank the member for Northcote and Jenny Mikakos, a member for Northern Metropolitan Region in another place, for also serving on that working group and for the contribution they made. The working group consulted with numerous groups and organisations in the community. The government, subsequent to our report being delivered, has also furthered that consultative process.

The Victorian Gay and Lesbian Rights Lobby has been consulted, numerous faith groups have been consulted, as has the Law Institute of Victoria. I note that the Law Institute of Victoria supports this bill, and I am pleased that that is the case. Also the Australia Christian Lobby is supportive of it. I am also happy that is the case. In fact many faith-based groups in the community are not opposing this legislation. I think it is right that they should take that constructive approach.

The journey that we have taken as a community to understanding and acknowledging the equal rights for all our citizens has been a long but not easy one. It is one that has taken numerous paths; I suppose some people started on their path towards recognising and understanding equal rights at earlier times than others. But I strongly believe that the time for deliberating about whether people are entitled to equal rights and equal treatment has passed. That debate has been had and been won.

We believe properly and strongly that people in this state no matter what their race, gender or sexual orientation are entitled to equal treatment and equal protection of the law. If there is evidence to the effect that people in certain situations are not able to gain proper access to their rights and obligations, then the law needs to be clarified in order for the situation to be remedied.

It is clear from reading the legislation that is before the house that we are not dealing with marriage or anything approaching marriage on this issue. In fact some people from one side of the debate have criticised these relationships because they are not marriages, but on the other side of the argument some people criticise these relationships because they are too close to marriage. I make the point very clearly that these relationships are not marriages and they are not meant to be anything like marriages.

This legislation is about making sure that people have a clear and unambiguous ability to provide conclusive proof that they are in a domestic relationship by clear. It is as simple as that. It does not make any difference to the nature of the relationship that people are in; people are already in domestic relationships in Victoria and need to make sure that their relationship is recognised appropriately so that the way in which the law acts in relation to them is fair and appropriate.

The attitude of the opposition in relation to this legislation is worthy of some comment. The member for Box Hill said that members of the opposition parties will have a conscience vote in relation to this legislation. While many people would regard a conscience vote as the most appropriate approach when dealing with matters of life and death, nonetheless the opposition obviously feels there is such difficulty between the coalition parties and within each party that they need to allow their members a conscience vote. That is a matter for those parties.

But when the opposition comes into this chamber and says that people in domestic relationships who are not married, whether they be heterosexual or same-sex Partnerships, have no commitment, have no obligations and that they enter into domestic partnerships without any particular care for the future, then the opposition is disparaging many thousands of people who are in committed domestic partnerships in this state.

A de facto relationship in this state can in fact be terminated at the will of the parties — there is no doubt about that — but what is needed in same-sex partnerships or heterosexual de facto partnerships is a simple, conclusive legal process that enables a partnership to be recognised and also to be dissolved. The length of time that a relationship may exist cannot be predetermined, but this legislation clarifies issues concerning the entering into of a partnership, the rights and obligations of the people involved in that partnership, and the termination of that partnership. These are situations that occur every day in Victoria now, and I believe the law should reflect that appropriately; it should determine that these relationships are to be recognised in this way so that the rights and obligations of people in domestic relationships in this state are clear, simple and well understood and so that people are able to gain access to them appropriately.

Mr RYAN (Leader of The Nationals) — I am opposed to this legislation. In saying that, I am expressing my own views, because The Nationals and the Liberal Party have agreed that there will be a free vote on our behalf. So, as I say, the position I put is an opinion of my own. In so saying, I want to emphasise that I am respectful of opinions which are different from that which I have about what is a very delicate issue.

The member for Box Hill, the shadow Attorney-General, has in his inimitable fashion explained the actual mechanics of the legislation in considerable detail, and I do not feel the need to do so again. I am all the more of that view because I have only 10 minutes in which to make this contribution — now down to 9 minutes.

I want to say, though, in response to the contribution we have just heard from the member for Prahran, that it simply cannot be said that this legislation does not confer new rights; of course it confers new rights. In the course of the contribution by the member for Box Hill he outlined those elements of this legislation which do in fact create new rights, particularly with regard to the future entitlements of those who are parties to the relationships register which is contemplated by the terms of this bill.

I am an unapologetic and a strong advocate of the institution of marriage. It is unique, by definition, and I therefore do not believe it has any equivalent. I think it is important that the Parliament resist any move to have any other form of association — be it registered, as is contemplated by this bill, or otherwise — as a stepping stone toward the institution of marriage. Fundamentally that is why I am opposed to this bill.

This bill establishes a structure which is a step towards equalising the notion of a same-sex relationship in particular with that of marriage. I must say that I think anybody who does not see this legislation in that context is being naive and is kidding themselves. I do not think there is any doubt that we will be back considering further legislation which is intended ultimately to draw equality between marriage and other forms of association.

Marriage is unique because it is a building block for families; families, in turn, are the basis of our state and our nation. It must be said that the institution of marriage is not perfect, and of course it is the fact that many marriages fail, but in my view it is by a long way the best form of association between a man and a woman and the best mechanism by a long way for ensuring that children are brought into this world and are raised in a way which offers them the best opportunities. The federal Marriage Act 1961 contains a definition of what constitutes marriage, and it essentially has four components: it is a union of a man and a woman, to the exclusion of all others, voluntarily entered into, for life. In the course of a speech which I made in 2001 on the Statute Law Amendment (Relationships) Bill I traced the history of marriage in society, and I also went through the provisions of the federal act which are the basis for a marriage. The fact is it is hard work getting married. There are about 120 sections within the Marriage Act, and to actually get there — to get over the line — is a big call.

As others from behind me have been saying as I speak, you have got to work hard at making a marriage work. That is a fact of life, too. Having practised law for many years, I think a marriage coming apart causes awful trauma to all concerned, particularly to children, but by the same token I believe marriage is still the best option for society. I believe it provides the best alternative for a stable home environment for children.

How often do we hear the plea in society these days for children to be raised in what is termed a stable home environment? The practical fact is that children raised that way are most likely to come from a happy marriage. This is not to be confused with issues of wealth or being well-to-do or otherwise. The factors which go to make up a solid marriage so often have nothing to do with issues of finance; rather, it is something much more basic than that, and this is indeed, in my view, the most basic of communal arrangements. So it is that we hear so often in areas of education, health and policing the plea that children

come from a stable home environment, because it does offer them the best possible alternative in making their way through life.

This bill is, in my opinion, a further step toward equating marriage with the other forms of relationships that are set out in the bill, particularly the same-sex relationships. In making that comment I pay due regard to the representations which have been made to me by the Victorian Gay and Lesbian Rights Lobby. I have received from that organisation a letter of 27 January 2008, signed by Stephen Jones and his associate as the co-convenors of that organisation. At page 2, when making a plea for what they want included in this bill, which is a legally effective ceremony, they say:

> Finally, while we acknowledge that it will not be achieved through the current bill, we would like to indicate our support for a model of relationship recognition which includes the option for a legally effective ceremony. A significant proportion of the GLBTI —

gay, lesbian, bisexual, transgender and intersex —

> community supports this model, and we believe that a legally effective ceremony would be another significant step forward in the acceptance of same-sex couples in our community.

Inevitably, as I say, that is the path down which we are going, and one need only look at other jurisdictions to see that. The Canadian situation is a classic example of the point that I make. The Civil Marriage Act was passed in Canada in 2005, and the background introduction to that act states, in part:

> The government believes that same-sex couples should have equal access to marriage — anything short of that is less than equal and discriminatory. The government cannot, and should not, pick and choose whose rights they will defend and whose rights they will ignore. If the fundamental rights of one minority can be denied, so potentially can those of others.

There are many other commentaries of a similar ilk contained within debate on the legislation which gave rise to the passage of that law in Canada. It is why I say that inevitably we are moving toward what I think is the equalisation of the institution of marriage with other proposed forms of relationships. I think invariably we are going to have ongoing pressure from those who wish to see that occur in Australia. It will continue in Victoria, and it will continue in our nation at large.

In all of this, I want to make it clear to the house — trite as it may seem to some who are listening to this and some who will read it subsequently — that I wish no ill will to those who are in a same-sex association; I wish them no ill will at all. They are entitled to live their lives as they see fit, and it is absolutely none of my business as to the way they conduct themselves, as long as they do it in accordance with the law.

That is not what causes me to get to my feet today and put this position. My distinct position, though, insofar as this whole debate is concerned, is that my argument commences from the other end of the spectrum. I am a strong proponent of the institution of marriage. I believe it is a foundation of our society, and it is very important that it be protected and encouraged. I see the passage of legislation in the nature of that which is before us here now as detracting, if you like, from what I think is that unique institution.

This is not a case, on my part at least, of wanting to be critical of those who are in same-sex relationships. I am not judgemental of them at all. They are, as I say, entitled to live their lives as they so choose; rather, my perspective of this is that if we are going to make sure we have our societies as strong as they can possibly be and if we are going to give children the best conceivable opportunity to make their way in the world, then the more that we can do to encourage marriage in a stable home environment, the better it will be.

I note that a number of submissions have been made and that a variety of organisations either favour or are opposed to this legislation, but for my part I think the base argument in this case is compelling. The institution of marriage is unique, and we need to do everything we conceivably can as a Parliament and as a society to protect it, enhance it and encourage it. I believe the passage of this bill will harm those aspirations.

Ms BARKER (Oakleigh) — I am very pleased to speak on the Relationships Bill 2007. The purpose of the bill is to establish a register for the registration of domestic relationships in Victoria, provide for relationship agreements, provide for the adjustment of property interests between partners, provide for the rights of domestic partners to maintenance, repeal part IX of the Property Law Act 1958 and make consequential amendments to a number of Victorian acts.

This bill is extremely important and continues the Brumby government's commitment to ensuring that equality and respect for all persons is upheld without discrimination and with dignity, and I support it. As is set out in clause 5 of the bill, the definition of a relationship that can be registered applies irrespective of the gender of the persons in that relationship and is a relationship between two adults who are not married to each other but are a couple where one or each of the persons in the relationship provides personal or financial commitment and support of a domestic nature for the material benefit of the other and the two adults are not necessarily living together.

Clause 5 also states that a registrable relationship does not include a relationship in which a person simply provides domestic support and personal care to the other person for fee or reward, such as on a commercial or for-profit basis.

As the Attorney-General said in his second-reading speech, the Tasmanian scheme allows registration of what it describes as 'caring relationships', which are relationships that are broader than that of a couple and can be between two family members. While it is not proposed to include these types of relationships at this time, I am pleased that this type of registration scheme will be the subject of further consultation. I know of many people who are in carer relationships — both the carer and the person who is being cared for — who have indicated to me that they would welcome the opportunity to formally register their relationship. They are in formal, committed relationships. In many instances they are longstanding relationships and sometimes the person who is the recipient of the care does not have family who are alive and sometimes unfortunately the family does not want to undertake what can be a very extensive and ongoing period of care. As I said, these people have already formed committed and long-term relationships.

The bill sets out the process of registration: how it will be undertaken, maintained, reviewed and protected. The register will be maintained by the registrar of births, deaths and marriages and will be open to unmarried couples anywhere in Victoria. There has been some reference to marriage, but it should be noted again, as it is laid out in the second-reading speech, that the commonwealth government has constitutional power in respect of marriage as defined in the commonwealth Marriage Act 1961. The process for registration is for couples to sign a statutory declaration attesting that they are both adults, that they are ordinarily resident in Victoria and not married and that they are already in a registered relationship or in a relationship that could be registered in Victoria. The application has to be supported by proof of each applicant's age and identity.

What follows that initial registration is a period of 28 days during which one or both of the applicants may withdraw. If following that period of 28 days there has been no withdrawal of the application and the registrar is satisfied as to their eligibility, then the relationship can be registered. As is outlined in the bill, the registration can be revoked by an application to the registrar by either person or the persons in that relationship or on the death or marriage of either person in that registered relationship.

A number of clauses in the bill clearly provide for the protection of the privacy of persons registering their relationships. The statement of compatibility made under the Charter of Human Rights and Responsibilities in respect of this bill and tabled by the Attorney-General provides detail on section 13 of the charter, including the circumstances in which the bill will authorise the registrar to collect information and to correct, amend and add to the register to ensure that the particulars of a relationship are recorded accurately; and of course states how the privacy of the persons who are registering their relationship is to be maintained.

These are clearly stated in part 2.3 of the bill, division 4, clauses 21, 22, 23 and 24. As I indicated, part of this bill is to repeal part IX of the Property Law Act 1958 which currently deals with the property of domestic partners and incorporates the provisions in the bill. Of course, the relationship agreements will concern financial and property matters between domestic partners, and that is therefore appropriate. Finally, as I indicated the bill makes consequential amendments to 69 Victorian acts that recognise domestic partners and domestic relationships and make provision for registered relationships.

This is a good bill which continues the government's commitment to promote human rights and to provide equality and respect for persons in committed, unmarried relationships. Importantly it provides them with equality and legal standing in medical, legal and property matters. Personally I have many friends in committed relationships. Some of my friends have been in supportive, caring and loving relationships for over 20 years, some less than that time. Some of my friends have a child or children in those committed relationships and children from past relationships in some instances of marriage. It is absolutely fair that these couples should be able to register their relationships to both recognise their commitment to one another and to have legal and medical equality.

I thank the members for Prahran and Northcote, and Jenny Mikakos, a member for Northern Metropolitan Region in the other place, who I know have put in a lot of work in both consulting on the preparation of the bill and in the final preparation. I also thank the parliamentary library which, in its usual style, has provided a very good brief for members regarding the Relationships Bill. It not only outlines the content of the bill but also deals with the background to it, an outline of the debate in Victoria and the views of community and other political parties. As is always the case with work done by the parliamentary library, it is very good information that contains enough detail to help members understand a fairly lengthy bill.

As I indicated previously, I strongly support the bill. I commend the Attorney-General for its introduction and wish it a speedy passage through this chamber and hopefully through the Legislative Council. I commend the bill to the house.

Mrs VICTORIA (Bayswater) — This is a highly emotive bill and is one of the more emotive bills to pass through the house. As my colleagues have indicated, there will be a free vote. I have received approximately 30 to 40 emails that have mainly taken the negative side, if you like, and have asked me to vote against this measure. Most of those emails talk about the sanctity of marriage and the importance of a mother and father in a home, and of children. I do not see that as the entire meaning of the bill. There are many people in couple relationships who do not have children, will not have children and who should not enter into the equation. I have approximately 50 000 constituents, as all members in this place do; as I have said, I received some 30 emails from people in my electorate but many, many more from overseas and interstate.

For me, it is not about a person's sex or the way they practise sex. Homosexuality does not come into it. It is not about condoning any particular relationship structure. That is not my role. My objective is to ensure a fair and inclusive society. If we look at the facts, the bill establishes a relationships register for domestic partners who are in a committed relationship. I believe 'committed' is the fundamental word. Registration will allow these couples easier access to existing entitlements without having to constantly explain that they are in a committed partnership or having to prove that in court.

The proposed legislation also specifies items to do with financial and property matters in the event of a relationship breakdown. They are included for all of us in current relationships. It came about as a method of implementing the recommendations of the Victorian Equal Opportunity Commission report *Same Sex Relationships and the Law*. That report recommended that ending discrimination against same-sex couples required a general scheme to recognise all couples.

We in this house need to remember that we represent all people and we should respect diversity. When I spoke about this proposed legislation with a friend who is very well known to every member of this chamber and most Australians who are at least my age — someone from the entertainment industry who is very well loved and who has been in a very loving same-sex relationship for 20-odd years — he said to me, 'Do you think, Heidi, that I actually had a choice in my lifestyle?'. He said, 'I did not have a choice'. He is very open about his sexuality, and he said, 'Nobody chooses to undergo social isolation and discrimination, always fearing that they have to prove their commitment, unlike opposite-sex couples'. I think he had a particularly good point.

The second-reading speech gives a very good example of a couple who may find themselves needing to go into hospital and one of the persons in the relationship having to undergo an emergency procedure. Generally if it is a husband-and-wife team and the husband needs the procedure, the wife is asked for consent immediately. In other relationships, whether they be same-sex relationships or opposite-sex relationships, but not having the piece of paper saying they are married, there is currently no legal basis for that to happen, and the hospital would have to prove that relationship. It may make these people, who are already having a difficult time because of the impending medical procedure, jump through hoops that may delay the procedure or make them uncomfortable. This all comes down to equality.

The bill enables couples who want the dignity of formal recognition of their relationship to register it and to have a certificate. It is proposed that the certificate will cost about $180, and I do not see anyone having a problem with this amount.

Most people are having a problem with the idea that there might be a lead-on from here to marriage. I cannot guess what we will be looking at with legislation in the next 18 to 24 months, but what I can do is look at what is before us today. People in same-sex couples have to endure a lot of indignity, and the register will give them the legal status of a partnership. But also we need to remember that this bill allows for domestic partners to register, and that can obviously be opposite-sex partners as well. All committed couples will be able to register for this.

What disturbs me is that there seems to be an awful lot of emphasis on the fact that we are talking about same-sex couples with this particular piece of legislation. We have not really taken into account what happened down in Tasmania. When we are talking about specific-gender or specific-domestic-partner relationships, we are looking at quite a narrow field. What we have before us does not take into account caring relationships. For example, if my aunt and I or my sister and I were living in a caring relationship, which is obviously non-sexual, we would not be catered for whereas in Tasmania the legislation has gone that one step further and allows all people in a caring relationship to be covered, including if they are family members.

In the second-reading speech the minister said the inclusion of such relationships — meaning family members and so on — in our registration scheme will be the subject of further consultation with a view to considering a possible amendment in the future. This just reeks of sloppy workmanship in the construction of the bill. Rather than rushing this legislation through the house it should have been properly thought about. Rather than flagging future amendments, why were they not thought of and put into the bill we are now looking at? Some municipal councils have started domestic-partner registration and have given out certificates. It would make sense for this to be statewide rather than an ad hoc situation.

I want to make only a couple more comments. The first is the provision for registration to be automatically revoked upon the death or marriage of either person in the relationship; or, as with marriage — and I hate to use the two situations together because people are jumping all over the place with this one — you can ask for it to be dissolved; you can have a revocation of the registration. I am glad there is an allowance for that. Registered partners can apply for an adjustment to the interests in the property of the relationship and also for limited maintenance if the relationship fails. Some major steps are taken there.

I want to reiterate that it is not for me to pass judgement on the morality of various relationship structures. However, it is entirely appropriate for me to do my part to ensure a fair and inclusive society free of discrimination for law-abiding Victorians.

I want to finish off by talking about progression and looking at what would have happened in my mother's day if she had been an unmarried mother. This certainly happened to a very dear friend of mine, and she was committed to an insane asylum because she said she wanted to keep her baby. Usually one of two things happened: they were either sent away to a family or, as in Carol's case, they were sent away to an institution until the baby was born, and then the baby was taken from them. They were asked to give the baby up for adoption or asked to abort the baby.

Thank goodness things have changed. Thank goodness we have progressed as a society, and it is now no longer the secret evil. I think this is a progressive piece of legislation. As society evolves, as lawmakers we must reflect that.

Mr FOLEY (Albert Park) — I rise to support the Relationships Bill 2007. I do so because I believe it to be a very important piece of legislation. It is a bill that may be controversial for some, but I suspect for others — indeed, for the majority of Victorians — it is a bill that delivers on the notion that your sexual preference and your lifestyle should not be the basis of systematic discrimination against you and your relationship with a loving partner. The bill provides comparative rights and obligations around the issue of how you manage that relationship, from the recognition of the status of that relationship and the responsibilities that that relationship brings to how that relationship might consensually end.

It is a bill about delivering on the values and principles that this government has committed to over a number of years, which are particularly reflected in the charter of human rights, which, as the Attorney-General pointed out in his introduction to the bill, was very much the motivation and basis for a lot of the approach of the bill.

It is a bill that speaks of the kind of society we wish to be: one that respects diversity when it comes to personal relationships that are freely entered into; one that recognises that the commitment of two people to one another does not have to fit within the boundaries of heterosexuality; and one that does not pretend that there are not relationships between same-sex couples that are loving and long term but which are currently discriminated against in many practical and, frankly, unnecessary ways.

Moreover this bill reflects the kind of society we wish to be a part of both directly and indirectly — one that respects inclusion and diversity and creates cohesion out of that diversity rather than a non-real world attitude of head-in-the-sand denial. In this instance the bill requires us to be up front with its values. I can understand why that is causing difficulties for some of our friends opposite. I understand that this bill refers to the kinds of values and principles that we as lawmakers in society wish to propagate.

There is a view that this bill respects diversity, promotes cohesion and removes unnecessary discrimination versus the notion — I think a flawed notion, but I can respect that it is widely held — that somehow it is an affront to and an attack on the values that underpin society. That is a notion that the majority of Victorians would disagree with. It is a notion that is stuck in a world that largely no longer exists.

This bill removes discrimination against same-sex relationships, as we have already heard from the Attorney-General and others, but does not seek to undermine the institution of marriage. Marriage is dealt with in the federal legislation, and this does not seek to undermine it, as some members opposite have inferred.

The bill promotes cohesion and respect for the differences in how adults freely, willingly and lovingly commit to the long-term, stable relationships that underpin the broader society, and recognises these arrangements as legitimate. If these are the values that underpin the bill, how does it seek to reflect them in practical ways? The bill reflects them through the register and the obligation on the state to administer that register in a way that does not discriminate against those who seek to enter into such relationships.

In this respect the bill is the culmination of much work that has been done by this government and equally, I would suggest, the successful advocacy of the gay and lesbian, transgender and intersex communities and, I would also say, those in the broader community who support the removal of unjustified discrimination wherever it raises it head. In this instance I refer to the long-held position of the Victorian Gay and Lesbian Rights Lobby campaign for relationship recognition. That campaign has had the long-held aim to:

> … inform the community of the emotional, social and financial costs which result from the lack of same-sex relationship recognition. And to educate the community about the importance of formal legal recognition of same-sex couples, and advocate for change.

The Victorian Gay and Lesbian Rights Lobby also talks about some federal changes it wants, and in regard to Victorian law it has identified two specific areas of change. These are to extend domestic partnership laws to include parenting rights, remove all remaining instances of discrimination and provide for a civil union and/or relationships registration scheme. In many respects this bill goes a long way towards satisfying that long-maintained campaign by the Victorian Gay and Lesbian Rights Lobby. I must acknowledge that is a campaign for which my predecessor in the seat of Albert Park, the former Deputy Premier, was a strong advocate, and I unashamedly take up my predecessor's mantle in that respect.

I also need to acknowledge the contribution made in this regard by the Attorney-General, who has himself been a long advocate of these changes. I also acknowledge the position of some members of the opposition with regard to this issue, because I suggest it reflects the differing values of the coalition on many social issues. These are issues I suspect we are going to see more of in the next few months when the assisted technology arguments come before this house. All of us will also have to face such issues individually when the issue of the abortion law reform legislation comes before this house.

I believe the opposition to this bill, whilst it is respected and needs to be understood, is ultimately well intentioned but misguided. This is not a bill that undermines marriage. It delivers a workable model and provides practical support for those in loving and caring relationships. I recognise that many who oppose the bill, not just those in the opposition in Parliament, have difficulty with it.

I have discussed this bill with many from the interfaith working group that has been set up to look at this legislation. I believe, in response to their position, that if one takes a pluralist, secularist worldview, this bill's measures can be seen not to undermine social unity nor to undermine community standards but to reflect and build on social cohesion and community standards. The bill does not undermine arrangements relating to heterosexual couples; indeed the opposite is the case. It builds on the relationships that are regarded as legitimate and proper by the majority in our community. I suspect there are many in the community who would broadly support this bill and who would be increasingly surprised at the level of opposition to it, however heartfelt it may well be.

I conclude my argument by pointing to a different aspect to why this bill should be supported. Professor Richard Florida in his work *The Rise of the Creative Class* looks at many areas where modern economies and societies come together in both their economic and social worldviews. Interestingly enough he comes up with a gay index, as he calls it, whereby he identifies those parts of developed economies that do better at developing creative classes, investment, a future and knowledge-based economy, the arts and such highly competitive international areas of both human capital and social investment.

It should not come as a surprise that those areas that are particularly supported by gay and lesbian communities do particularly well in that index. But that should not of itself be the only point we consider when we approach this issue. The fundamental approach to the issue should be a rights-based recognition that systematic discrimination for no good purpose needs to be removed. However, it is interesting to point to that as a contribution that suggests that not only is this the appropriate thing to do from a human rights perspective but it is actually a very sensible move to take from a broader social cohesion, economic and pluralist approach to how our society should be governed. It is with great pleasure that I commend this bill to the house.

Mr MULDER (Polwarth) — As much as the Relationships Bill 2007 talks a lot about relationships,

for me it brings on board a sense of the issue of possession and ownership. In saying so I look at the issue of ownership in marriage, marriage ceremonies, traditions of marriage and the various religious and cultural groups which have been involved in the promotion of traditional marriage as we know it over many, many decades.

With this particular bill I find myself looking at the issue of prejudice and struggling with the issue where some people may view you as in some way holding views of discrimination against others. That could not be further from the truth. The issue here really is one of ownership and not relationships.

It seems to me that the bill's underlying intention is to provide a passage for same-sex couples and those in other forms of domestic arrangements to in some way, shape or form parallel marriage as we know it today throughout the community. The bill provides for the registration of two persons who are not a married couple in the true sense.

The registrar of births, deaths and marriages will keep a register of registered relationships. The question I raise in relation to the registrar and the registration process is: will that register eventually merge with the register of marriages? There is nothing within the bill that prevents that from happening; in fact the provisions enable that to happen. Given the intent of the bill, I would suggest that at some stage in the future that may well be the case. As clause 17 of the bill states:

> The Relationships Register may be wholly or partly in the form of a computer data base, in documentary form, or in another form the Registrar considers appropriate.

The registrar can, without any form of consultation, construct this register in any way, shape or form that the registrar thinks is fit.

I acknowledge and understand that the bill does not have provisions that relate to the signing of the register constituting marriage, but naturally there are concerns in the community that the bill enables the stated relationships to establish a regime that parallels marriage to a point that blurs the line between the two arrangements. I agree that the bill does not have provisions relating to a ceremony, a celebrant, a church, a chapel, a setting or indeed a celebration because the intent of the bill can be met without these provisions, as these events and settings could simply be put in place following the signing of the register.

The simple fact of the matter is that it is still possible to go through an entire ceremony which celebrates the registration of that particular relationship in a setting that would be very hard to distinguish from an actual marriage celebration. There does not seem to be any impediment to having the signing of the register form part of the ceremony. In doing so it would mimic what the vast majority of the community see as a traditional marriage in the true sense. That is the difficulty that I have with this legislation: the register and the role of the registrar. Can that particular document be signed as part of an ongoing ceremony?

As I indicated earlier in my contribution, I think this is more about ownership. In the case of marriage, members of various religious and cultural groups have in place traditional ceremonies over which they would claim ownership based on historic and religious practices. They would see these historic and religious values being eroded by this bill. Many of us in this place have gone through the process of being married: courting at the age of 16 and 17, marrying at 20 and 21 and still being there for the long haul at the end of 34 years. It is almost a life sentence. As I say, traditional marriages have their ups and downs and they are very rocky roads to tread.

Not all traditional marriages are experienced as the people who enter into those arrangements believe they will be. Traditional marriages break down, but there are a lot of very sound marriages that stand the test of time. It is my view that this bill before the house will impinge on what I see, and what the broader community sees, as a basic marriage ceremony for the coming together of a couple with the intent of marrying, settling down and raising a family, and who are in it for the long haul. I find this also reflects a little bit of the story behind that great movie *The Castle*. There is a great sense of ownership in traditional families with married couples in relation to their views and thoughts on marriage as they see it.

As I say, I cannot support the bill before the house. I have consulted widely within my community. I believe in terms of casting a free vote — a conscience vote — we are influenced by our own values based on our upbringing, schooling and education, and the people with whom we have discussions within our communities. I have never detected anyone in this Parliament who has in any way, shape or form demonstrated to me any form of prejudice in relation to other forms of relationships. However, I believe this bill does impinge on what I believe are traditional family values and marriage ceremonies, and I do not believe the broader community would support it.

Mr HOWARD (Ballarat East) — I am pleased to speak in support of the Relationships Bill, which provides for the establishment of a statewide register

for people who want to have their long-term relationships recognised in a formal way. It is something that is very important, and obviously it applies essentially to people in same-sex relationships. This decision by the government follows the recommendations made by the *Same Sex Relationships and the Law* report by the then Victorian Equal Opportunity Commission. It is also something that this government has treated very seriously in terms of human rights. It follows on from our adoption of a charter of human rights where we recognise that we want to promote values of equity, respect and dignity across our society.

Although some members on the other side of the house want to suggest — as do other people out in the community — that this bill is about challenging the so-called sanctity of marriage and the traditional family unit, I do not accept that. While I am fully supportive of marriage as a very important institution in our society, I know that a large number of my constituents are in same-sex relationships, and like so many other members in this house I know and have friendships with a number of people who are in same-sex relationships. I recognise that these people have rights that we need to respect and this bill goes along the way towards respecting those rights.

This legislation is about recognising the reality of the world around us, and not putting our heads in the sand pretending there are no same-sex couples who are in long-term, loving relationships. This bill addresses some issues that they have as a result of that relationship where they are not recognised and therefore at different times in their lives they are disenfranchised in one way or another. There are two aspects of this legislation which support them. One is that by establishing a relationships register they can experience in a symbolic way the satisfaction of having their relationship recognised in a formal way. But it also does more than that. It enables some of their formal rights — their financial and property rights — to be protected.

In 2001 this government enacted legislation which went a long way down the track to try to address some of those issues that people in same-sex relationships have experienced: financial rights and rights that people in heterosexual relationships would have, whether that be in a marriage or a de facto relationship. Couples in same-sex relationships were clearly disadvantaged. Even after 2001 there were still situations that were not addressed by that legislation. Putting in place a relationships register will help to address that.

I had a cousin who was gay and who was in a long-term relationship for over 20 years until his partner tragically took his own life. Following on from that traumatic experience, my cousin then found that while his partner had been working for many years in a job where he had accrued substantial superannuation, under the way the scheme worked my cousin was not entitled to gain that superannuation whereas had he been in a heterosexual relationship, that superannuation would have flowed on to the partner.

He spent much time attempting to challenge that and was preparing to follow that up through legal channels, but unfortunately the stress of that situation also caused my cousin to die a premature death, at the age of 55, from a stroke. The stress he experienced by trying to follow through on what he believed were his just rights as somebody who had lived in a long-term relationship and being confronted by legal battles still to fight meant that that last period of his life was made even more challenging and traumatic.

We know of many cases of people having experienced similar sorts of difficulties. This legislation, which I wholeheartedly support, will enable some dignity and rights for people who are in long-term, loving, same-sex relationships. I fully support this legislation.

Mr MORRIS (Mornington) — This bill provides for the establishment of relationship agreements, for their registration and for the keeping of a register, for the adjustment of property interests between partners, and for maintenance rights. It also repeals part 9 of the Property Law Act 1958 and makes consequential amendments. That is the purpose of the bill. It is fairly dry, legalistic language which accurately describes what the bill seeks to achieve.

What it does not, and cannot, convey is the depth of feeling of those on both sides of this debate, nor the impact its passage will have on many lives.

Relationships are at the core of most people's lives — sometimes we are good at them; quite often we are not. That is why a law such as this needs to set out how we deal with the dissolution of partnerships as well as their establishment. It is not my intention to speak at length on the detailed provisions of this bill, although there is substantial detail in its 130 pages.

Essentially this should be a discussion of principles, of our view of the world and of how we see both society and the law evolving. An important subtext to the debate is whether the Parliament is seen to make law in a vacuum and in an academic manner entirely detached

from the Victorian public or whether we legislate in concert with the will of the people and by their consent.

I have never supported the view that any government, no matter of what complexion and no matter how well it governs, can simply impose a particular view of the world — in Australian politics, thankfully, it would not survive long if it tried. Any laws that pass in this place, particularly on matters of morals or conscience, must accord with the expectations and standards of life outside. But we must also never forget to distinguish between being broadly in accord with community expectations and simply taking the populist cause. Following the majority view because it is the majority view — taking the easy option — leads to bad public policy and bad legislation and is undoubtedly to the detriment of the community as a whole.

Such a course should not be considered for a moment on this, or indeed on any other, bill; nor, in any case, is the majority sentiment on the merits of this matter at all clear. The views conveyed to me, and I am sure to most, if not all, honourable members, range across the complete spectrum. At one end there is outright condemnation not only of the bill but implicit in that of many decent Victorians; at the other end there is a view that this legislation does not go anywhere near as far as it should. Thankfully most submissions, including those I have received from constituents, are far more moderate in their tone. Nevertheless, they all suggest that this bill should not be supported.

I respect the views that have been expressed, and I recognise the genuine concern of many people — a concern that I expect stems largely from a less than complete understanding of the practical effect should the bill succeed. There is of course an issue which is unstated in clause 1, and rightly so, but which is central to the arguments both in support of and against the legislation. That issue is of course the application of this framework to same-sex relationships.

If this bill were simply proposing to introduce a mechanism to register de facto heterosexual relationships, I doubt there would have been anywhere near the reaction we have seen from some quarters of the community. So the principal purpose of the legislation, while unstated, is well understood by everyone involved in this discussion.

The bill has been unhelpfully described by some as a form of — and I put these words in quotation marks — ‘gay marriage’, used unfortunately in a derogatory way. Such language is inflammatory, certainly unhelpful, and entirely inappropriate in 21st-century Australia. It attempts to force people to take one extreme or the other, to reinforce and reinvent the old prejudices that unfortunately survive, albeit in the hearts of very few.

There are of course people who are loud and proud heterosexuals, and there are people who are similarly enthusiastic about the alternative, and that is certainly the right of both groups. But most people simply want to get on with their lives in a stable and monogamous relationship, irrespective of their sexual preference.

To enable that to occur and to ensure that all people are able to exercise their rights on an equal footing, a legal basis is essential. A number of alternative structures exist. The first and most common structure throughout the world is marriage — a convention dating back many centuries, often recognised in a religious ceremony with varying but basically similar privileges and obligations enjoined on the participants. In recent times a number of same-sex marriages have been performed in North America and Europe, generally in a secular form, although I understand there are exceptions. Whatever their form, however they were celebrated, such marriages would not be recognised in Australia under the federal Marriage Act.

The second option is a civil union along the lines proposed by the Australian Capital Territory government in its Civil Partnerships Bill. A new relationship is created and formalised by a ceremony. While I am not entirely familiar with all the details of that bill, it seems to me that the end result — a new relationship marked by a ceremony, no matter what it might be called — is effectively a marriage.

The third option is the one proposed here — that is, recognition of a situation, de facto, which already exists. The Tasmanian legislation is the only Australian example and is very similar in effect to this bill, but the Tasmanian legislation includes a process for the registration of platonic, or caring, relationships, which has not been picked up in this process, although I think further amendments have been foreshadowed in that regard.

If there is a flaw in this bill, so far as I am concerned it is in what it does not do. The Scrutiny of Acts and Regulations Committee posed a number of questions to the Attorney-General as a consequence of its considerations. I only want to address one question. It is the response to the request by the committee asking for:

> further clarification about whether registration is conclusive proof that a person’s partner will satisfy the definition of ‘de facto’ and ‘partner’ where those terms are used in Victorian legislation in a domestic sense.

The Attorney-General responded:

> … The bill does not therefore amend the small number of acts that continue to use other terms to describe unmarried couples. Registration will not serve as conclusive proof for the purposes of these laws but may still assist in demonstrating that a relevant relationship exists if required.

A number of important problem areas have already been dealt with, and members speaking before me have referred to those, particularly in the area of superannuation entitlements, but the remaining inconsistencies perpetuate the perception that different forms of partnerships need different treatment. I hope the remaining problem areas are dealt with with dispatch.

Is this marriage under another name? I do not believe it is. If it were, I would not support it. Are the changes proposed in this bill really necessary? Many have argued that the changes already introduced to make legislation effectively neutral insofar as the nature of a relationship is concerned make further change superfluous. But I think a very clear example of why that position cannot be supported came in the form of a submission to the bill. In a minor comment — I think it was almost an aside and I am sure there was no malice intended — it was suggested that people in same-sex relationships are already tolerated. In other words, we will put up with you; we will have no empathy, no attempt at understanding, we will tolerate you. As I said, I am sure there was no malice intended, but that is the comment that was made. That is exactly why this change is necessary.

A same-sex relationship is not illegal; discrimination against a person on the basis of their sexual preference is. But there remains a large gap between stopping legislative discrimination, which has been achieved, and recognising that committed domestic partners, regardless of their sex, have made a legitimate choice and one that is respected by the people of Victoria. I believe that is the view of the vast majority of Victorians. The bill provides such recognition and I believe it is worthy of support.

Mr WYNNE (Minister for Housing) — I rise to support the Relationships Bill 2007. I do so with a tremendous sense of pride because this is the end of a very long journey, a journey that I have had the honour of being a part of. The journey for me started in 1999 when I had the good fortune not only to be elected to this house but also to be appointed parliamentary secretary to the Attorney-General. One of the first things the Attorney-General asked me to commence work on as part of a broad reform package within the Attorney-General's area was reform in relation to systemic discrimination against the gay, lesbian and transgender community in this state.

I look back on that body of work with a great sense of pride — personal pride but also pride on behalf of this government. We put together an extraordinary group of people who provided advice to government about how we should take forward this extensive reform package. I want to acknowledge a member of that advisory committee who is no longer with us but who was very well known and well respected within the gay, lesbian and transgender community, Danny Sandor. Unfortunately he passed away at a far too early age. Those who knew of Danny's work as an associate to Justice Nicholson would know of his extraordinary enthusiasm and his very great political and legal advice, which he provided to me and to the committee more generally as we progressed through our work.

It was a great day when those reforms passed through the house in 2001. Those reforms righted a fundamental wrong which had been part of Victorian society for many years. We amended 57 Victorian acts to recognise the rights and obligations of partners in domestic relationships irrespective of the gender of each partner. I well recall that debate. This chamber was filled that night with people who had waited so long for recognition by this Parliament. It was a cause for extraordinary celebration. The debate went on well into the night; I think it was 1 or 2 o'clock in the morning when the bill finally went through the Parliament. It was a cause of great celebration and a great sense of pride for the Attorney-General who was with me that night and for myself and all of those members of the community. They were fair-minded people who felt that, finally, a great wrong had been righted and that people living in committed relationships could have them rightly recognised. Those wrongs were addressed through this Parliament.

This is the end of that road because in my view today we close one of the last doors on that long journey by providing the capacity for committed couples in same-sex relationships to have their relationships registered so there is a recognition of that entity. I believe in a most committed way in the discussions I undertook when I was working with the Attorney-General and more recently when I was cabinet secretary. At that time one of my tasks, along with the member for Prahran, was to talk through with the leadership of the gay and lesbian community the practical issues they were confronting in terms of registration and why registration was important. It was important in a whole range of areas, but there were some really telling cases. A case was put to me of a same-sex couple where one member was hospitalised

and was in a coma. The partner, naturally enough, attended at the hospital, but that person's rights were not accepted. That person had a legitimate right to say, 'This is my long-term partner. I have a right to engage with you as medical practitioners about my partner's care and ongoing support'. To me that epitomised why a register is an important step forward. It provides to the broader community a clear recognition of the nature of a person's relationship and standing in the community more generally.

The register will operate as a single system of registration in the state rather than a local government-based approach. I want to touch briefly on the local government initiative because it was important. I want to acknowledge that the Municipal Association of Victoria was very important in this. The president of the MAV, Dick Gross, was extremely helpful to the government in terms of pointing out that although a number of local governments, including my own local authority, the City of Yarra, had played leadership roles in terms of providing a venue within which people could not in a legal way but in a more formalised way acknowledge their relationship, I think it was the Moreland, Port Phillip and Melbourne city councils that stepped forward to say they would provide this venue and opportunity. All credit to Dick Gross and the MAV because they wrote to the Attorney-General and said that was not really the appropriate way of taking this matter forward. They sought for the Attorney-General to put this act of Parliament into place to provide a proper and correct setting for the registration of same-sex relationships.

As I said at the outset, this is an historic piece of legislation. This has been a long road. It is a road I feel immensely proud of. I feel immensely proud to be part of a government that has effected such fundamental reforms and has righted some wrongs that have been done to a section of the community simply because of their gender. I believe in decades to come people will look back on this government as truly a reforming government that was on about the fundamental principles of social justice and reform that ensured that, regardless of sexual orientation, everyone enjoyed equal rights in the state of Victoria. As I bring my contribution to a conclusion, I particularly want to acknowledge those fantastic folk who worked with me in the early days of this reform package, through the Attorney-General's gay and lesbian advisory committee.

Having already acknowledged Danny Sandor's magnificent contribution to that work, I more particularly want to acknowledge the extraordinary commitment and zeal with which the Attorney-General has pursued this agenda. It is a fantastic agenda, and one that you expect Labor governments to engage in — and it has been engaged in in a fulsome, enthusiastic and wholehearted way by the Attorney-General. From my point of view it was a delight to work with him as his parliamentary secretary, and we should celebrate this day on which we have had the opportunity to come before the house and with the registration of same-sex couples see the final closing of the door on the process.

I commend the bill to the house. I sincerely wish it a speedy passage. I acknowledge the member for Mornington, whom I thought gave a very well-balanced and sincere contribution to the debate today. I understand there will be a free vote across the opposition parties, but I believe this initiative will be very strongly supported in this house and in the upper house. I wish the bill a speedy passage.

Sitting suspended 6:29 p.m. until 8.02 p.m.

Mr WALSH (Swan Hill) — I rise to make a contribution to debate on the Relationships Bill 2007. This is one of those debates where strong views are held by members on both sides of the house and within parties on both sides of the house. Usually within this house those views are respected, because we are actually talking about people's lives, their intimate relationships, their family and their friends. I think it is important that we handle this debate with some sensitivity. That is why I was very disappointed to hear the comments made by the member for Prahran and the member for Albert Park.

Mr Batchelor interjected.

Mr WALSH — As I was saying before I was rudely interrupted by the Leader of the House, I was disappointed to hear the comments made by the member for Prahran and the member for Albert Park — they did not respect the views of others in this house. They could not actually help having a cheap shot about what is actually a very important debate.

The member for Prahran was very critical that on this side of the house we will have a free vote on this legislation. Perhaps he is jealous because he does not have a free vote. A free vote on important issues like this shows a level of maturity; we can actually have a free discussion and a free vote on issues like this. I do not think that necessarily we should always be bound by party votes in this place. We are elected to actually represent the views of our electorates and to stand up for the principles we believe in when we come into this place. This is one of those times we need to do this.

I was also very disappointed by the member for Albert Park, who expressed that having a free vote on this side of the house was some form of weakness. I actually think it is a strength because, as I have said, we come to this house to represent the views of our electorates and stand up for the things that we believe in.

I do not support this bill. I do not step away from that view. A lot of people in my electorate do not support this bill. I have experienced extensive lobbying from a range of groups who have said that they do not want this bill passed in this place. I have not had one person, one email, one phone call or one letter from anyone who actually supports this bill. The member for Albert Park said that the views that I hold are no longer relevant and that I am stuck in another world — I do not believe that is true. I do not believe that the constituents in my electorate who do not support this legislation believe that they are stuck in another world and have views that are no longer relevant.

I have had correspondence from a number of organisations which do not support this bill. The Australian Christian Lobby group has some unresolved concerns about the bill, the Catholic Church opposes it, the Endeavour Forum opposes the bill as does the Catholic Women's League Australia, the Festival of Light, the SaltShakers, the Australian — —

Ms Pike interjected.

Mr WALSH — But these people have a right to a view — that is what we are expressing in this place. We need to have maturity in the debate. These groups have a view that needs to be heard.

The Australian Family Association opposes the bill as does the Institute of Judaism and Civilization**.**

There are some groups that support the bill. The Victorian Gay and Lesbian Rights Lobby supports it but wants ceremony options and civil union action. It supports the option of same-sex adoption. The Law Institute of Victoria supports the bill but wants the age for the registration of relationships to be reduced to 16 — that is an issue which I do not believe I would support.

The contribution of the member for Richmond was interesting; he spoke extensively about someone whose partner went to hospital. The person was not allowed to actually have access and discuss medical rights and was not able to get involved in issues concerning their partner. One of the things that was discussed before the Statute Law Amendment (Relationship) Bill 2001 was passed was that partners needed to have the same rights as spouses in regard to receiving medical information about their partners. The second-reading speech of the bill said that the bill would:

> ensure that there is recognition of the right of a lesbian woman to be consulted about the medical treatment of her hospitalised female partner.

The Attorney-General was saying that that bill provided the rights that the member for Richmond was talking about, but we do not need the Relationships Bill to have these rights.

As every member in this chamber would know, when you go to hospital with your partner — if you are unfortunate enough for that to happen — you are never asked for a copy of your marriage certificate. I have never been asked for a copy of my marriage certificate so that I can go to the hospital with my wife to assist her. I do not know about anyone else in this place — —

Ms Pike interjected.

Mr WALSH — I am married to a woman — surprise, surprise! I assume that if she went to hospital with me, she would not have to produce her marriage certificate.

Ms Pike interjected.

Mr WALSH — I do have a female partner. I do not believe a heterosexual couple has to carry around their marriage certificate when they go to hospital together, to produce evidence of the fact that they are married, and I do not believe that if this bill is passed, same-sex couples will carry around their registration of partnership certificate to produce it at a hospital. I do not think that will be necessary, because hospitals are not that mean spirited about how they deal with people. They are dealing with sick people, and they know the sensitivities involved with that.

One of the concerns I have with this bill — and it is a difficult issue to discuss — is that I think it is part of a gradual step towards the breakdown of the morals of our society. If you look at what our society has been built on over thousands of years, you see that it is built on some very key principles that are built around Christianity and the things that are associated with that. One of those key principles is the principle of marriage, which is a union between a man and a woman with all the responsibilities that go with that, particularly the responsibilities that go with having children and a family.

The greatest responsibility that any individual or any couple can ever take on is having children and doing their best to raise those children. I have some reservations that this legislation, which is about

same-sex registration of couples, is the next step in a gradual progression towards a time in a number of years when we will have legislation for adoption by same-sex couples. This is a progression that we have been making, and it would appear to be a direction that the Attorney-General seems to want to take us in, given the fact that we have had all this discussion about how this is groundbreaking legislation and about how great it is that it is taking the shackles off society.

If we go the next step and get to same-sex adoption of children, what will that do to the principles that we have been raised on over thousands of years? What will that actually do to the children who will be involved in that adoption, particularly if it is by couples that are formed under this legislation, where all you have to do is register your relationship, and if you want to end that relationship, all you have to do is write a letter to the registrar and within 90 days all bets are off and you can walk away?

That does not put the same responsibilities on couples that marriage does. If we have a progression over time that leads to adoption by same-sex couples and if it leads to in-vitro fertilisation by same-sex couples, there will be some responsibilities placed on those couples that I do not think can be fulfilled under this particular piece of legislation.

I do not support the legislation. As I said, all the letters, all the phone calls and all the emails that I have had from people within my electorate and from around Victoria have said that we should oppose this legislation. I personally oppose it, and I represent the views of other people who want it opposed as well. I do not support the legislation.

Ms MARSHALL (Forest Hill) — I am very proud to stand and support the Relationships Bill 2007. The background to this bill is that it will create a relationships register for domestic relationships, regardless of gender or sexual preference. It comes from Labor's 1999 election commitment to implement the recommendations of the *Same Sex Relationships and the Law* report by the then Victorian Equal Opportunity Commission that included the recommendation that a general recognition scheme and a registration scheme for couples of either gender would help end discrimination against same-sex couples.

In 2001 the Bracks government delivered a general recognition scheme that recognised the rights and obligations of relationships, regardless of the gender in those relationships. This bill delivers the second part of that commitment by setting up a relationships register for couples made up of either sex. A couple will become registered after signing statutory declarations and receiving a certificate of registration. This bill continues the work of two of the Labor state government's major policy planks — Growing Victoria Together, which aims to reduce disadvantage in respect to diversity, and A Fairer Victoria, which looks to encourage a socially just and cohesive society.

This bill is landmark legislation for same-sex couples and for couples who are in a loving and committed relationship but are not yet married or who do not want to get married. The Victorian relationships register will give conclusive proof of a relationship that is not already within the institution of marriage, whether it be between one male and one female, two males or two females. The relationships register will provide a single location for dealing with division of property and maintenance responsibilities in the event of a relationship breakdown, and it will provide for the enforcement of relationship agreements.

This bill creates a more equal society. I am proud to stand here today and speak for a bill that takes what was, disgracefully, a social taboo and gives same-sex partnerships a status in our society that is aligned, in all practical senses, to a male and female marriage. The relationships register is not a record of a gay marriage or a civil union. It is, however, a practical mechanism to ensure that people who are not married and who are in a committed relationship have equal access to entitlements. To put this in very simple terms, we aim to live in an inclusive, caring and safe society where the laws that govern us do not discriminate in any way, and this bill creates a long-overdue fairness in the way in which those ideals are able to be facilitated.

Discrimination can take on many forms — age, gender, ability, disability, cultural, linguistic, financial, locality and education; I could continue that list for hours. Each and every one of them is an excuse for people to feel superior and to disadvantage others in our society. I am very proud that only a minuscule minority of people who live amongst us still have the mentality of the 19th century and that the overwhelming majority want to ensure that discrimination has no place in our community, our lives and our legislation.

The modernisation of the vocabulary used in the legislation is a reflection of 21st century ideals, and as such the words 'spouse' and 'widow', which were acceptable in the 19th century, will be replaced with the word 'partner', which will be defined to include de facto and same-sex partners. Language does not merely reflect discriminatory social attitudes and practices but is involved in shaping and perpetuating

such attitudes and practices. No longer will a couple — whether it be a couple in a same-sex relationship or a couple that has decided that they do not want to be married — need to justify their commitment to their relationship. They will have all the recognition they need to function in a formalised relationship.

A comparison of the features of a successful same-sex relationship and an opposite-sex relationship is unlikely to reveal any differences which justify the restriction of the marital status to heterosexual couples. The factors contributing to successful heterosexual relationships apply equally to homosexual relationships — love, trust and commitment are integral to the success of them both. A couple will not need to prove, other than by signing a statutory declaration, that their relationship meets some kind of standard. As long as they are two consenting adults who are making a personal and financial commitment, they can be registered.

This bill is ultimately about freedom and the ability of people in our society to live their lives how they wish with the protection of the law. If two people want to live their lives together in a committed relationship, we as a society should make it as easy for them to do that as possible. If two people have love for each other and want to commit to each other without getting married, we as a society should make available to them all the benefits and legalities that a marriage brings.

I hope this bill promotes an even greater tolerance and understanding in the broader Victorian community and that we see all forms of discrimination lessen while inclusiveness and fairness flourish. I commend this bill to the house.

Mr THOMPSON (Sandringham) — The front foyer of the Victorian Parliament has set in the parquetry floor words from the Old Testament Book of Proverbs 11:14, which, according to a recent translation, states:

> A city without wise leaders will end up in ruin; a city with many wise leaders will be kept safe.

How can we as a community and as a legislature nourish responsible lives? The Judeo-Christian tradition has underpinned the development of Western civilisation; wise precepts may be gleaned therein. In the New Testament Gospel of Luke, chapter 4 reports Jesus attending the synagogue and reading from the scriptures. Verse 17 reads:

> He was given the book of Isaiah the prophet. He opened it and read:
>
> The Lord's Spirit has come to me,
> because he has chosen me
> to tell good news to the poor.
> The Lord has sent me
> to announce freedom for prisoners
> to give sight to the blind, to free everyone who suffers …'

As I stand in this chamber I advise the house that I am of the unshakeable personal view that there is a better way than the legislation before the house that will nourish responsible lives.

The law is a powerful instrument. As a community and as a legislature we should be aiming to strengthen the frameworks within which children are nurtured, we should be aiming to protect families, and we should be aiming to set legislative standards to which the community can aspire. Human sexuality is awesome and powerful. In the Judeo-Christian tradition there is a framework and context for its expression.

This approach might be contrasted with a range of reports in the *Weekend Australian* on pages 1 to 15. There was a prolific number of media reports, which I will classify under the following headings. Under the heading of sexual and criminal offences they were: police arrests in relation to a paedophilia network, the murder of a South Australian law lecturer thrown into the Torrens River near a homosexual meeting place, lesbian murderers in Western Australia, a PricewaterhouseCoopers $11 million sexual harassment case brought by a former partner, a Sydney-educated academic who sexually assaulted an 11-year-old Torres Strait Island boy and claimed that the abuse was a cultural right of passage and that he loved the boy, 10 in court accused of gang raping a 17-year-old girl and a $3 million sex slave syndicate.

Under the heading of sexual relationships the reports were: the bisexuality of a former South Australian Premier and the alleged sexual associations of a former South Australian chief justice. Under the heading of thematically related matters they were: unpublished novels by Arthur Miller that were withheld owing to sexual content, the correlation between housework and sex and former prostitutes following the trial of a Sydney judge. Also earlier this week there was the story of a New York governor who had been implicated with a Washington prostitute. The human suffering in most of these examples and for different reasons is prolific.

There is a responsibility and purpose that attaches to the expression of human sexuality in the Judeo-Christian tradition. At its best expression it is wonderfully defined in a supportive and nurturing relationship between a husband and wife, a lifelong framework for the raising of children and a shared commitment. It might also be said that marriage relationships have their

own seasons, and in failure there are the New Testament precepts of forgiveness and the response of Jesus to the circumstances of the women caught engaging in adultery as recorded in chapter 8 of the gospel according to St John. Firstly, to the accusers he said, 'Let him who is without sin cast the first stone'. To the woman he said, 'I am not going to accuse you either. You may go now, but do not sin anymore'.

The Attorney-General seeks to promote the values of equality, respect and dignity that are inherent in human rights, but the question to be asked is: what values is the Attorney-General overlooking? The bill proposes to establish a relationships register for domestic partners who, although not married, are in a committed relationship. I would argue that the bill overlooks lifelong commitment. I would argue that the bill provides the legal framework for the displacement of marriage. I would also argue that the bill endorses de facto or same-sex relationships in a way that gives them a meaning or significance in law equivalent in reality to marriage.

Article 16 of the Universal Declaration of Human Rights states:

> (1) Men and women of full age, without any limitation due to race, nationality or religion, have the right to marry and to found a family. They are entitled to equal rights as to marriage, during marriage and at its dissolution.

And then:

> (3) The family is the natural and fundamental group unit of society and is entitled to protection by society and the state.

I suggest it is implicit in clause 1 of this original declaration that marriage is between a man and a woman. The registration process under the bill is reflective of marriage. It would entail a decorative certificate. Page 6 of the Department of Justice information paper of May 2007 states:

> While registration does not provide for any official ceremony, it will continue to be open to couples to arrange their own relationship declaration events or to participate in those offered by some local governments.

It could also be argued that the provision of a watered-down relationships register and associated rights constricts the rights attaching to family relationships.

What are the community viewpoints? A Victorian ad hoc interfaith committee of scholars and representatives of the major faiths in Australia — Catholic per Nick Tonti-Filipini, Anglican, Jewish, Uniting, Presbyterian, Antiochian Orthodox, CityLife Church Wantirna and the Christian City Church — opposes the legislation. It opposes the nature of same-sex relationships, which the Attorney-General seeks to protect, on the basis that they are prohibited by biblical tradition. Rabbi Shimon Cowen expressed concern regarding a revolution in paradigms. While rightly opposing hate and persecution, it was problematic that children would be socialised to accept equal norms in society which might cause people to follow their own equivocations.

International research suggests that there is a small take up of the registration process by homosexual couples. According to some commentators, the goal of the gay marriage movement in both Norway and Denmark is not marriage but social approval of homosexuality. It might be argued that the next stage of the process will be access to adoption rights, reproductive technologies and surrogacy. In some jurisdictions where there are civil relationships registers there is a ratio of 5 out of 10 children being born out of wedlock. In the case of heterosexual relationships, to the extent that the commitment-for-life notion of marriage is degraded under the bill to an agreement cancellable in 90 days, it will arguably lead to more single parents and blended families.

A number of examples of changed lives have been drawn to my attention. The *Sunday Herald Sun* of 28 March 2004 reports on the reversal of a sex-change operation undertaken by a Melbourne woman who had previously had a double mastectomy. *Australian Story* featured the life of a man who in his teens thought that he was homosexual, later had a sex-change operation to become a woman and later still deeply regretted that change. There is literature pertaining to gay and lesbian activists who have changed their focus on same-sex relationships to opposite-sex relationships. In two cases childhood sexual abuse victims sought affection from same-sex figures. People have lived to seriously regret decisions they have made that have adversely impacted on their lives and their life circumstances.

I seek to respect the human worth and dignity of each person and their life potential. I recognise the exercise of free will and choice in democratic society. I have seen pain. I have seen anguish. I have seen vulnerability. Wisdom from yesteryear speaks of ways that seem right to men but the paths of which lead to destruction. As a matter of conscience I will not be supporting the bill. I will be voting against the bill. I will always seek to provide a legislative framework that will ultimately nourish lives and strengthen relationships not destroy them.

Ms GREEN (Yan Yean) — It is with enormous pride that I join this debate on the Relationships Bill

2007. I state at the outset that I am absolutely in support of this bill. The overall objective of this bill is simply to establish a register in Victoria for the registration of domestic relationships and to provide a single location for statutory requirements governing property matters in the event of a breakdown of a domestic relationship. It also makes consequential amendments to other Victorian acts that currently recognise domestic relationships in order to make provision for registered relationships. The context of this is that the government announced that it would in 2007 establish a relationships register similar to the model in the Tasmanian Relationships Act 2003. These reforms are part of the vision that we set out in Growing Victoria Together to align with our goal of creating a fairer society that reduces disadvantage and respects diversity overall.

I was raised to understand that I should treat everyone that I met with the same level of respect, no matter what their background, gender or ethnicity. A number of speakers have invoked various religious views to justify their opposition to this bill. The Catholic education I received both through my family and through formal education, which was strongly committed to social justice, has informed my commitment to equal opportunity for all. I fully understand that elements of the church I was raised in do not support this bill, but I believe that opposition is misguided. Some members in this chamber have used opposition from elements within their electorates as a reason for opposing this bill. I firmly believe that as a member of Parliament my job is not only to represent my constituents but also to lead and encourage people and further the options open to them to recognise the wonderful diversity within our community.

As the representative of an outer suburban electorate and having grown up in regional Victoria, I have seen my fair share of discriminatory behaviour, but there is also a lot of warm and generous behaviour. We have seen, particularly in country Victoria, the welcome that refugees from difficult circumstances have been given in those communities. I think it is possible for gay young people to be welcomed in that way, but it is not always the case. However, I can say proudly that in my family it is the case.

I also believe sometimes people think that the outer suburban communities are not fully reflective of the diversity across our community. I was absolutely delighted in my first year as the member for Yan Yean in this place to attend the annual ball of the community of Laurimar, a new suburb in Doreen. The developer, Drapac, holds annual awards, and community members vote for the citizens who they value the most and who have made the biggest contribution to that Laurimar community. I was absolutely delighted at the 2003 annual ball that the winners that year were a gay male couple. I think that says a lot about how far our community has come.

Some opponents of this bill, both in this chamber and those who have sent emails to all members in this place, have stated that the bill will lead to the demise of the family as we know it. Drawing on my own experience with my own family, I can say that having a gay member has not led to the demise of our family; it has enriched it more than any of us would ever have known. My mother had a very conservative upbringing in some ways and a lack of exposure, but when she returned to study as a mature adult, a widowed mother of four children, the best friend she made while studying year 12 was a gay young man. That completely changed her views about gay young people and I think prepared her for the fact that she would have a much-loved grandson, Blake, my son, who would be an openly gay man.

I am really pleased that Blake is here in the gallery. I am very proud of him — of the man that he is, the man he has become. Our family has been incredibly welcoming to Andrew Inglis, Blake's wonderful and committed partner. It is obvious to all of us in our family that there is a great, sustained and caring relationship between the two of them, and there should be no law that means they are not treated the same way as me and my male partner should be treated. There is no reason if either of those two should become ill that they should not be afforded the respect of being able to be at each other's bedside or of having access to each other's superannuation.

This bill is about people, and I think that is something that is lost to some who oppose this. I would hope they open their eyes and do not continue to talk down the right of same-sex people to have access to what those of us in the heterosexual community take for granted. With those words — and I am sure members in this chamber understand that I could speak long about my pride in my son Blake and what he has meant to me and the significance for all gay people in this state of this bill — I firmly commend the bill to the house.

Mr BAILLIEU (Leader of the Opposition) — People join together in our society in many ways. We join together in marriage, in families, in households; we come together in partnerships and joint ventures; we gather in neighbourhoods, religions, corporations and clubs; and we do so in the spirit of optimism and, in the vast majority of cases, with goodwill. We do so with the intention of mutual benefit and without seeking to

harm others. History has looked to tradition, culture, values and common law to manage those relationships, and long may it be so. I would have to remark that humanity has done a pretty good job on its own over the years.

However, in modern society we also look to legislation to assist. Legislating on social issues will always be difficult. You do not always get it right, and there will always be different perspectives, but I have a strong view about bringing people together. It is easy to focus on the negatives or the loopholes in any situation like this, but I have an optimistic view of relationships. In that sense I have an optimistic view of this bill, and I will support it. That is my personal view, but I also believe it is a view shared by most in my electorate.

I recognise, acknowledge and respect that there are many people whose view goes counter to that; there are many who are concerned that this bill signals an erosion of traditional marriage. I can understand their concern to protect and nurture marriage as an institution. I share the view that marriage is an essential component of our society, our culture and our future. I share the desire to protect and promote marriage, but I do not share the argument in regard to this bill that marriage will be undermined. If I did, I would not support it. I respect the concern. I just do not share it.

For me, this bill is about respect. Others have described the issue in those terms as well. We are a nation and a state of different people. Indeed our diversity is at the heart of our collective identity — different people, different views, different lifestyles. Our future as individuals and as a community relies on us respecting that diversity. Inclusion is the product of open hearts and open minds, and exclusion will always have its limits.

As others have said, this bill establishes a relationships register. It defines the nature of those relationships to be registered and is largely non-judgmental about them. It provides the mechanisms for registration and deregistration, and it acknowledges property and other provisions that are thereafter applicable in other acts. In those aspects it is relatively unremarkable. The bill is not a federal law competing with the Marriage Act. It is not competing with the federal Family Law Act. It is not novel. It is not a threat. It is in some respects not even a surprise.

Over the seven months I was in the position of Leader of the Opposition before the last election I was asked many times about a range of social issues. I gave open, honest and, I hope, consistent answers. My views have not changed. In regard to the issues raised in this bill, I said at the time that I did not support the concept of gay marriage, but said I would support measures to assist people to manage their relationships both when they are together and when they are separating. To that extent, this bill neatly fits the criteria I set.

However, I was curious over the time that the previous Premier's views were less forthcoming. His views may have been different to mine, perhaps not. I would have respected them either way but it would perhaps have been interesting to know them. No doubt there will be other issues before this house in the future of a similar nature, and to the extent that I previously commented on such issues, there will be no surprises from me in that regard. Key, in my view, to protecting marriage is to ensure that the values that marriage engenders remain paramount.

Traditional marriage remains as a core unit of our society. In that regard, the Parliament should always — and I stress 'should always' — preserve to itself the opportunity and the capacity to legislate in particular areas in favour of marriage and the role and responsibility of raising and nurturing children. That should in no way diminish our capacity to assist others and other relationships.

There have been other examples, as I said. This bill is not novel. The 2003 Relationships Act in Tasmania is one that has been spoken about already. It had additional definitions of relationships, in particular caring relationships. I, for one, would have liked to see the caring component adopted in this bill, and I have taken note that that might be something that occurs in the future; but I think it is something from the Tasmanian bill that is worth pursuing.

I have also noted that the sky did not fall in in Tasmania when the bill passed although many there perhaps thought it would. Also the numbers who have chosen in Tasmania to take advantage of the relationships register would not be said to be huge. It has been of an assistance for those people who have taken advantage of it.

I have a friend, but I shall not name him only because I have not sought his permission to do so, who was virulently and very publicly opposed to the original Tasmanian bill. Since the bill has transpired, his personal circumstances have changed in a sad but inevitably positive way as well; he is now taking advantage of that relationships register and is a strong supporter of it. I think it is indicative that whilst the sky did not fall in, there are actually people who found a positive in the Tasmanian bill.

One of the privileges members of Parliament and particularly leaders have is to record best wishes for members of our community who have reached particular milestones. We, particularly party leaders, often find ourselves writing to those who have turned 90 or 95 or 100. I am still looking for my first 110 years old and in time we will get to a 120th birthday. I often find myself these days writing to those who are celebrating 40th, 50th or 60th wedding anniversaries, and just this week I found myself writing to a couple who are celebrating their 70th wedding anniversary. It is a remarkable achievement and I always note that such anniversaries are an expression of the power of love and family, and the strength of the bonds of marriage and faith in those relationships.

It will not, I believe, change. We will continue to write such correspondence but perhaps some time in the future MPs will be offering milestone mail to mark the considerable durability of a registered relationship regardless of the nature of that relationship.

The variety of views expressed in this state are reflected federally as well. There are changes in these areas which I believe would be better replicated at a national level so there is some consistency where we are facing some inconsistency across the states. I note the commonwealth has previously taken a different view to similar issues in the Australian Capital Territory. They did that by way of negating a proposed bill in the ACT. I trust that in the future we will find greater consistency on these issues.

I would not contend that this bill is perfect. There are undoubtedly some areas of concern that will unfold as the implementation progresses. I am sure there will be considerations of detail, interpretation, unintended consequences, matters of entitlements and indeed matters of taxation that will need clarification in time. In the spirit of goodwill I am satisfied those changes deemed necessary can be addressed in the future. That is the nature of this type of legislation.

Finally, if this bill does pass, traditional marriages will not disappear; they will not vanish or dissolve. They will continue. They will come and sadly sometimes go, as marriages do. They will, in my view, continue to flourish and lead, and they will do so because of the strong values marriage engenders. There is no replacement or substitute for marriage. I do not believe these changes seek to establish a substitute.

If this bill does not pass, the relationships it speaks of will not disappear either. They will not dissolve, they will continue. They will come and sadly sometimes they, too, will go as relationships do, and they will do so because that is the nature of our society. But they will do so with unnecessary difficulty and pain. If we can do something to overcome that difficulty we should, and accordingly I will support the bill.

Mr HUDSON (Bentleigh) — So much of the law that we pass in this Parliament is about the recognition of conflict and mediating it: conflict between citizens, between developers and residents, over scarce resources such as water, over road space, between parents and their children. This bill is a different bill: it is about the recognition not of conflict but of people who love each other and who are in committed domestic relationships.

I think that is something this Parliament should not be afraid of but instead should embrace. It is not something that I believe is in any way a threat to my marriage or to anyone else's marriage. I choose to be married, and I am happy to be married. I do not believe that by giving recognition to the relationships that other people choose, we will in any way undermine or compromise marriage or any other choices that people happen to make.

It is interesting to look at the genesis of this bill and to look at amendments made to the Equal Opportunity Act in 1995, amendments that were introduced, I might point out, by a conservative government. Those amendments introduced for the first time into our law the concept of 'lawful sexual activity', which provided a new ground of lawful discrimination under the Equal Opportunity Act. It is worth reflecting on that because we have to follow through the logical consequence of that decision by this Parliament to say that anyone who is in a same-sex relationship that is lawful, that is adult and that is consensual is not to be discriminated against. The Victorian Equal Opportunity Commission embarked on that course, because it recognised at that point that it needed to further examine the experience of people in same-sex relationships. That resulted in the former Victorian Equal Opportunity Commission *Same Sex Relationships and the Law* report in 1998. That report found that people in same-sex relationships often experienced differential treatment in a wide range of areas: property rights; rights upon the death of a partner, including funeral decisions, the maintenance of a surviving partner and accident compensation that might be due to a surviving partner; discrimination in relation to health-related rights, including the ability to make decisions for incapacitated partners and hospital visitation rights; and access to employment-related benefits. That is why in 2001 this government introduced legislation which amended 57 acts, which had an impact on 70 acts, and which removed discrimination on the basis of sexual orientation or gender identity from our legislation.

This bill takes us a step to where we say, 'Okay, if it is not against the law to be in a same-sex relationship, if you cannot be discriminated against because you are in a same-sex relationship, why should we make it more difficult for those people who are in a committed relationship to have those rights recognised at law?'. Why should we make it more difficult for them? It disturbs me that despite the fact that we say in this Parliament that all people are to be treated equally before the law, there is an undercurrent in this debate of, 'Yes, but we should make it more difficult for them; we should make it harder for them. We do not quite accept the notion that they might be in a same-sex relationship, even though it has no impact on us or anyone else. Therefore we have to make it a little bit harder for them. So we won't give those people any formal recognition of their relationship'.

This bill is a very simple proposition. It basically says that if you are in a committed domestic relationship and you want that relationship recognised, you can have it registered; and that if you have it registered, you will not have to go through the continuing indignity of proving that you are in fact in a committed relationship whenever you face a life-changing situation. It will mean that every time someone's partner ends up in critical care they will not have to prove that they are in a committed relationship, or that every time a committed and supportive person has a partner die they will not have to prove that they are entitled to compensation payments or that they should have a say in funeral arrangements. That is something this Parliament should embrace; that is something we should recognise. We should give those people the dignity and respect of recognising their relationships.

Some 281 000 people told the Australian Bureau of Statistics at the 2006 census that they were in a de facto-like relationship. Why should those people not be given the same treatment before the law which is fundamental to our charter of human rights and responsibilities, and fundamental to the way in which we want every citizen in the country to be treated? Yes, for the 1.8 million Victorians who are in marriages, by all means their relationships will continue — that is a choice they have made, it is a choice I have made, and I am happy in that choice — but let us also recognise these other relationships and extend the same rights to those people in those relationships. I commend the bill to the house.

Mr WELLER (Rodney) — I rise to speak on the Relationships Bill 2007. It is a bill that establishes a register for the registration of domestic relationships in Victoria, provides for relationship agreements, and provides for adjustment of property interests between domestic partners and the rights of domestic partners to maintenance. I will not be supporting the bill. I understand people's right to support the bill, so I expect people to respect my right to disagree with the bill.

I have been extensively lobbied by the many denominations and church groups in my electorate. They have made repeated requests to me not to support this bill. Only last Friday at the World Day of Prayer I was at an event in Echuca and all the denominations were there. Many of the ladies at the morning tea afterwards came up to me and made it quite clear that they felt there was a risk of this legislation undermining the institution of marriage. I support their view: it has the potential to undermine the institution of marriage.

We must defend the institution of marriage. It is what the societies of Australia and of many parts of the world have been built on, and it is their strength. As the Leader of The Nationals has mentioned and as the members for Swan Hill and Box Hill have mentioned, people ask about the institution of marriage when employing people. They often ask, 'Do they come from a stable background and from a good family upbringing?'. That must be defended; that is one of the values in life. There has been some talk in here about proof of marriage. Like the member for Swan Hill, when I have taken my wife to hospital I have never been asked for the proof.

Ms Lobato — That is because she is your wife.

Mr WELLER — I have never been asked for the proof that she is my wife. She could be just anyone. They say, 'That is because she is your wife', but the people at the hospital do not necessarily know that and they never ask for proof. To say that people will have to carry around their marriage certificates to prove that they are a wife or husband in a relationship is a bit of a furphy.

I, like the member for Box Hill, believe there was an oversight in the drafting of this bill. The bill undermines incest laws by not excluding parents, children or siblings registering as a couple relationship. When he sums up the Attorney-General may like to clarify that.

I will refer to some of the church groups. The Australian Christian Lobby and the Family Council of Victoria have expressed concern that the bill could undermine marriage and thus do not want the register to involve a ceremony. The ACL wants the register to include those in non-sexual relationships and is concerned that the bill will act as a Trojan Horse to encourage the reform of adoption laws. Saltshakers, a

Victorian-based Christian organisation, opposes any recognition of same-sex relationships. The Saltshakers campaign website states that the proposed relationships register would undermine marriage by establishing a 'lite' alternative.

We must realise the value of the institution of marriage. In my electorate there are unfortunately some broken homes. We have a youth drug and alcohol problem in Echuca, and from talking to the social workers and police it is often the result of broken homes. If we undermine the institution of marriage we could end up multiplying this problem. We have to be careful that there could be these consequences. That is why, after extensive lobbying from church groups in my electorate, I will not be supporting the bill.

Ms LOBATO (Gembrook) — I wish to contribute briefly to the debate on the Relationships Bill 2007, which establishes a relationships register for the registration of domestic relationships in Victoria. I am very pleased to speak in support of this bill.

Today I received a couple of calls from some people who presumed that I would not be supporting this bill. I assure the house that whenever a bill that supports human rights comes before the house, I will be here and I will support it. Just because in the past I have chosen not to support bills such as the one that provided for somatic cell nuclear transfer, which would lead to human cloning, and because I do not support genetic modification, which the majority of the state does not support, does not mean that I will not support human rights.

This bill follows on from various steps taken by this government in 2001 to reduce the discrimination faced by many people in terms of recognition of a couple's domestic relationship. The relationships register will allow Victorian couples in domestic relationships to register their relationships with the registrar of births, deaths and marriages. This registration will then provide the proof required by people within committed relationships at various times, particularly when seeking medical treatment.

The Relationships Bill is a matter of fairness in allowing decisions that people have made about their lives and circumstances to be recognised as valid in the eyes of the law through the establishment of a relationships register. It gives due recognition and, importantly, dignity to the choices made by citizens to determine their own circumstances in terms of their significant relationships. It upholds the values of the Charter of Human Rights and Responsibilities and extends those rights, for the first time, to couples in same-sex relationships.

In providing for fairness without discrimination the bill is not only upholding the charter of human rights as a matter of principle but is allowing those principles to be enacted in tangible and practical ways. This practicality will have a massive impact on service delivery by the state in terms of health, education and legal services.

I appreciate that some sectors of the community have expressed concern that such a register gives legal recognition to relationships that may not be approved of or recognised by, for example, some church organisations. Those views are valid and can be expressed in a free society such as ours. However, the existence of these views does not mean that others must be compelled to share them or abide by them. Concerns about the moral underpinnings of this bill must be viewed simultaneously with the perspective that fair and just treatment of our citizens must take priority and that the free will of individuals has to be respected.

Many organisations, including many churches, have been strong advocates for social justice and have argued that upholding the rights of individual freedom, as far as it does not impinge on the rights of other citizens, is paramount. This bill is an example of extending justice that already exists for many citizens to those who are currently missing out. In my view it is no less than a vital matter of social justice that redresses a serious gap in our legislation.

Without this law situations are arising in our hospital wards every day that place those involved in untenable situations. The member for Rodney talked about how his wife has never been questioned as his legitimate partner but that is because she is his wife. If you are two people of the same sex, you cannot claim that one of them is your wife, unless you are a lesbian couple. It is a little bit more complicated than the member suggested. Surely there can be nothing more upsetting than being in a hospital with a partner in distress and having to argue your right to be present and to be involved in discussions about treatment options in front of the doctor.

Such situations place undue and unnecessary stress on all involved, including health professionals who have to undertake tricky negotiations at a time when their efforts would be best directed elsewhere. The existence of a relationships register will remove the guesswork from a range of situations and give certainty to situations that are currently sorted out in an ad hoc manner.

It is important to note that the relationships register is for all couples, irrespective of gender. The example I cited of the dilemmas that occur in our hospitals could easily be equally applied to heterosexual couples. There are many couples who are not married but consider themselves to be in committed and loving relationships and who would welcome the prospect of being allowed to be formally recognised as such in the eyes of the law. The relationships register will allow couples to gain legal recognition of their relationships without having formal marriage ceremonies.

This bill is a practical one in that it will solve many everyday dilemmas that arise, whether to do with health, property or finances. It also marks a huge step forward for human rights in this state and fulfils an important commitment made by the Labor Party to adopt the recommendations of the Victorian Equal Opportunity and Human Rights Commission. I therefore commend the bill to the house.

Mr O'BRIEN (Malvern) — In 1980 the Hamer Liberal government introduced and passed the Crimes (Sexual Offences) Act, which decriminalised homosexual activity between consenting adults. It was principled, progressive legislation. It recognised the right of individuals to make choices about their private lives and to do so without government interference.

It respected the right to privacy of gay and lesbian members, indeed all members, of our community in a very personal area of conduct. It acknowledged that the Parliament had no legitimate interest in seeking to criminalise the private behaviour of consenting adults in these circumstances. It is interesting to note that where the Hamer government's reforms arose from a view that the state should essentially step back from attempting to regulate the private relationships of gay and lesbian members of the community, Labor's bill seeks to have the state again step in to regulate those relationships, albeit on an opt-in basis.

There are a number of measures contained in this bill that I wholeheartedly support, which has made it particularly difficult to come to the conclusion, as I have, that I am unable to support the bill as a whole.

The ability of all of our citizens to live their personal lives in quiet enjoyment, free from arbitrary interference by government, is a principle that I trust all members support. I certainly do. The ability of individuals to determine the distribution of their personal property to those close to them upon their passing must be respected. So too should the right of adults to enter into binding agreements with a domestic partner to deal with financial and property matters between them.

When it comes to the capacity of an individual to nominate a person to make potentially life-and-death decisions for them should the individual become incapacitated, the Parliament should make it easier, not harder, for the wishes of an individual to be honoured.

These principles that I have referred to should be blind as to whether the individuals concerned are male or female or the relationships to which they apply are different sex or same sex in nature. Had the Attorney-General brought in a bill that simply reflected and respected these principles, I would have taken delight in supporting it. It is unfortunate therefore that the Attorney-General chose not to do that. Instead the Attorney-General has elected to bring to this chamber a bill which seeks to introduce what appears to essentially be a facsimile of marriage under the rubric of a relationships register.

Of course no state has the legislative power to deal with marriage. This is a power reserved for the federal Parliament under the Australian constitution. Faced with this constitutional obstacle, the Attorney-General was determined to bring in a bill which delivers marriage lite. It is this aspect of the bill which I am unable to support. Nothing could demonstrate more clearly that the relationships register proposed in this bill is intended to operate as a form of marriage than clause 5 of the bill that defines what is to be a 'registrable relationship'. Clause 5 defines, in part, a registrable relationship to mean:

> … a relationship (other than a registered relationship) between two adult persons who are not married to each other but are a couple …

If this bill is not intended to establish a Victorian facsimile of marriage, why are relationships excluded from registration where either person is married? The real reason that marriage acts to disqualify the registration of a relationship under this bill is because, notwithstanding his sophistry, the Attorney-General intends registration of a relationship to be practically equivalent to marriage so far as is possible under Victorian law.

I respect the views of my parliamentary colleagues on both sides of this house who do not share my concerns about the intention and the practical effect of this bill. I wish I shared their confidence and their optimism, but after examining the bill I am afraid I do not. It is disappointing that in taking what I see as essentially an unnecessary step in this bill the government has turned its back on the support within this Parliament and the

community generally that would otherwise be available for the sensible measures contained in this bill.

Mr BROOKS (Bundoora) — It is a pleasure to rise in support of this bill. Essentially it will enable the creation of a relationships register for domestic relationships in Victoria, to provide for relationship agreements and to provide for the adjustment of property interests between domestic partners and the rights of those partners to maintenance. It also makes a number of consequential amendments.

The bill does not discriminate in favour of any group. It allows people to register their relationship regardless of gender, race or sexual orientation. The relationships we form between each other as human beings are central to the society we live in. A mechanism that supports all relationships, subject to clauses 6 and 7 of the bill, can only strengthen our community.

I have received representations from people who are genuinely concerned about the bill. I respect their views and appreciate their concerns. However, I disagree with the argument that the bill will in some way undermine the institution of marriage. Marriage will continue to have a special place in our society. It will continue to be an institution that is committed to by many people. At the same time the bill allows for all people to register a legitimate relationship, and I commend the bill to the house.

Ms WOOLDRIDGE (Doncaster) — I am very pleased to speak on the Relationships Bill 2007, and I will make a short contribution to the debate on it. This is quite a complex bill, but fundamentally when it comes down to it the bill covers two areas: firstly, the right of any two individuals to register a domestic relationship; and secondly, the extension of rights for those in domestic relationships. It extends property and maintenance rights as well as allowing for relationship agreements.

This bill has caused a lot of debate both in here and across the community, and there have been many different sides to the argument. I have listened very carefully and talked to a number of people through this process in deciding my contribution to this debate tonight. There is a strong a vocal group that says they believe the passing of the bill will inevitably lead to gay marriage, and that it will devalue the institution of marriage itself. Others have spoken to me about their long-term committed same-sex relationships and their genuine desire for them to be recognised formally. Many have talked of the persistent discrimination that they have faced all their lives, and how important this bill is to them.

Having thought it through, I will be supporting the bill as I genuinely believe it is wrong to discriminate against people on the basis of their sexuality. This bill does not legalise gay marriage; if it did, I would not be supporting it, but I respect and support an individual's right to publicly register their relationship and enjoy the rights proposed in this bill. On that basis I will be giving the bill my support.

Ms BEATTIE (Yuroke) — Like the previous speaker, I rise to support the bill, and like the previous speaker I will take just a few short minutes, because I believe that what I need to say can be said in a very short time. Basically this bill is about the registration of domestic relationships and the registration of caring relationships as well — the notion of care. The legislation is good legislation.

I have listened to previous speakers, and I have listened to their concerns regarding the Christian aspect of the bill. I see nothing in the bill that is not compatible with Christianity. The underlying concerns in the bill are about respect and equality. They are about compassion, freedom and dignity, and I find nothing in the bill which is incompatible with Christianity. We can stand here and talk about our own preference and our own relationships, and indeed about the relationships of people we know, but I find nothing incompatible with any of the values that I have been brought up to respect. I find nothing incompatible with those values, and therefore I will be supporting the bill.

Mr DELAHUNTY (Lowan) — I rise to speak on the Relationships Bill with a great deal of anxiety following deliberations about the sensitivity of what is a difficult debate. I am a person who tries to understand all sides of every issue, but I have come down to the position that I will be opposing this legislation.

As we know, the purposes of the bill are to allow persons to register relationships as a couple and to enter relationship agreements, to provide for maintenance orders and to extend property adjustment provisions. The main provisions of the bill are that two persons who are in a registrable relationship may apply to the registrar of births, deaths and marriages for that relationship to be registered, provided they live in Victoria, are not married to each other or to anyone else, and are not in another registered or registrable relationship.

The bill states that a relationship will be registered with the registrar of births, deaths and marriages, and that is my first concern. It is already being linked with marriage. Obviously the people concerned have not just been born, and obviously they have not died; otherwise

they would not be going through this process; but this process is already being linked to marriage. The word 'couple' is not defined in the bill, which concerns me.

Many of us have been lobbied and have consulted widely on the bill, which was introduced in December last year. Like all members, I have received many emails and have spoken to many people. I want to highlight some of the groups that have contacted me. They include the Victorian Gay and Lesbian Rights Lobby that support the legislation — obviously! — but want a ceremony option, and that is my next concern. Civil Union Action supports the bill but wants a ceremony option and same-sex adoption provisions in it. I am disappointed that the Uniting Church and the Anglican Church did not respond. The Catholic Church opposes the bill, and the Australian Family Association also opposes the legislation.

In his contribution earlier today the member for Prahran said there were no new rights in the legislation. If there are no new rights, I wonder what we are debating here tonight because I think new rights are being created. I have to say that men and women in same-sex relationships must be accepted with the respect, compassion and sensitivity they deserve. As with all people, they should not be subject to discrimination. In fact there are laws that protect them and many other people in other ways of life. I am a strong supporter of marriage. The commonwealth's 1961 Marriage Act says that marriage is the union between a male and a female. That is why I will vote against the bill.

Marriage is the basis of families, and families are the basis of society. Children are our future, and a strong family structure gives them the best chance in life. A lot of us know that marriage is not easy. It is not easy getting to it, but it is important to realise that is not all beer and skittles afterwards, and I think that makes us strong people. The family and children keep us together.

I have received many letters about the bill. I have one here that says the organisation opposes the bill, because:

> There is no institution more central to the wellbeing of the community and individuals in the community than marriage and the family

and I agree strongly with that. It continues:

> It is the role of the state to support and not compromise those institutions that are central to the wellbeing of the community

Further on, it states:

> The bill compromises marriage by establishing a legally recognised relationship which imitates marriage but does not have the conditions necessary to be achieved to bring about or terminate a marriage.

The Attorney-General says the bill does not include an exchange of vows, the use of celebrants or a formal ceremony. It does not create a new legal relationship. Non-marital sexual activity is not a criterion of the operation of this proposed relationships register, but I think that will be the next step after this. Following on from the departure of the former Premier, I believe we will see more of this social engineering coming before Parliament. I am sure the next step will be to go down the track of having a full use of celebrants and formal ceremonies. We already have people asking for them. The people who are strongly supporting this are looking for ceremonies to be included. That will be the next step.

Mr Lupton interjected.

Mr DELAHUNTY — The member for Prahran is interjecting. It will be interesting to hear what he will say in two years time when the next formal step of this process comes into place. But the reality is — and he was the one who said the bill does not create new rights — that it does create a new legal relationship. It is a relationship which is marriage-like, and that is one of the concerns I have. For these and a lot of other reasons which I do not have the time to go into, because I know many other members want to speak on this bill, I indicate that this is going down a track which I feel very uncomfortable about. I have consulted with lots of people, and that is why I will be opposing this legislation.

Mr NOONAN (Williamstown) — It gives me great pleasure to rise tonight to make a brief contribution in support of the Relationships Bill. Many members have already spoken about the mechanics of this bill, so I want to limit my comments to what I see are its merits. It has become clear in a lot of the contributions in this place and in the community that the major criticism about this bill is that it will in some way weaken the institution of marriage in our society. I have some problems with that approach.

I only need to go back to the weekend papers, where I could not help but notice that there was an article about two women who had formed what we are terming a same-sex relationship or a couple and had clearly been in a loving relationship for over 10 years. Additionally this relationship had produced a child, with the assistance of a sperm donor. The story resonated with

me because my wife and I recently celebrated our 10th wedding anniversary and have been extremely fortunate to have two wonderful children of our own. So in drawing a comparison between my relationship and their relationship, the only thing I could see that in fact differed in terms of the relationship itself was that ours has a formal recognition and theirs does not. On that basis I am certainly supporting the bill, because I think it will give other same-sex couples, such as the couple I have just referred to, an opportunity to seek some legal recognition for their relationship.

The bill proposes that a relationships register be created. The registration will formally recognise a couple's legal status as domestic partners and symbolise that their relationship is respected in Victoria. This will do away with the present situation where same-sex couples can easily find themselves in the uncomfortable situation of having to prove their relationship to a sceptical or inconsiderate official. I want to compliment the Minister for Housing, who made a stirring contribution earlier tonight, and who cited a genuine example of a case involving a same-sex couple and their visit to a hospital. I commend him for his contribution.

Unfortunately there are clearly circumstances of discrimination in our community arising from the issue of same-sex couples. In the 1990s the Victorian Equal Opportunity Commission established a group to have a look at the issue. The group found that non-recognition of same-sex relationships was a significant cause of indirect discrimination, particularly in terms of property rights, rights upon the death of a partner and access to employment benefits. Further, the group found that people in same-sex relationships often experience differential treatment in social, legal and economic circumstances. There is absolutely no place for this type of discrimination in our society. Same-sex couples, and indeed gay people, should have every right to live their lives without that sort of nonsense going on. The time has come for us to do what is right and show some respect and dignity for same-sex couples in our community. Having said that I did note that organisations such as Civil Union Action! and the Victorian Gay and Lesbian Rights Lobby do not regard this bill as going far enough.

I also note that last year both the City of Melbourne and the City of Yarra established a relationships register for same-sex or mixed-sex couples. Apparently both schemes were introduced as a means of promoting social inclusion and equality in the local community. I commend those councils at Melbourne and Yarra for their leadership and for demonstrating some courage on an issue that clearly would be quite divisive in their own communities.

In closing my brief contribution, I want to point out that if this bill is passed Victoria will become only the second state in Australia, after Tasmania, to have some form of relationships recognition scheme, and I certainly would not be surprised if other states followed its lead. This bill is certainly long overdue, and I look forward to its speedy passage through both houses of Parliament.

Mr NORTHE (Morwell) — It gives me great pleasure to make a contribution to the debate on the Relationships Bill 2007. I am sure all members of this chamber have received extensive correspondence from a wide range of groups and organisations on this particular topic expressing a wide range of views. I also have received extensive correspondence on the bill from various organisations, including the Melbourne Catholic Lawyers Association, the Festival of Light, the Australian Family Association, the Victorian Gay and Lesbian Rights Lobby, Civil Union Action!, the Law Institute of Victoria, various church groups, including both the Catholic Church and the Australian Christian Lobby. They have all expressed different views and opinions on this particular piece of legislation and whether it goes far enough or it goes too far.

I certainly want to commend the coalition for giving members on this side of the house the opportunity to have a free vote on this, because this is an important piece of legislation and some members on this side of the house have differing views on it. The fact remains that probably all members in this chamber have friends who may be in same-sex relationships or know of a person or persons in such a relationship. Again, even people in same-sex relationships that I know have differing views on this piece of legislation. Some people have a view that the legislation does not go far enough; others have a view that they are comfortable and content with the legislation that is currently before us. So there are differing views across the board.

I guess I too have personal reservations about the bill and have some opinions on it. On the one hand I respect the opinions of some of those people in same-sex relationships who may have a view on this particular legislation; and on the other hand, as a proud family man and father, I have a view on this bill as well. I guess one of my concerns is where do we draw the line. That is what I have been debating in my own mind over a period of time when I have been reviewing this legislation. I must say one thing: I do respect the views of all members in this house and also those community groups and organisations that have expressed their

opinions, and it is important that we take those on board.

The main purpose of the bill is to establish a relationships register in Victoria for the registration of domestic relationships. It also goes further to provide for relationship agreements — that has been mentioned by other members in the debate — and to provide for the adjustment of property interests between domestic partners and the rights of domestic partners to maintenance. That latter element of the bill does give me some cause for concern. The bill also goes to repeal a part of the Property Law Act 1958 and makes some consequential amendments to that act.

As I mentioned, I have some personal misgiving about the bill. As members of Parliament when we are drawing up legislation and forming an opinion of it, I think a bill such as this does need a member's total support to have the confidence in moving forward. I am not sure that at this point I can give that full commitment to this bill. The particular elements of the bill that concern me are the child maintenance part and the prospect that the establishment of the relationships register could indeed actually diminish or undermine the sanctity of marriage. We have had opinions formed on both sides of the chamber in relation to that.

The Leader of The Nationals put it quite accurately and in a way that reflects the concern. We have to not only look at the legislation but the future impact of the legislation that is before us today. Again, where do we draw the line? This is one step into the future. Will the next step mean ensuring that same-sex relationships can actually have marriage convenience as part of that? That is something I am having trouble dealing with myself.

The federal Marriage Act 1961 states that marriage is:

> … union of a man and woman to the exclusion of all others voluntarily entered into for life.

Without going into too much detail, some of the bill deals with the application period of 28 days. It gives those who register their relationship up to 90 days to withdraw. I am not sure if that presents a very good picture of a relationship for life. I have some misgivings about that.

It was mentioned earlier during other members' contributions that there is no doubt marriage has issues; it is hard work. It is no doubt we have marriage breakdowns. There are social issues surrounding marriage breakdowns such as drug and alcohol issues, violence and so forth. The family associations strongly recommend that parents, a mother and a father, are the best forms of ensuring that children are raised in the right environment.

I would like to close with a question that has been in my head for a while. Seventeen years ago — I had better get this right for *Hansard* or my wife could belt me if I get it wrong! — my wife and I registered ourselves with the registrar of relationships. What is the difference between registering a partnership or relationship, and a marriage? I do not see a lot of difference. I am concerned about that. We have to make a decision about that. There are stark similarities between being registered and being married. I have misgivings, therefore, about this bill.

Ms THOMSON (Footscray) — I rise with some pride to support this legislation. I believe this legislation builds on the Equal Opportunity Act 1995 and on the Statute Law Amendment (Relationship) Act 2001, which I proudly participated in the debate on when it was before the other house. At this stage I would like to commend the work of the Attorney-General, the Minister for Housing who was the Parliamentary Secretary to the Department of Justice at that time and who did a fair bit of work on the legislation, and the many members of the house who have worked quite hard behind the scenes on legislation such as this and the original relationships legislation.

I would also like to commend the people in the Department of Justice who worked pretty hard to try to get the balance right with this legislation. It is important to acknowledge the work that that department has done.

I want to talk about what the legislation does. The Leader of the Opposition said this legislation, whether it is passed or not passed, will not change the relationships which are out there. That is true as these relationships already exist. There are same-sex couples who have been together for 20 years or longer — which is longer than a lot of marriages last. De facto couples are people who live together but have not undertaken a ceremony of marriage or filled out a certificate; those couples have also outlasted many marriages.

They are strong relationships; they are relationships which are based on care and loving. They are very much something we should respect. The notion that someone could give that kind of commitment in whatever form they see fit is what is important rather than whether the commitment is actually a marriage. If marriage is real and is something we should value, then this bill does not frighten that. This bill does not change, as someone put it, the sanctity of marriage.

All this bill does is give due respect to those who choose to enter into some other form of relationship. The bill enables people, with some dignity, to be able to accept that they will be treated equally when they front staff in a hospital ward, when they are confronting issues about how they may separate or when they are able to easily access superannuation which, by law, they are able to access. Those things are all that this bill does; it makes it easier. It gives dignity to people's relationships. They do not have to be humiliated.

I think of a person who might be in a relationship for a very long period of time and who has already gone through quite a bit of indignity when trying to confront bureaucracies about recognising the relationship they are in; until 2001 they could not do that. These people have a right to dignity.

A decision might have to be made about a person who is lying in a hospital bed and whether their life-support system should be turned off; that person may not have had any contact with their family for many years but they may have a life partner. Who should be able to make that choice for them? Should the matter go to the courts for a decision to be made? No!. The person who is registered on the register should be able to make that decision and should be able to make it easily and with dignity. It would be a traumatic enough time for the partner of the dying person without their having to prove their relationship.

I commend this legislation to the house. The bill shows what a tolerant society we are. It shows the major strength of Victoria — that is, we accept that people have loving relationships that are not set in a marriage certificate; we have relationships that are binding, caring, loving and lasting; and we recognise the right of people to be treated with dignity and to have their relationships recognised.

Dr SYKES (Benalla) — I join the debate on the Relationships Bill 2007. I declare that I am yet to decide about how I will vote on this piece of legislation. Therefore I am interested in listening to the debate. I have found some points of view to be challenging, passionate and logical.

I have to express my disappointment about party politicisation adopted by two previous speakers, in particular the member for Prahran and, to a lesser extent, the member for Albert Park. The member for Prahran suggested that because our side of politics had given individual members the right and the privilege to have a free vote, that that was a sign of weakness and a lack of cohesion of the Liberal-National coalition. I say to the member for Prahran, who is sitting at the table with his back to me, that that is a very poor performance for a person who seeks to espouse the values of democracy. I say that this side of Parliament, having given individual members the opportunity and the right to express their personal views and the views that they see as representing their electorate, represents true democracy. We do not have to follow the party line like the kowtowing wimps opposite have to follow the party line that is decreed to them by the dictatorial and arrogant Premier of this state.

Coming back to the bill — just in case you felt that I was straying fractionally, Acting Speaker — and the issues it raises, I certainly recognise the vast diversity of values and cultures that we have in our society, and I recognise that those values are represented with greater diversity to a large extent in our Melbourne and city-based electorates. We do have some diversity in country Victoria, and certainly the member for Shepparton has considerable diversity and values in her electorate, but I am one of the people who, prior to coming to this Parliament, had the opportunity to work both nationally and internationally and therefore have had the opportunity to experience other cultures and other values, and therefore I am the first to recognise that there is more than one way of looking at the world.

That said, I also recognise traditional Christian values. As previous speakers, including the Leader of The Nationals and the member for Morwell, have indicated, marriage is the basis of a Christian society.

Honourable members interjecting.

Dr SYKES — It is really wonderful when we have such an important piece of legislation being debated that the members on the other side are engaged in idle chatter and are showing complete disrespect for this legislation, which they see as being such a landmark piece of legislation. I say to the chattering gerbils on the other side, 'Shame on you!'.

That said, I will move back to traditional Christian values. Marriage is the basis of our society; upon marriage builds family, and upon family builds community, and we are all aware that it is a community and a family that are required to raise a child. I should say that I do have friends — very good friends — who have a preference for people of the same sex, and I have very good friends who are in same-sex relationships. They are genuine people, and they are people who are involved in caring, loving relationships. But that said, I also have a concern that this piece of legislation is part of a process of what we call incremental gain.

Whilst it is argued legitimately that we recognise a range of relationships within our culture here in Australia and that we recognise that there are many other forms of relationship around the world, whether it be people of the same sex or whether it be people having more than one partner, the fact is that that is the way it is, and I recognise that as a person who speaks on behalf of the electorate that I represent. But I also have an underlying concern, based on the values that I was brought up with, that if we move to accepting this legislation, then the next step will be the approval of same-sex couple adoptions.

I would have to say that I am still of the view — traditional values they may be — that a loving husband and a loving wife underpin a stable family relationship and provide to our young children a way to go forward and a guiding light. I certainly see in my electorate children who come from families where they are not provided with both a female role model and in particular a male role model, and those children seem to have difficulty in being a contributing member of our society and a well-balanced member of our society. I see that as being a concern if we move to having same-sex couples adopting children.

I then have a problem in relation to the enabling of same-sex couples — female couples — to go through in-vitro fertilisation programs. Those who know my technical background will understand that I have some technical basis for making that comment, and I would have to say that I just cannot accept that as the direction we should go in as a society. I believe if we are leaders of our society — and I believe we are elected to this Parliament to be leaders and not followers — we have to have the courage to stand up and guide people. We have to say, 'These are the boundaries and these are the guidelines. We recognise the diversity of opinion, but on balance this is the way to go'. My opinion, from where I am coming, is that the family — the wife and the husband, the male role model and the female role model — is what is going to provide the best children and the best young people to continue to take our fantastic country forward. As I think we have already heard, Victoria is a wonderful place and a great place — I think it is even the best place — to live, work and raise a family, but if we are going to deliver on that, then I suggest to those opposite, on the basis of a basic Christian background, that we should continue to support heterosexual couples who provide the best balance for our young people.

Ms Lobato interjected.

Dr SYKES — What did the member for Gembrook say?

The ACTING SPEAKER (Mr Eren) — Order!

Dr SYKES — Back to you, Acting Speaker. I have had correspondence from various people expressing their views on this issue. I will set it out simply: people from beyond my electorate have often argued and requested that I vote in favour of this legislation, but the people from within my electorate of Benalla, which is a very solid country Victorian electorate but also an electorate with an influx of people who have come from Melbourne over the last decade or so to enjoy the value of country living — and I should say that the value of country living is about getting back to the basics, it is about being connected to country, it is about family values, it is about pitching in and helping each other when things get tough and it is about community, and interestingly those people share the values that I share — have said to me unanimously, and that means 100 per cent, 'We do not agree with this legislation'. Those people in the electorate of Benalla who have made the effort to contact me, to speak to me and to communicate with me have said, 'Member for Benalla, please reject this legislation, because it does not match up with our values'.

As I say, I am listening to the debate and I am listening to the arguments. I recognise the diversity of opinion. I congratulate the speakers on having presented their diverse opinions, and I will continue to listen. I am critical of a couple of members who have chosen to try and make this a party-political divisive issue when in fact it is an individual issue, and I commend the Liberal-National party leadership for providing myself and others with the opportunity to express our personal opinion rather than being party hacks and having to follow the party line like those opposite, because there is no other way when you are a member of a Brumby government.

Ms D'AMBROSIO (Mill Park) — I am very keen to add a few simple words in support of this bill. It comes down to respect, dignity and human rights, which sit very well in today's culture. The bill also sits very well in the framework that this government has implemented through very important legal instruments, including the Charter of Human Rights and Responsibilities, and it certainly is a continuation of the terrific work that has been undertaken by our Attorney-General. Let us unpack some of the debate and some of the points that have been made tonight in terms of whether this bill relates to marriage or whether it is a step towards marriage. We have to look at any society at a given point in time to see what the dominant culture is.

Once upon a time marriage was simply a necessary conduit to economic security. You have only to read Jane Austen's books, which tell you that marriage on country estates in England was an absolute necessity. Let us be clear about what we are talking about here. It was about economic security. It was about rights and responsibilities within a union and a legally recognised contract for a relationship. Let us be clear about that. Perhaps marriage is somewhat different today in this culture. Let us be fair about what rights and responsibilities there are and what economic benefits result from unions of people of the same sex, and let us give them the recognition and respect which they are due and which is given to everyone else. I could go on for a long time, but I will not because a lot of other people want to add a couple of words. I support the bill wholeheartedly.

Mr INGRAM (Gippsland East) — I rise to speak on the Relationships Bill 2007. From the start I indicate that I oppose the legislation before the house. As members know, this legislation has come about through a number of years of lobbying by members and follows a number of amendments to legislation in relation to same-sex relationships.

The issue is always a vexed one within our community. It is an issue that is difficult to speak about without being called homophobic or prejudiced. That is disappointing because that is not what it is about. This legislation undermines the institution of marriage in our community. I have spoken before in this Parliament about previous changes to the law in relation to the recognition of same-sex relationships. In my view we would be better off making changes to how wills are considered in our society. I have made that comment on a number occasions. Many of the things contained in this bill would be better done through a serious change to the legal recognition of wills in our society. Unfortunately in today's society wills are not given the legal weight they should be given and too often are challenged by anyone with a vague relationship to the individual who has made the will. Matters in relation to superannuation and decisions made by individuals when in hospital could be dealt with more formally through the legal recognition of a will. Unfortunately the Attorney-General made the claim that I was discriminating against same-sex relationships. In my view that is totally inconsistent with what I was saying. Basically what I was saying is that we would be better off strengthening the legal standing of wills.

As most members of this place would know, there has been a large amount of correspondence opposing this change. In my view it would be much better to retain the proper and lawful recognition of marriage and identify discrimination against individuals, particularly those individuals in same-sex relationships. We would be better off identifying those specific issues where there is discrimination rather than changing the way society sees those relationships. With those views, I will oppose the bill, and hopefully this Parliament will have a full debate on this issue.

Ms RICHARDSON (Northcote) — I am very pleased to rise in support of the Relationships Bill and make a very brief contribution in respect of it. The bill will provide for domestic relationships to be registered with the registrar of births, deaths and marriages. In the very brief time that I have left to me, let me just say that this bill will not end society as we know it and it will not end the institution of marriage as we know it. I therefore commend the bill to the house.

Mr HULLS (Attorney-General) — In summing up I thank all members for their contributions to debate on this bill. This really is a great day. I am proud to be in the house to fulfil a number of key Labor promises with this bill. Certainly on this side of the house we believe passionately that it will assist in the creation of a much fairer and more compassionate society — one that will reduce disadvantage and respect diversity. Indeed we believe a civil society is one in which there is equal dignity among all persons without discrimination. We believe this bill is a necessary piece of legislation.

The issue of carers has been raised. I confirm that I have instructed my department to develop legislation that will allow for the registration of caring relationships as part of the second stage of these reforms, which hopefully will be introduced by the end of this year. The current bill has a default commencement date of December 2008. This will allow time to work through the complexity of issues surrounding the registration of caring relationships. The chief executive officer of Carers Victoria has indicated her support for the register generally and for this staged approach in relation to carers.

I conclude by saying that this bill certainly epitomises the Labor value of a fair go for all. Indeed it will assist in creating a society which has at its heart an appreciation of diversity and a culture of inclusion. I am very proud to be associated with this bill. It is an essential reform. It is reform that is long overdue, and I thank all members for their contributions to this legislation.

House divided on motion:

Ayes, 54

Allan, Ms	Langdon, Mr (*Teller*)

Andrews, Mr	Languiller, Mr
Asher, Ms	Lim, Mr
Baillieu, Mr	Lobato, Ms
Barker, Ms	Lupton, Mr
Batchelor, Mr	McIntosh, Mr
Beattie, Ms	Maddigan, Mrs
Brooks, Mr	Marshall, Ms
Brumby, Mr	Morand, Ms
Cameron, Mr	Morris, Mr
Campbell, Ms	Munt, Ms
Crutchfield, Mr	Neville, Ms
D'Ambrosio, Ms	Noonan, Mr
Duncan, Ms	Overington, Ms
Eren, Mr	Pallas, Mr
Foley, Mr	Perera, Mr
Green, Ms	Pike, Ms
Haermeyer, Mr	Richardson, Ms (*Teller*)
Hardman, Mr	Robinson, Mr
Harkness, Dr	Scott, Mr
Helper, Mr	Seitz, Mr
Herbert, Mr	Stensholt, Mr
Holding, Mr	Thomson, Ms
Howard, Mr	Trezise, Mr
Hudson, Mr	Victoria, Mrs
Hulls, Mr	Wooldridge, Ms
Kosky, Ms	Wynne, Mr

Noes, 24

Blackwood, Mr	O'Brien, Mr
Burgess, Mr	Powell, Mrs
Clark, Mr	Ryan, Mr
Crisp, Mr	Smith, Mr K.
Delahunty, Mr (*Teller)*	Smith, Mr R.
Dixon, Mr	Sykes, Dr
Hodgett, Mr	Thompson, Mr
Ingram, Mr	Tilley, Mr
Kotsiras, Mr (*Teller)*	Wakeling, Mr
Mulder, Mr	Walsh, Mr
Napthine, Dr	Weller, Mr
Northe, Mr	Wells, Mr

Motion agreed to.

Read second time; by leave, proceeded to third reading.

Third reading

Motion agreed to.

Read third time.

Remaining business postponed on motion of Mr BATCHELOR (Minister for Community Development).

ADJOURNMENT

The SPEAKER — The question is:

That the house do now adjourn.

Police: Bass Coast electorate

Mr K. SMITH (Bass) — Tonight I rise because of the great concern within my Bass Coast electorate community to address a matter to the Minister for Police and Emergency Services. I ask the minister to provide extra police in Bass Coast — that is, to the Inverloch, Wonthaggi, San Remo and Cowes communities that are sick and tired of the pathetic excuses this government and force command give in response to the genuine concerns raised in the community.

The minister keeps saying that the Brumby government has put on 1400 new police. I have to ask: where are they? They are not in the Bass Coast, which is the fastest-growing municipality outside metropolitan Melbourne, with a large number of sea-change people living there permanently. Our elderly population is concerned for the apparent lawlessness in the community, particularly in Inverloch and Cowes, with groups of youths wandering the streets at night causing damage and mayhem.

I have with me just a small sample of the letters of complaint, which will give the minister an idea of some of the concerns of the people. This letter is signed by 10 different people, and says:

> From time to time groups of young people, sometimes girls and boys, sometimes just boys, usually between 11.00 p.m. and 1.00 a.m. … make their way up Venus Street and smash letterboxes and break fences as they proceed towards Toorak Road. We have reported these incidents to the police, who, while polite and sympathetic, advise us each time that they are unable to take action as they could not reach the area in time to observe the incidents.

Another letter says:

> My parents who are in their early seventies live in the township of Inverloch. Over the past two years or so they have repeatedly been the victims of petty vandalism. It is almost a weekly occurrence. They and their neighbours frequently wake on a Sunday morning only to find their letterboxes knocked over and rubbish strewn in their driveways. These incidents only increase over the summer period.

Another constituent who has lived in Inverloch for the past two years has had seven acts of vandalism perpetrated on his property. He has rung the Inverloch police station on five of those occasions but often he has to call the Wonthaggi police station to get officers to come instead. On the night of Saturday, 8 December 2007, he had his garden destroyed and his mailbox ripped up, broken and thrown 200 metres away. Those responsible also offended him by urinating on his front door. When he rang the police they said they had to

come from Wonthaggi and they would not be able to get there in time. This is not good enough.

I actually received a letter from Acting Assistant Commissioner Emmett Dunne, who wrote to me regarding my ongoing concern and advised me that the Bass Coast police service area has a staffing strength of 96 full-time positions, including two additional positions allocated to Cowes in December 2007. However, he does not mention the police members who are away on secondments, maternity leave for 12 months at a time, long-term WorkCover which is long-term, annual leave, sick leave, long-term absences, RDOs and so on. This is not good enough. I am asking the minister to take some action — —

The DEPUTY SPEAKER — Order! The member's time has expired.

Western Health: waiting lists

Ms THOMSON (Footscray) — My matter is addressed to the Minister for Health. In January this year the Premier announced that the government would help slash elective surgery waiting lists and pledged $25.8 million as the state's contribution to the $60 million federal-state partnership agreement.

I ask the minister to act to allocate some of this funding to Western Health to treat patients who have been waiting longer than the time recommended by their doctors. I am aware that Western Health has received a 106 per cent increase in recurrent funding since 1999 and in this current budget Western Health also received nearly $25 million for hospital upgrades. The patients that use the services of Western Health are amongst some of the most disadvantaged anywhere in the state, and a provision of funds to help cut elective surgery waiting lists would greatly assist a heavily utilised hospital to meet the needs of its patients.

The joint initiative by the Rudd and Brumby governments is exactly what the people of the west want to see. They enjoy the fact that we are seeing a new cooperation between federal and state governments. Western Health, under the chair of Ralph Willis, is working hard to provide quality health care to the people of the west. I seek from the minister his support for the allocation of some of that $60 million funding to cut the elective surgery waiting lists at Western Hospital, to help the people of the west and to ensure that they have access to the quality health care that they deserve.

Goulburn Valley Community Health Service: tax ruling

Mrs POWELL (Shepparton) — I would like to raise a matter with the Minister for Health about the impact on community health centres (CHCs) in Victoria as a consequence of the Australian Taxation Office's decision that as of 31 March this year community health centres in Victoria will not be entitled to endorsement as tax concession charities or deductible gift recipient endorsements as public benevolent institutions (PBIs) or health promotion charities.

The action I seek is for the minister to urgently seek a permanent solution to protect the status quo for Victorian community health centres and their employees — and I understand about 37 CHCs will be involved. A number of options can be looked at by the minister, such as asking the commonwealth government to agree to stay the effect of the decision by the Australian Taxation Office for about 12 months. This is due to the potential fringe benefits tax liabilities if the ATO's decision is not overturned. Another option is to amend the Victorian Health Services Act 1988 to remove the CHCs from the register of registered funded agencies, or the state government can reimburse the CHCs for funding that they will lose because of the ATO decision.

The DEPUTY SPEAKER — Order! Stop the clock. I am sorry to interrupt the member for Shepparton, but the member for Footscray should not take photographs in the chamber. I ask her to remove that camera immediately, otherwise it will become the property of the Speaker.

Mrs POWELL — I had an email from Jacque Phillips, the chief executive officer of the Goulburn Valley Community Health Service, explaining the devastating impacts on that organisation if a solution is not found. Those impacts will be that employees will lose their salary packaging status, which is about $7000 gross per annum; it will be difficult to recruit and retain staff in an already competitive market due to the labour and skills shortage around the state; clients and staff will suffer due to the lack of appropriate professional staff; there will be a loss of public benevolent institution status, which will diminish donations and sponsorship; and the loss of PBI status would jeopardise many programs and the ability to apply for government funding.

The Goulburn Valley Community Health Service provides a variety of valuable programs and services to the community's most vulnerable people. The services

include bulk-billing; drug and alcohol treatment services; supported accommodation for women and children; counselling, including a culturally and linguistically diverse counselling advocacy; parent education; financial counselling; gamblers help; family violence assistance; and mental health programs. These are all issues that are vitally important to my community.

If this organisation is not able to continue or has some diminishment in continuing, the effect will be absolutely detrimental to the Shepparton area. These are vital organisations for our communities, we must ensure their viability, and I ask the minister to act urgently.

Victorian Cytology Service: equipment

Ms D'AMBROSIO (Mill Park) — I wish to raise with the Minister for Health an important issue which concerns women in my electorate and in fact all Victorian women — that is, the issue of cervical screening. I ask the minister to take action to continue to support the Victorian Cytology Service by providing it with the appropriate equipment it needs to maintain its status as a centre of excellence in cervical screening.

As we know, cervical cancer affects a large number of women in Victoria. However, we are doing well in the fight. The Australian Institute of Health and Welfare 2007 report on cervical screening programs showed that in the period 2000–03, alongside South Australia, Victoria had the lowest incidence of cervical cancer, at 7.6 new cases per 100 000 women aged between 20 and 69 years.

Most women who develop cervical cancer have either never had a Pap test or have not had them regularly. Pap tests every two years can save lives. As members may be aware, the Victorian Cytology Service is the only publicly funded cytology lab in Australia. The VCS performs about 300 000 Pap screens a year, which amounts to half of those undertaken in Victoria each year.

The VCS also provides a number of other tests, such as liquid-based cytology, histology, human papilloma virus and Chlamydia testing. The early detection of cervical cancer is the key to improving treatment and to patient outcomes. The VCS works closely with PapScreen Victoria, which promotes screening services and encourages women to be tested. Once a woman has had her smear test, it is often the VCS which will screen the smear for any irregularities.

The Victorian Cytology Service runs an exceptional screening program for Victorian women. As such, I would ask that the minister take action to continue to provide the Victorian Cytology Service with the important equipment it needs to continue leading the nation in this important area of women's health. This is an area that our state can be truly proud of as having the only publicly funded — —

The DEPUTY SPEAKER — Order! In accordance with previous rulings it is not in order for the action to seek to continue to do something. If the member asked for the minister to fund appropriately, then the action would be acceptable.

Ms D'AMBROSIO — Deputy Speaker, I did right at the outset ask the minister to take action to continue to support the Victorian Cytology Service by providing it with the appropriate equipment it needs, and so on. So I believe I have fulfilled the requirements of the adjournment debate. I will finish there.

Lake Colac: management plan

Mr MULDER (Polwarth) — The matter I wish to raise is for the Minister for the Environment and Climate Change in the other place and concerns the current plight of Lake Colac. I ask the minister to immediately direct Parks Victoria to consult with the Shire of Colac Otway and other key stakeholders with the view of putting together a plan for work required to prepare the lake for future inflows. I also ask the minister to make provision for funding the implementation of such a plan.

All members would understand that the ongoing drought conditions have greatly accelerated the lake drying out; however, human interference by way of mud, silt and inappropriate sewage flows until recent years have caused major problems with build-up on the lake bed. There needs to be the appointment of one agency within the departments to oversee and coordinate the clean-up work, given the unique opportunity, and undertake appropriate works to clean the lake bed to ensure that when the lake fills again, many of the current problems will not reoccur. That agency should be Parks Victoria.

Despite the best efforts of the Shire of Colac Otway, which some time ago formed a lake advisory committee to bring various stakeholders and management bodies together and which has provided resources and leadership, it continues to hit a brick wall in progressing any substantial rehabilitation work.

It appears to be the view of the minister's department that they would be happy to see the lake eventually become another wetland rather than come up with a constructive plan which would provide the opportunity for Lake Colac to be returned to the community in a better condition than it had been previously.

With its environs including camping grounds, sailing clubs and children's playgrounds, the importance of Lake Colac to the town cannot be underestimated. Lake Wendouree in Ballarat and Lake Eildon are both synonymous with the towns in which they are located. Colac without a lake is an unimaginable scenario — a scenario that is avoidable with the willingness of the minister to direct Parks Victoria to stop prevaricating and buck-passing, and to get on with the job.

Nobody is suggesting that there is one simple solution or that any work to be undertaken would be cheap. However, at this point in time there is not even a plan on the table, much less any decisions made as to how to go about any rehabilitation. Clearly the government had no problem in facilitating the dredging of Port Phillip Bay; despite some initial delays, the project appears to be progressing as expected.

Lake Colac is a much smaller proposition and, unlike the Port Phillip Bay project, clearing the mud and silt from the lake would be a popular move with almost everyone — with no protests or legal action in sight. I can see the front page of the *Colac Herald* now, with a lovely photo of the minister, hero of the day, accepting the plaudits of a grateful community which had had its beautiful lake restored by a caring government! Members may well remember the old saying: where there's a will, there's a way. To save Lake Colac, we need Parks Victoria to find the way.

Health: chronic disease management

Mr PERERA (Cranbourne) — I wish to raise a matter with the Minister for Health which concerns residents in my electorate and indeed all Victorians — that is, the burden of chronic disease in our community. I ask the minister to take action to support people in my local community by investing in programs to prevent and appropriately manage chronic disease.

Chronic diseases such as diabetes, heart disease, and chronic obstructive pulmonary disease account for more than 80 per cent of the burden of disease and injury in Australia and for direct costs of nearly $34 billion or 70 per cent of allocated health expenditure — that is, notionally $7 out of every $10 spent in health services is on chronic disease. It is projected that the prevalence of chronic disease will increase by 42 per cent over the next 15 years.

As members would be aware, the Premier has identified tackling cancer and the epidemic of preventable chronic diseases, such as diabetes, as one of his seven action areas. I am also aware that the minister has been very active in this space. Locally I know that the early intervention in chronic disease teams at the Cardinia-Casey Community Health Service, funded by this government, have been a success in helping people stay healthy at home and reduce their risk of a hospital stay. This initiative has assisted people throughout the Shire of Cardinia and the City of Casey with chronic conditions such as diabetes and cardiovascular, respiratory and mental health issues. It has also helped older people with complex needs who may end up in hospital if their conditions are not expertly managed.

I am very pleased with the investment that the Brumby government has made in managing chronic disease in my electorate. Therefore I ask that the minister take action to continue to fund important programs and services in my local community to address chronic disease.

Water: north–south pipeline

Mrs FYFFE (Evelyn) — My request for action is to the Minister for Water. I have received a letter from the Yarra Valley Winegrowers Association expressing concerns about the route of the proposed north–south pipeline. The Yarra Valley Winegrowers Association represents 87 wineries and vineyards and associated businesses. It is concerned about the effect the proposed route will have on the industry, and not just on the crops and businesses but also the many other tourist businesses that rely on the wineries to bring the tourists in.

The pipeline corridor options document indicates that the pipeline will be on the boundaries of a large number of vineyards along the Melba Highway, Gulf Road, Steels Creek Road and Yarraview Road in Yarra Glen and Dixons Creek. When the construction envelope is taken into consideration there will be considerable movement of vehicles, heavy equipment and personnel on vineyard land. The area of greatest concern is in the western section of the pipeline which will run into or potentially through the declared Maroondah phylloxera infection zone, in which all vehicle movements are subject to protocols. These are very strict protocols and require strict policing to be effective. But even with this there is a high risk of the movement of phylloxera throughout the Yarra Valley region. The action I require from the minister is for him to ensure that all

vehicles, heavy equipment and personnel working on the pipeline are subject to the phylloxera protocols prepared by the Yarra Valley Winegrowers Association.

The association has also asked me to urge the minister to ensure that controls are in place for dust suppressant measures to be taken as the large amounts of dust produced during what will be a lengthy construction period have the potential to impact on vine growth and fruit quality. The Yarra Valley winegrowers would prefer that the pipeline not actually happen but they are being quite realistic about this. They are very concerned about the effect this will have on their businesses and the trickle down to the businesses which they support, including the accommodation, hospitality, restaurant, cafe and service industries.

Macedon electorate: infrastructure funding

Ms DUNCAN (Macedon) — I raise a matter for the attention of the Minister for Regional and Rural Development. I ask the minister to support a number of projects in the Macedon electorate under the Regional Infrastructure Development Fund (RIDF). A number of constituents have spoken to me recently about their support for this fund, and I ask the minister to give assurances that this fund will continue to support vital infrastructure in the Macedon electorate and across regional Victoria.

Members may recall that when the Bracks government came to office in 1999 regional Victoria had suffered greatly. Who could forget a former Premier's reference to regional Victoria as the toenails of Victoria? We had seen schools and hospitals closed, including the Gisborne bush nursing hospital. Railway lines across the state, particularly the Bendigo line which runs through the seat of Macedon, were in such disrepair that communities feared they would be closed, as other regional rail lines had been. This was a vital piece of infrastructure and there was great concern that it was in such disrepair. The first act of the Bracks government was the introduction of the Regional Infrastructure Development Fund Act. This was the first time we had had legislation to establish a dedicated infrastructure fund for regional Victoria.

This fund has been hugely successful. In my electorate the people of Lancefield, for example, who received $195 000 for the Lancefield Park Recreation Reserve, want this support to continue. The people of Gisborne worked with this government in partnership to deliver over half a million dollars to upgrade the Gisborne heritage park and extensions to the Gisborne industrial estate. One of the most significant investments in our community under the RIDF has been the rollout of natural gas. We are very fortunate to have had seven towns connected to gas. They are the towns of Gisborne, Riddells Creek, Woodend, Lancefield, New Gisborne, Romsey and Macedon. This was a long sought-after project. The community had wanted natural gas for many years and it was $70 million from the RIDF that saw this project delivered to those towns in the Macedon Ranges.

Many people in my electorate know that the establishment of this fund was opposed by The Nationals, and that there have been attempts to undermine this fund through statements around the true nature of the government's spending of this fund. I ask the minister to fund our projects in the Macedon electorate and the many other projects that this fund supports right around regional Victoria so that we can continue to make sure that Victoria is the best place to live, work and raise a family wherever you live in the state, whether it is in the seat of Macedon or right across regional Victoria.

West Gippsland Healthcare Group: master plan

Mr BLACKWOOD (Narracan) — I wish to raise a matter for the attention of the Minister for Health. The action I ask him to take is to provide funding for the West Gippsland Healthcare Group to upgrade its master plan. The West Gippsland Healthcare Group is really struggling to cope with the increasing demand for its services. The emergency department currently has a cubicle capacity of eight, and if you apply the Department of Human Services benchmark of 1300 patients per cubicle, the visitation rates for 2006–07 indicate that 11 cubicles were required. By 2018, 18 cubicles will be necessary to cope with demand.

Demand is currently growing at 4.4 per cent, compared with 2.7 per cent as an average across all public hospitals in Victoria. The West Gippsland hospital has 79 beds at present. Based on the forecast increases in separations and bed days there will be a requirement for 100 beds by 2018, and 106 beds by 2021. The demand for chemotherapy and haematology services will grow from 882 separations in 2006 to 1925 separations by 2018. In renal dialysis there will be a need for six chairs by 2016; at present there are only three. In palliative care there are two beds currently available, and, based on the ratio of 6.7 beds per 100 000 persons, five beds will be needed by 2018. In 2006 the birthing unit was bursting at the seams with 680 babies born.

This year it is almost certain that there will be over 800 babies delivered at West Gippsland hospital. This is an indication of the high-quality care provided at West Gippsland hospital, which, added to population growth, is placing enormous pressure on the facility. The West Gippsland Healthcare Group is a victim of its own success as more people from outside the immediate area choose to seek the high-quality care and professional support available at the West Gippsland hospital. At present over 10 per cent of presentations come from outside the normal catchment area of the Baw Baw shire.

The master plan review is critical in terms of identifying the ability of the current facility to cope with the increasing demand, largely due to population growth. It is obvious that the stress being experienced by the emergency department in particular must be addressed as soon as possible. The master plan review process will provide the opportunity to examine all aspects of service delivery on the current site. I call on the minister to take action immediately and ensure that funding for a review of the master plan for the West Gippsland Healthcare Group is provided for in the 2008–09 budget.

Vermont South Club: synthetic playing surface

Ms MARSHALL (Forest Hill) — I wish to raise a matter for the attention of the Minister for Sport, Recreation and Youth Affairs. The action I seek is for the minister to help fund the conversion of two tennis courts at the Vermont South Club into an eight-rink synthetic bowling green. The conversion will cost $1.2 million, and is being heavily backed by the Whitehorse City Council, which has been paramount in organising the project. The Vermont South Club seeks $40 000 from the state government to make the conversion, which is necessary as the lawn bowls component of the club has grown in recent times whilst the popularity of tennis has waned.

I have listened to the concerns of Vermont South Club board member Gary Simmons and Whitehorse council project officer Carol O'Shea. They tell me there are currently dozens of members who cannot play competition bowls because of insufficient bowling rinks. This conversion would not only alleviate that but would allow for the further growth in the club's projects. The Vermont South club has an important part to play in the local community. It has almost 500 members and provides tennis, lawn bowls, indoor bowling and darts activities for members. People come from the Vermont area, Forest Hill, Nunawading, Glen Waverley and even East Burwood to get active and involved at the club.

The conversion to increase the lawn bowling capacity is also important for community relations. Lawn bowls is a game that attracts senior citizens, and anything that gets our seniors active and outdoors, especially in a good social setting, is a positive. In more recent times lawn bowls has also seen relative youngsters come out of the woodwork and take up the sport. Again, it is great in terms of both physical activity and social interaction.

Finally, the fact that the club wants to lay a synthetic surface is a positive move. It means all-year play, it saves water and it would be easier to maintain. It means a better playing surface even if our levels of rain continue to decline. It is this kind of thinking and planning that deserves to be rewarded with state government funding, and I call upon the minister to support this really important community project.

Responses

Mr CAMERON (Minister for Police and Emergency Services) — The member for Bass raised matters relating to policing in his local police service area. Certainly I know he has had an interest in police because he was one of their biggest supporters when he was a member of a government that slashed police numbers by 800 across the state! That is something Labor rejects, and that is why we have had to go about rebuilding the police force by putting on an additional 1400 police.

The policy of our government is that the allocation of resources is done by police command. I congratulate the Chief Commissioner of Police and all police across the state who since 2000–01 have reduced crime by 23.5 per cent. I understand that while police do the allocation of resources, in the Bass Coast police service area the number of police has increased by 20 per cent since we came to government, and importantly the crime rate has reduced by over 30 per cent. Of course what occurs in the PSA is that local police management determines how resources should best be used to tackle crime. Given that reduction of over 30 per cent, I certainly congratulate the local police. Indeed crime is unacceptable — —

Mr K. Smith interjected.

The DEPUTY SPEAKER — Order! The member for Bass has raised his matter.

Mr CAMERON — Crime is unacceptable, and that is why it was very good to see, as part of the enterprise bargaining agreement (EBA) process last September,

that the police union and the chief commissioner were able to agree on a reduction — —

Mr K. Smith interjected.

The DEPUTY SPEAKER — Order! I will not ask the member for Bass to cease interjecting again.

Mr CAMERON — They were able to agree on a reduction of 10 per cent in crime over the next four years, and they will work together to achieve that. Of course part of that is about creating more flexibility, which police voted for in the EBA, so there can be police on the streets at times when it is necessary for them to be there. I congratulate the union and the chief commissioner on being able to arrive at that EBA, and again congratulate police in the Bass Coast area and across the state on the fantastic work they do.

Mr ANDREWS (Minister for Health) — In the first instance I am very pleased to respond to the member for Footscray, who raised an important issue in relation to support for Western Health. As the member for Footscray, who is a very passionate advocate on behalf of families in her local community, knows only too well, since we came to government in 1999 we have increased recurrent funding to Western Health by 106 per cent. But as I often say, and as we need to acknowledge, we can and must do more. As a government we are committed to continuing to support Western Health. As the member for Footscray noted, some of the most disadvantaged Victorians live in that part of Melbourne, and it is important that we provide Western Health with the record funding it needs to keep treating more patients, providing better care and meeting some of those highly localised health challenges that are important to their future and to the future of that region.

I have a number of matters to respond to, so I will be brief. The member for Footscray can be confident that as a government we will ensure that for patients in her local community, particularly those who have waited longer than the clinically appropriate time, there will be increased activity through elective surgery capacity and activity across Western Health. With the allocations I will make soon as a result of the record spending on behalf of both the commonwealth and the Brumby governments, she can rest assured that patients in her local community will have appropriate access to that activity, that, again as part of our record spend, there will be 9400 additional episodes of elective surgery for long-wait patients — those who have waited longer than their clinically appropriate time — and that people in her community who are in that category will get access to the care they need through that increased activity.

We have been blunt and frank about the fact that we will not be in a situation by the end of the year where every long-wait patient will have had their surgery, but we are committed to doing more, and that will only be possible through a record partnership with the commonwealth government. I hope that comes as pleasant and important news to the member for Footscray.

I might get out of order here, Deputy Speaker, but I know the member for Shepparton raised a matter for me in relation to the decision of the Australian Taxation Office (ATO) in a ruling issued not last Friday but the Friday before in relation to public benevolent institution tax concession charities, deductible gift recipients and the status of health promotions charities — in other words, the charitable taxation status of 38 or 39 independent or stand-alone community health services. There is one community health service which because of its corporatisation or structure may not be affected.

I am well aware of these issues. I met last week, with the Victorian Healthcare Association and a number of leaders from the stand-alone community health sector. I have made representations to the commonwealth Assistant Treasurer, Chris Bowen, who has line management responsibility for the Australian Taxation Office, and I await a conversation with him. Indeed I may well meet with him in the next few days to request that he impress upon the ATO that giving stand-alone community health only a matter of weeks to implement the decision is, in my judgement, unfair. I will seek a stay — as the member for Shepparton called it; but we will not get stuck on the actual language — and more time for community health services to deal with those matters. However, in the interim I still reserve the right to mount a case to the commonwealth government that it should look at options such as not following through, not fully implementing or not implementing at all — there is a range of options — the decision of the Australian Taxation Office, or at least look closely at these matters and perhaps provide some certainty for those going forward.

I note that I am well versed in the good work that happens at the Goulburn Valley Community Health Service, having visited there a number of times when I was a parliamentary secretary. I do not think I have had a chance to go back there since I was appointed as the Minister for Health, but I did go there — I think — as both Minister for Community Services and Minister for Gaming. It is a fine community health service, and it

does a great job. It was a proud day when we brought bulk-billing back to the Goulburn Valley through the general practitioners and the community health program we supported a couple of years ago. We will always look for ways to continue to support that stand-alone community health service and community health in a broader way as we go forward. I hope that gives the member for Shepparton some comfort.

The member for Mill Park raised an important matter in relation to the Victorian Cytology Service. This is a great story, and we can be proud of the work that is done at the service. It is the only publicly funded cytology service in Australia. It performs about 300 000 Pap tests a year. It is at the centre of important testing, diagnostic work and screening but also of important research that in every way is saving women's lives. We can all be very proud of that. As a government we have proudly supported the Victorian Cytology Service. I was there just last week and had an opportunity to meet with members of the board, including the chief executive officer, Dr Marion Saville, and I was briefed on the work it had been doing in recent times. It is a service that provides excellent care and does excellent work on behalf of Victorian women, and all Victorians can be very proud of the high quality of work that is done at the Victorian Cytology Service.

While I was at the service, which is located on the soon-to-be old Royal Women's Hospital site, I was very pleased to see at first hand the benefit of a public health capital equipment grant that the government made last year in the form of a $150 000 piece of equipment. It is a rapid capture system, and it was great to see it working at first hand, making sure there is greater throughput through the service and also helping cut down the error rate.

The accuracy of the tests is very important. The cytology service does a great job, assisted by our government. I am very pleased to inform the member for Mill Park, who is a great advocate on behalf of women's health and health issues in a broader sense, that I have just approved a grant for one new multi-headed microscope and six new microscopes, at the total value of $240 000. The cytology service will be informed of that shortly. That equipment will be able to be ordered.

That is a further demonstration of our commitment to supporting the cytology service in the really critically important leadership work it does. It is a great story, and we are pleased to continue to support it in its important work. After all, it is helping to save the lives of countless women across our community.

The member for Narracan raised with me a matter in relation to the West Gippsland Healthcare Group. I am aware of the pressures and some of challenges that that healthcare group faces. I was down there only a couple of weeks ago, making an announcement as part of our government's most recent $36.4 million medical equipment grants.

If memory serves me correctly, I was announcing a $112 000 grant for some additional cardiac monitors for the emergency department, and when announcing those additional resources, which were gratefully received by the health service, I took the opportunity to be briefed by the board and the chief executive officer on some of the challenges they face on their master planning work to date. I understand they have recently purchased a large piece of land out in the Drouin area, and again they are to be commended for planning for the future; a fair bit of master plan work has already gone on.

Given that the matter was raised on the day when I was there and again it has been raised by the member for Narracan, I am happy to seek advice from my department on the adequacy of the allocations that have been made currently. I think, again if my memory serves me correctly, we have increased funding there by 82 or 83 per cent since we came to government, but we can always do more, and we are always looking for opportunities to continue to support rural and regional communities, knowing and understanding that health services are at the heart of the viability of communities like the one the member for Narracan represents in this place.

I think, finally, the member for Cranbourne raised the important matter — and one that is close to my heart from my work as a parliamentary secretary — of chronic disease and doing all that we can to support those in our community who are either sufferers or at high risk of suffering from chronic disease.

I well remember visiting with the member for Cranbourne a number of different services that, if they are not in his electorate are ones that certainly support vulnerable Victorians living in his local area, possibly the Casey-Cardinia early-intervention-in-chronic-disease team. An allocation of about $370 000 was made by our government to that team. It is one of 18 early-intervention-in-chronic-disease teams funded by our government.

It is a great story about team-based, multidisciplinary care, giving chronic disease sufferers at a very early stage — very soon after they have been diagnosed and often with more than one chronic disease — the tools, the care and the ongoing support so that they can

control their illness rather than a situation where the illness controls them. This is important work. Supporting those at a high risk of suffering chronic disease is in many respects the health challenge of our time.

The member for Cranbourne would well know our government's record of investing in his local community, and he can rest assured that we will continue that effort as we go forward to support those in his local area who either have chronic disease or diseases or who are at high risk. It is just one important part of our government's record investment, particularly in that Casey growth corridor. I hope that gives some comfort to the member for Cranbourne that we will continue our record investment in that vein. I think that concludes all matters raised for my attention.

Ms ALLAN (Minister for Regional and Rural Development) — I am very pleased to respond to the member for Macedon's request that we support Regional Infrastructure Development Fund projects across Victoria, but of course particularly in the electorate of Macedon.

I want to take a moment of the house's time to outline the actual figures for amounts that have been allocated to the Regional Infrastructure Development Fund. Members will remember that it was the very first piece of legislation that this government introduced into the house. Of course The Nationals initially opposed that legislation. They labelled it a sham and a farce, but it has gone on.

Over $585 million has been committed to the fund between 2000 and 2010. Of this, we have already announced over $383 million to fund 158 projects in every single local government area in regional Victoria, bringing the total of the investment in infrastructure that is leveraged as a result of the Regional Infrastructure Development Fund to over $1 billion.

I wanted to take a moment to put those figures very clearly to the house, because it has been brought to my attention that again The Nationals are running around regional Victoria trying to run down and attack this fund. It has been an incredibly successful fund. The government has worked in partnership with local communities on it. We have seen the delivery of a number of important local, regional and statewide projects, like the rollout of natural gas.

Sadly again, in a desperate attempt to cover up their embarrassment at jumping so quickly back into a coalition with the Liberal Party, the Leader of The Nationals, the deputy deputy leader of the coalition, is trying to once again mislead country Victoria on what has been spent and allocated through the Regional Infrastructure Development Fund. It really did not take long for the pressure to come to bear on the Leader of The Nationals for his shameful decision to sell out his constituents, to sell out the people he is supposed to represent and to join the party that stands for nothing. He is trying to cover up his embarrassment at this sham of a relationship.

Mr Kotsiras — Deputy Speaker, I draw your attention to the state of the house.

Quorum formed.

Ms ALLAN — I was outlining to the house the accuracy of what the government has allocated through the Regional Infrastructure Development Fund, the number of projects that have been supported across regional Victoria and how the Leader of The Nationals is attempting to misrepresent them.

That was a shameful attack on the Regional Infrastructure Development Fund, particularly as it was a claim that was first made 14 months ago, it was a claim that was referred to the Auditor-General and it was a claim about which the Auditor-General decided there was nothing to investigate. The Auditor-General decided not to pursue the matter further.

This issue is really before the house now. This government works with communities; it supports the Regional Infrastructure Development Fund and its investment in schools, hospitals, and roads and rail. All we have on the opposite side of the house is a very sensitive lot who are clearly embarrassed by this sham of a relationship they have entered into and who are prepared to compromise for the greater good. It is not me saying that; it is what the Leader of The Nationals said — that he was prepared to compromise for the greater good. Now, under pressure from country Victorians for The Nationals members to stand up for what they believe in, in a deliberate attempt to distract people from what is going on between the Liberals and The Nationals they are going around trying to mislead country Victorians about what has been an incredibly successful fund.

I inform the member for Macedon and all members on this side of the house that we will continue delivering on our Regional Infrastructure Development Fund. We will continue with a fund that is reinvesting in and rebuilding rural and regional Victoria. This is a record we are proud of. This is a record that stands in contrast to that of members opposite who supported the closure of schools, hospitals and country rail lines and who are

now embarrassed about this new relationship; they are trying to mislead country Victorians in a desperate attempt to distract them from their sell-out. A party that stands for nothing has now been joined by a party that has sold out its own constituents.

The member for Polwarth raised a matter for the Minister for Environment and Climate Change in the other place, the member for Evelyn raised a matter for the Minister for Water and the member for Forest Hill raised a matter for the Minister for Sport, Recreation and Youth Affairs. Those matters will be referred to those ministers for their attention and action.

The DEPUTY SPEAKER — Order! The house is now adjourned.

House adjourned 10.45 p.m.