

PROOF

PARLIAMENT OF VICTORIA

LEGISLATIVE ASSEMBLY

DAILY HANSARD

Thursday, 25 October 2012

**SUGGESTED CORRECTIONS FOR THE FINAL EDITION MUST BE NOTIFIED TO THE EDITOR (ASSEMBLY) BY
12 NOON — MONDAY, 29 OCTOBER 2012**

Internet: www.parliament.vic.gov.au/downloadhansard

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Electoral Matters Committee — (*Assembly*): Ms Ryall and Mrs Victoria. (*Council*): Mr Finn, Mr Somyurek and Mr Tarlamis.

Environment and Natural Resources Committee — (*Assembly*): Mr Bull, Ms Duncan, Mr Pandazopoulos and Ms Wreford. (*Council*): Mr Koch.

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Parliamentary Services — Secretary: Mr P. Lochert

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Halfpenny, Ms Bronwyn	Thomastown	ALP	Thompson, Mr Murray Hamilton Ross	Sandringham	LP
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Kanis, Ms Jennifer ⁴	Melbourne	ALP	Wooldridge, Ms Mary Louise Newling	Doncaster	LP
Katos, Mr Andrew	South Barwon	LP	Wreford, Ms Lorraine Joan	Mordialloc	LP
Knight, Ms Sharon Patricia	Ballarat West	ALP	Wynne, Mr Richard William	Richmond	ALP
Kotsiras, Mr Nicholas	Bulleen	LP			
Languiller, Mr Telmo Ramon	Derrimut	ALP			

¹ Resigned 21 December 2010

² Elected 24 March 2012

³ Resigned 27 January 2012

⁴ Elected 21 July 2012

⁵ Elected 19 February 2011

⁶ Resigned 7 May 2012

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09:30:00

Thursday, 25 October 2012

The SPEAKER (Hon. Ken Smith) took the chair at 9.36 a.m. and read the prayer.

Mr Andrews — On a point of order, Speaker, yesterday an incident involving the member for Frankston occurred. A tape of that incident exists. That tape has been viewed by you and the Deputy Leader of the Opposition, and I respectfully put it to you that that tape cannot remain secret any longer and that it ought to be released so that not simply you, as the Speaker, and the deputy leader, having made a request, get to view it. All Victorians are entitled to view that tape.

09:35:00

The SPEAKER — Order! Yesterday afternoon some members of the accredited parliamentary press gallery requested a DVD copy of footage from the morning's formal business proceedings in the house. Regrettably, this was not a request I was able to agree to. Parliament provides access to proceedings to the press gallery in a few ways. There are live video and audio feeds of proceedings available to the gallery whenever the house is sitting. In addition accredited media organisations are able to bring their own cameras into the gallery, which is generally done on a pool basis.

Parliament does not have the facilities to provide DVDs of elements of the proceedings that accredited media organisations miss. It would create an unreasonable demand for the resources available to the Parliament, particularly when accredited media organisations have ready access to the proceedings through the methods I have mentioned. In regard to the issue, I am now considering showing that footage to the media.

COMMISSION FOR CHILDREN AND YOUNG PEOPLE BILL 2012

Introduction and first reading

Ms WOOLDRIDGE (Minister for Community Services) — I move:

That I have leave to bring in a bill for an act to establish the Commission for Children and Young People and for other purposes.

Ms GREEN (Yan Yean) — I would like a brief explanation of the bill.

Ms WOOLDRIDGE (Minister for Community Services) — This bill will fulfil a coalition government election commitment in establishing a Commission for Children and Young People, something there has been advocacy for for many years but the previous

government refused to do. This will establish greater independence for the role of the commissioner, mean a significant expansion to the coverage of oversight for vulnerable children and expand the investigative powers of the commissioner.

Motion agreed to.

Read first time.

BUSINESS OF THE HOUSE

09:40:00

Notices of motion: removal

The SPEAKER — Order! Notices of motion 4 to 13 will be removed from the notice paper unless members wishing their notice to remain advise the Clerk in writing before 2.00 p.m. today.

PETITIONS

Following petitions presented to house:

Rural City of Benalla: financial management

To the Legislative Assembly of Victoria:

The petition of ratepayers of the Rural City of Benalla draws attention to the house of the continuing financial commitments being entered into by our council and being allegedly contrary to the Local Government Act of 1989, which requires councils, councillors and administration to have an overriding responsibility to operate and administer its facilities in a responsible and financially prudent manner for the benefit of its ratepayers. The forthcoming financial budget approved by the council of this municipality has an income from rates and charges of \$13.4 million and a budgeted expenditure believed to be \$23.5 million, therefore leaving a deficit of \$10.1 million to be met by you, the Parliament of Victoria and the commonwealth of Australia and others.

The latest being the compulsory acquisition of the Australia Post office building in Bridge Street, Benalla, it is understood to be part of a project to cost unknown dollars, partially to be funded by you, the state of Victoria and part by the commonwealth of Australia, the balance by whom?

The petitioners therefore request that the Legislative Assembly of Victoria carry out a financial audit with the view to appoint an administrator to determine the true financial position of the municipality and return responsible and prudent decision making.

By Dr SYKES (Benalla) (704 signatures).

Puppy farms: regulation

To the Legislative Assembly of Victoria:

The petition of the residents of Victoria brings to the attention of the house the hidden industry behind the pet shop window. Puppy factories farm puppies and sell them to pet shops and trade them online. The dogs are often kept in cramped, filthy conditions for their entire lives and their behavioural needs

are never met. The dogs not only suffer physically but are psychologically traumatised due to confinement and constant breeding, when they are no longer able to breed they are killed and replaced.

The petitioners therefore request that the Legislative Assembly of Victoria support Oscar's Law and abolish puppy factories and ban the sale of factory-farmed companion animals from pet shops and online.

By Mr DELAHUNTY (Lowan) (100 signatures).

Tabled.

DOCUMENTS

Tabled by Clerk:

Ombudsman — *Whistleblowers Protection Act 2001*: Investigation into allegations concerning rail safety in the Melbourne Underground Rail Loop — Ordered to be printed

Places Victoria — Report 2011–12

Special Investigations Monitor, Office of — Report 2011–12 under s 126 of the *Police Integrity Act 2008*, s 105L of the *Whistleblowers Protection Act 2001* and s 61 of the *Major Crime (Investigative Powers) Act 2004*

Statutory Rules under the following Acts:

Building Act 1993 — SR 113

Melbourne City Link Act 1995 — SR 114

Subordinate Legislation Act 1994 — Documents under s 15 in relation to Statutory Rules 113, 114

Surveillance Devices Act 1999 — Report 2011–12 under s 30L

Victorian Civil and Administrative Tribunal — Report 2011–12

Victorian Environmental Assessment Council Act 2001 — Request and statement under s 16.

BUSINESS OF THE HOUSE

Standing and sessional orders

Mr McINTOSH (Minister for Corrections) — By leave, I move:

That the resolution of the house of 10 October 2012 suspending standing orders for the apology for past adoption practices be amended so as to allow the sitting of the house to be suspended until 2.30 p.m. after the question on the apology has been resolved.

Motion agreed to.

Adjournment

Mr McINTOSH (Minister for Corrections) — I move:

That the house, as its rising, adjourns until Tuesday, 13 Nov 2012.

Motion agreed to.

MEMBERS STATEMENTS

Walter Grant

Mr MULDER (Minister for Public Transport) — I wish to pay tribute today to a member of the Lorne community, Walter 'Wally' Grant, who passed away on 20 October, aged 91 years, and to express condolences to Marjorie, his wife of 67 years, and children Kaye and Roger. Wally was a well loved and respected figure in the Lorne community, having moved to Lorne when he was 14 years, and after his war service returning to Lorne where he lived with his wife until his recent passing. Wally enlisted in the navy in 1939 and served as an able seaman on HMAS *Australia*, the Australian flag ship, until his discharge at the end of the war in 1945.

During that time he was engaged in significant battles including the Battle of the Coral Sea and at Scapa Flow in Scotland. He was also involved in the Battle of Guadalcanal where HMAS *Australia* suffered major attacks. On his return to Lorne after the war, Wally joined the Country Fire Authority, where he was a dedicated member for over 61 years. Over this time Wally was awarded the Queen's Medal and the National Medal and was made a life member of the Country Fire Authority and a member of the Honour Brigade. He was captain of the Lorne brigade from 1959 to 1985.

Walter 'Wally' Grant lived a good life. He was a much-loved husband, father and grandfather, who served his country with distinction and served his community with leadership and dedication. He will be sadly missed within the Lorne community. Vale Wally Grant.

Royal Children's Hospital: patient care

Ms ALLAN (Bendigo East) — As a member of this place it is a privilege to have the opportunity to thank publicly, on behalf of my husband Yorick Piper and our families, the staff of the Royal Children's Hospital for their care of our daughter, Peggy Piper. Peggy is now seven months old and doing tremendously well. However, Peggy spent the first 11 weeks of her life in the neonatal intensive care unit, known as the Butterfly Ward.

We would like to pay tribute especially to the following wonderful staff: Peggy's paediatric surgeon, Dr Joe

Crameri, Melissa and the team; Peggy's doctor, Dr Rod Hunt, director of neonatal medicine and his wonderful team on the Butterfly Ward; the 80-plus nurses who cared for Peggy during those first 11 weeks and on the subsequent visits we made to the hospital; all of the allied health staff who worked with Peggy, and the personal services assistants who do such a tremendous job supporting everyone on the ward. We and our families are forever deeply indebted to you for your dedication and care.

Multicultural affairs: funding

Mr KOTSIRAS (Minister for Multicultural Affairs and Citizenship) — This week I approved grants totalling \$500 000 under the Cultural Precincts and Community Infrastructure Fund. The \$12 million fund was established to enable Victoria's existing precincts to remain sustainable and attractive for cultural and tourism activities and to assist in the construction of new buildings for newly arrived migrants. So far over \$6 million has been spent under the program.

09:50:00 This week I approved 13 grants, including \$60 000 for the Eastern District Polish Association to upgrade the car park; \$40 000 for the Hamerkaz Shelanu to upgrade its kitchen; \$20 000 for the Pallaconian Brotherhood Leonidas to upgrade its air conditioning; \$37 500 for the Russian House Cultural Advancement Society to upgrade its kitchen; and \$46 000 for the Ukranian Youth Association to upgrade its toilets. Those and other organisations, clubs and associations are the lifeblood of our multicultural communities. They represent, unite and support their members, and they contribute to our strong, cohesive multicultural Victoria.

Hispanic Latin American Festival

Mr KOTSIRAS — I had the pleasure to attend a fiesta gala night last week at which the master of ceremonies was Mr Languiller, Jr, who did a wonderful job to launch the annual Hispanic Latin American Festival to be held in Johnston Street, Fitzroy, on 17 and 18 November. It will be a great event, and I encourage all members to attend.

Jean McCaughey

Ms NEVILLE (Bellarine) — Jean McCaughey was an exceptional person, and I join with many people across Victoria and beyond who are deeply saddened by her loss but are also celebrating her outstanding contribution to our community. In 1994 Jean was invited, with Ben Bodna, to co-chair the People Together Project developed by a coalition of leading

community-based religious organisations. I had the good fortune and privilege to work with them.

The project worked with several rural and urban communities and welfare and advocacy groups, supporting them in challenging the decisions of the government of the day and highlighting the impact of those decisions on people and social infrastructure throughout Victoria. Jean brought to the project her considerable standing in the community and her reputation as a woman of integrity, with the determination to stand up for fairness and equality. Her extensive skills and experience in social policy and research and the intellectual rigour she applied to the work of the project were invaluable.

Her warmth and generosity gave her a natural ability to communicate with people from all walks of life, individually or in large groups. The People Together Project is just one example of Jean's significant contribution throughout her working life in the areas of social policy, research, advocacy and reform. Jean was particularly well known for the work she did at the Melbourne Institute of Applied Economic and Social Research as a research fellow with Professor Ronald Henderson. She became well known as the wife of Davis McCaughey, who was appointed Governor of Victoria in 1986.

I will miss her greatly. She was a great mentor, a colleague and a good friend. I offer my sincere sympathy to the McCaughey family.

Anti-Semitism: university campuses

Mr SOUTHWICK (Caulfield) — Today I will be hosting a forum with representatives from nine of Victoria's universities and the Anti-Defamation Commission to discuss the danger of anti-Semitism on campuses. Last year 68 per cent of students who responded to an ADC survey reported experiencing or witnessing anti-Semitism on campus. Our Parliament is not immune, having had a swastika recently painted on this building. I am eager to work with this sector to ensure that Jewish students feel safe on campus.

Schools: Parliament House debate

Mr SOUTHWICK — Last week I hosted students from Caulfield Grammar School, Leibler Yavneh College, Shelford Girls Grammar and Glen Eira College for a debating competition, and it was great to see our future leaders in action on their feet in this chamber. Well done to the students, in particular the students from Caulfield Grammar, who won the matter of public importance debate on improving their school.

Murdoch Children's Research Institute

Mr SOUTHWICK — Last week I joined the hardworking members for Ferntree Gully, Bentleigh and Morwell visiting the Murdoch Children's Research Institute for a tour of this world-class facility, which is producing life-saving research into children's diseases. As a father I particularly valued its work around the growing epidemic of food allergies. Thank you to Alex Furman, Steven Casper, Professor Sheena Reilly, Professor David Thorburn, Dr Desiree Du Sart and Dr Jennifer Koplin for their hospitality.

Sacred Heart Mission, St Kilda: parliamentary visit

Mr SOUTHWICK — For 30 years Sacred Heart Mission has operated in the heart of St Kilda helping thousands of people to get back on their feet. It was a pleasure to serve food to these people and to join with other parliamentarians in serving the meal. The members of Sacred Heart Mission do a wonderful job, and I thank them for their kind invitation to join them at this event.

Austin Hospital: emergency department

Mr CARBINES (Ivanhoe) — I rise to raise concerns with regard to my local hospital, the Austin Hospital, and in particular I draw attention to an article in the *Heidelberg Leader* this week entitled 'Austin feels the heat', which said:

The Victorian health services performance report for the April to June quarter showed several reductions in the time taken to treat patients in the Austin's emergency department when compared to the January to March period.

The comparison highlighted several inefficiencies, including a rise in the time the hospital spent on bypass from 19 to 55 hours.

It showed a drop in the percentage of patients moved from an ambulance within 40 minutes from 77.5 per cent to 59.4 per cent.

There was also a reduction in the number of patients transferred to a bed from the emergency department within 8 hours, from 82 per cent to 72 per cent, while the median time taken to treat category 1, 2 and 3 patients rose from 5 to 12 minutes.

We all recall that under the previous Liberal government led by Jeff Kennett the Liberal Party sought to privatise and sell the Austin. It was only a Labor government that was able to save the Austin from privatisation and ensure that we invested Victoria's taxpayer funds in two new hospitals on the one site, the Austin and Mercy hospitals.

It has also been Labor that had to protest and fight a strong campaign with the community to secure the remaining funds for the Olivia Newton-John Cancer and Wellness Centre. We will continue to fight to make sure that Victorians in the northern suburbs get the health care they deserve.

09:55:00

Chunky Move: An Act of Now

Mrs VICTORIA (Bayswater) — Victoria's very own contemporary dance company Chunky Move has always wowed audiences, but it was all taken to another level last week with the world premiere of a work by new artistic director Anouk van Dijk, *An Act of Now*. It was unbelievably thought provoking, original and physical beyond all expectations. My congratulations go to all involved.

University of the Third Age: Knox

Mrs VICTORIA — Yet another sensational array of top-quality arts and crafts were on show at the annual art show of U3A Knox, based in Ferntree Gully recently. Year after year attendees are treated to a consistent display of talent. Congratulations again to Kath Brown and her team.

Chinese Association of Victoria

Mrs VICTORIA — The Chinese Association of Victoria is constantly updating its facilities and planning ways to broaden what is on offer. The funds are generated by members and sponsors, with the main event being the gala ball. Well done to president Rex Lai and all the organisers for putting on such a successful night.

Australian National Academy of Music

Mrs VICTORIA — The Australian National Academy of Music's first-ever soiree was the most delightful mix of brilliant young musicians, simply stunning catering by the Sofitel Melbourne on Collins and outstanding service, with waiting staff entirely comprising Sofitel executive team members including CEO Clive Scott and guest relations manager Terence Murphy. Congratulations to all those who support elite musician training.

Arts Project Australia

Mrs VICTORIA — The *Great Un Revealed* exhibition opened at Arts Project Australia on the weekend, and I encourage all MPs to familiarise themselves with this wonderful place where artists with disabilities have the opportunity to work in a supportive environment.

Kyneton Museum: signage

Mrs VICTORIA — Well done to the Friends of the Kyneton Museum, which raised funds to erect professional signage around the museum. It's a great achievement for Ronda, Bronwyn and all at this wonderfully charming and comprehensive regional treasure.

Overnewton Anglican Community College: 25th anniversary

Ms HUTCHINS (Keilor) — I rise to congratulate Overnewton Anglican Community College on its outstanding 25th birthday celebration and awards night, which I had the pleasure of attending on Monday night, along with about 3000 parents and students.

The Overnewton Anglican Community College Keilor campus opened in Melbourne's north-west in 1987. Over the past 25 years it has expanded across four campuses and has made a real contribution to the community and to the futures of kids in the north-west that it deserves to be proud of.

I would also like to acknowledge the work of Manny Stamatopoulos, the outgoing board chairman. Mr Stamatopoulos has been associated with the college since 1992. His two sons are now old collegians. He first served on the parents and friends committee, including two years as chairperson, and was appointed to the board in 2003. I commend and thank Mr Stamatopoulos for his community service.

I also acknowledge the great performances by the Rock Eisteddfod children and those who performed in the *Annie* production number on Monday night. I commend principal Jim Laussen on his years of service and look forward to working with him in the future. I also acknowledge Stephanie Steinhoff-Pino for her great introduction to the night.

Catholic Regional College: graduation ceremony

Ms HUTCHINS — I congratulate Catholic Regional College, which conducted its year 12 graduation ceremony last night at St Patrick's Cathedral. Among those graduating were 100 Mowbray College students who were taken on by Catholic Regional College. This was an amazing effort by the college in what was a very difficult situation. I wish the students and teachers of Catholic Regional College all the best in their Victorian certificate of education results in the years to come.

Girgarre: community group

Mr WELLER (Rodney) — My congratulations go to the small town of Girgarre. Two weeks ago Girgarre, population 185, won the community group of the year award at the 2012 Regional Achievement and Community Awards in Bendigo. At the same time I was thrilled to announce state funds for the Girgarre Development Group of more than \$22 000 to carry out a feasibility study to determine the best use of land assets gifted to the community by Heinz when it closed its factory in January. I congratulate the Girgarre community on its persistence and positiveness. The future certainly seems bright for this close-knit community.

Floods: category C recovery grants

Mr WELLER — I once again call on the federal government to accept the Victorian government's application for category C payments of up to \$25 000 for flood-affected Campaspe shire farmers, small businesses and not-for-profit organisations. Campaspe shire farmers are among hundreds across the state still waiting for the federal government to honour its category C commitment.

The Victorian state government is standing by and waiting with a commitment to meet its 50 per cent share of the outlay. Two months have passed since the Deputy Premier met with the federal Attorney-General, Nicola Roxon, and frankly, it is disappointing and frustrating to not have an official response. The importance of these grants cannot be overstated. The financial support of up to \$25 000 is vitally important to enable farmers to clean up and help their recovery process.

I echo the comments by Mr Ryan, the Leader of The Nationals, that the federal government ought to put aside all this messing around, and simply do exactly what we have done historically and make the payments to farmers.

The SPEAKER — Order! The member's time has expired.

Victorian Goldfields Railway: funding

10:00:00

Ms EDWARDS (Bendigo West) — I call on the Liberal-Nationals government to allocate funding to the historic Victorian Goldfields Railway (VGR) in Maldon as a matter of urgency. The VGR at Maldon is operated by the Castlemaine and Maldon Railway Preservation Society and is one of the most historic railway operations in Victoria. It is a premier tourist

attraction in central Victoria and operates 18 kilometres of line between Castlemaine and the classic old gold mining town of Maldon. The VGR is committed to operating and maintaining its heritage steam engines, diesels and operating stock. It carries around 18 000 passengers per year, and the entire operation is run by dedicated volunteers.

The VGR finds itself in a difficult situation and now requires funding to support its future viability. The VGR needs funding for completion of its newly built carriage shed at Castlemaine, requiring \$55 000 for water supply, fire services and secure fencing; the transporting of 80 pounds of rail from a closed railway at Bandiana to Maldon to re-rail approximately 8 kilometres of track from Maldon to Muckleford, estimated at \$65 000; \$250 000 for restoration of carriage 30BCPL for use as a carriage specially designed to accommodate people with disabilities; \$250 000 for restoration of steam locomotive K160; construction of an engine shed and locomotive servicing facility at Castlemaine, estimated at \$100 000; restoration of steam locomotive D3 619, estimated at \$500 000; and assistance with the payout of its recent loan for the purchase of a new track machine and acquisition of hi-rail equipment for the machine, totalling \$280 000. The total amount of funding required to help the VGR is \$1.5 million. The future of the VGR —

The SPEAKER — Time!

Roads: former government performance

Ms McLEISH (Seymour) — I wish to draw to the attention of the house the attempt by the shadow Minister for Roads to divert attention away from his party's roads failures in my area when it was in government. In particular I want to remind the shadow minister about the former Labor government's constant dithering, its lack of consultation and its failures to come up with a positive road solution in and around Kilmore. What Labor finally came up with was a lemon in terms of livability and safety for this historic town.

There is no doubt that the horrendous traffic problem is contributing to the destruction of the town's vibe and character. There is no doubt that to revive Kilmore the traffic needs to be removed from the main street, which is the Northern Highway. Labor's solution to the problem was a link road. The shadow minister has conveniently forgotten that his government proposed to build this road with three roundabouts, with the intent to take through traffic, including heavy commercial vehicles, past three school precincts, a nursing home and a residential area, without the proposal being

subjected to public scrutiny and without any environmental impact study. The effects of noise, pollution, traffic volumes and dangerous goods on the schools and residents were not considered.

However, Labor did not arrive at this horrendous outcome easily. In 2007 it was noted that the issue of a bypass had been studied and talked about endlessly to no avail. Labor then proposed that a pedestrian haven be painted on the road, and it considered 11 options put forward by members of the community, drawing lines on a map. They were all piecemeal options and a series of temporary solutions. Where was the shadow minister? Where was Ms Broad in the other place? Where was the previous member?

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

WorkSafe Victoria: certificates of capacity

Mr SCOTT (Preston) — I have been provided with an internal document from Allianz, an insurance agent in the WorkCover scheme, which describes how WorkCover certificates of capacity should be treated. Concerns have been raised, particularly relating to how claims will be deemed invalid in relation to the diagnosis provided by medical practitioners. I have raised this matter privately with the minister responsible for WorkCover, the Assistant Treasurer in another place, and I will seek assurances from the minister that this document does not represent a diminution of access to the WorkCover scheme and a change in practice.

Injuries and the relationship between treating physicians and WorkCover claimants is a very sensitive area, and I would be very concerned if insurance companies change their practice in such a way that it would limit access to the scheme. I will seek an assurance from the minister that this is not taking place.

John Hall

Mr SCOTT — I mourn the passing of John Hall. John Hall was a longstanding councillor at the City of Preston. He served on the board of works. He was an electorate officer for the former member for Preston, Carl Kirkwood, a lifetime member of the Labor Party, a migrant from the UK who built a successful family in the northern suburbs of Melbourne and a strong trade unionist.

John served the community over many years, particularly through the local council but also in many other capacities. He was a true servant of the community who regarded social justice as his very lifeblood. The community will sadly miss John Hall

and the contribution he made over many years to building Preston. He had a particular role in the arts and other matters in the northern suburbs.

10:05:00 **Mordialloc neighbourhood house: annual general meeting**

Ms WREFORD (Mordialloc) — It must be annual general meeting season in my electorate, as not long ago I attended the annual general meeting of the Mordialloc neighbourhood house. It is a great community neighbourhood house. Manager Steve and the committee of governance do a wonderful job and the centre is getting results. Projects like the men's shed, which the centre is trying to get up at the moment, are great for the community.

Dingley Village Community Advice Bureau: annual general meeting

Ms WREFORD — I recently attended the annual general meeting of the Dingley Village Community Advice Bureau. Victorian Health Services Commissioner Beth Wilson was the guest speaker. It was a gathering of very active members of the Dingley community. I congratulate the team, under the watch of chairman Tony Coyle, for all they do for the community.

Mordialloc community centre: annual general meeting

Ms WREFORD — A couple of weeks ago I had the pleasure of attending the annual general meeting of the Mordialloc community centre and presenting the Roy Ward Scholarship. Firstly, congratulations to the centre on its achievements under the leadership of the president, Richard Newton, and the manager, Rebecca. Secondly, well done to Olivia from Mentone Girls Grammar School for winning the scholarship. This is Olivia's second mention in this place from me.

Mentone Girls Secondary College: city project

Ms WREFORD — I was recently invited to attend and assess the Mentone Girls Secondary College's city project. The year 9s brought forward some terrific ideas on how to make our city even better. I congratulate all involved, especially the year 9 students, on their wonderful presentations.

Oakleigh: Pink Ribbon breakfast

Ms BARKER (Oakleigh) — I was pleased to host a very successful Pink Ribbon breakfast in Oakleigh last Tuesday morning. Nikki McGrath from BreastScreen

Victoria was our guest speaker and provided valuable insight and information on the screening program and how we can all spread the word to ensure that as many women as possible participate in it. Janet Mitchelmore from the Jean Hailes Foundation also attended and provided information on women's health. A special thank you to John and Sue Wilson from the Onion Patch Bistro at the Oakleigh-Carnegie RSL, who provided the delicious breakfast, and to the RSL for providing the venue.

We had many raffle prizes following generous donations from local businesses contributing to the funds we were able to raise for breast cancer research. Importantly all who attended, from local community leaders to residents, left the breakfast with the message that we all have a responsibility to encourage involvement in breast screening with family and friends.

Relay for Life: Murrumbeena

Ms BARKER — Last weekend I was very proud to be a member of the Wandaree Wanderers team, which participated in the annual Relay for Life event at the Duncan MacKinnon Reserve in Murrumbeena. Relay for Life is an incredible overnight event that provides an opportunity for family and friends to get together with the community to celebrate cancer survivors, remember loved ones lost to cancer and raise money to fight against a disease that affects so many.

The Murrumbeena Relay for Life was the first to be held in Australia when it started in 1999 and this year a record number of teams were entered. With a goal of raising \$50 000 we were all thrilled to learn at 12 noon on Sunday that just over \$80 000 had been raised at the event. Congratulations to Gemma Rix and the volunteer organising committee for all their efforts, and well done to all who entered teams. I commend the Haileybury College team which put in a massive effort to keep its relay going for the full 24 hours. Thanks also to Caroline, Jonathon and Claire from my office.

Hastings Yacht Club: season opening

Mr BURGESS (Hastings) — On 6 October I had the pleasure of attending the Hastings Yacht Club to celebrate the opening of its 2012–13 sailing season. This annual celebration includes going out on a member's yacht with the commodore and committee to allow the club fleet to sail past and salute the commodore. Any trip on beautiful Western Port is an experience in itself, and I was grateful to have been invited to participate.

Royal Botanic Gardens, Cranbourne: stage 2 opening

Mr BURGESS — On Friday, 19 October I joined the Minister for Environment and Climate Change, the Honourable Ryan Smith, in another beautiful part of my electorate for the official opening of stage 2 of the Royal Botanic Gardens, Cranbourne. This is the second and final stage of the Australian garden. It is a unique contemporary garden with dramatic landscape settings, which reveal the astonishing beauty of Australian flora. It is a spectacular garden, and I congratulate the board of the Royal Botanic Gardens, Cranbourne and all associated with this wonderful and precious state asset on the completion of the project.

Tyabb Football Netball Club: presentations

Mr BURGESS — On Friday, 19 October I had the honour of attending the Tyabb Football Netball Club presentation night. It was a great pleasure to attend and to present some of the club's awards on the night, including the premiership pennant to the Tyabb A grade netball team. I congratulate all members of the club, the award winners, and in particular the 2012 premiers.

Moorooduc: fire brigade

Mr BURGESS — On Saturday, 20 October I attended the annual dinner of the Moorooduc fire brigade. This year's event was of even greater importance as it was also a memorial to the sad passing of the brigade's Bette Jones, OAM. It was pleasing to see the hardworking brigade members celebrating a wonderful person's life and another year of good work on the part of the brigade. I congratulate the volunteers of the Moorooduc Fire Brigade for their dedication to the safety of their community.

Chris Beattie

Mr FOLEY (Albert Park) — I rise to note the loss of several true believers of the Labor movement in recent weeks. Chris Beattie sadly passed away after a short illness, as many members of this house would be aware having attended his funeral and lent support to the honourable member for Yuroke at the time of her tragic loss.

Chris was a fine man, a grass roots trade unionist in the airline industry, a union organiser with the Australian Services Union, state conference delegate to the Australian Labor Party state conference and someone with whom I worked directly for 10 years. His later role as a WorkCover conciliator continued his work as a champion for a fair go. Chris will be deeply and sadly

missed by so many, but none more so than the honourable member for Yuroke. Union members owe him a great debt for his service and work as an organiser, a rank and file shop steward and particularly in his later years as a WorkCover conciliator.

Mary Murray

10:10:00

Mr FOLEY — I also wish to note that Mary Murray, who has sadly passed away and about whom I have passed comment before, would have been very proud today to see her work come to fruition in the forthcoming bipartisan vote on the resolution concerning forced adoptions. Mary was subject to this terrible tragedy in the 1960s and campaigned heavily to make sure that this stand for justice occurred. She would have been proud of the bipartisan approach today.

Michael Mixatos

Mr FOLEY — I also wish to mention that Michael Mixatos, a hardworking Greek migrant and stalwart of the Port Melbourne Greek community, recently passed away and was laid to rest yesterday.

Numurkah: community events

Mr McCURDY (Murray Valley) — Numurkah recently hosted the Auswide Motorhome Club national rally, with some 70 motorhomes set up at the Numurkah Showgrounds. While the Numurkah Foodbowl Music Festival was held at the weekend, there was a gazetted public holiday yesterday in recognition of the annual agricultural show, marking 125 years of the event. For a town that was hit so hard by floods, it is terrific to see people back involved with community events.

Scouts: Cobram

Mr McCURDY — Congratulations to Laura Buykx and the Cobram scout pack for their continuous community service. I was honoured to be a part of their meeting last week and to listen to their aspirations while they learnt about some of the workings of their local member of Parliament. Scoutmasters Adrian Buykx and Paul Grinter continue to provide wonderful leadership so that members of this group can prosper together.

Yarrowonga Mulwala Multisport Festival

Mr McCURDY — On Sunday I had the honour of presenting trophies to the winners at the inaugural Yarrowonga Mulwala Multisport Festival on behalf of the Minister for Sport and Recreation. This inaugural

but significant sporting event featured a range of endurance events, including the National Aquathlon Championship and the State Olympic Distance Championships. I was delighted to present festival organisers with a funding grant of \$5000. Sporting events such as these showcase our regions and local sports facilities as we welcome competitors from across Victoria and interstate. They also promote healthy, active living and bring tourism to our towns — everybody wins!

Wangaratta Festival of Jazz and Blues

Mr McCURDY — The Wangaratta Festival of Jazz and Blues is running from 2 to 5 November this year, offering an innovative and exciting program to delight jazz lovers and enhance the festival's reputation as Australia's no. 1 jazz event. Seriously good jazz through the National Jazz Awards again feature, with the traditional Reid Street free stage and a Sunday market. Max White and his team will again assure a fantastic event.

Wallan-Kilmore bypass: resident meeting

Mr DONNELLAN (Narre Warren North) — I again raise a concern that the Minister for Roads refuses to meet with the Wallan-Kilmore Bypass Group, even though 14 different invitations have been extended to him from that group, and that is very sad. He would not attend the bypass rally, and he was not Robinson Crusoe, because neither would the member for Seymour or Donna Petrovich, an upper house member for Northern Victoria Region. Unfortunately this group is being ignored by its local members.

Road safety: government policy

Mr DONNELLAN — Another concern I have is that after two years this government has still not produced a road safety policy. The road toll is up by 4 per cent. That is nine more deaths than this time last year, which is very tragic. We have stunts like the Talk the Toll Down, which sounds more like a supermarket advertisement, stickers and a new numberplate logo, but we do not have a comprehensive road safety plan. This government has rigor mortis and the Minister for Roads is the finest purveyor of this inactivity. It is disgraceful that we do not have a target to try to work towards. We do not have comprehensive initiatives to deal with road safety and this government is very much asleep at the wheel.

Gembrook electorate: federal representation

Mr BATTIN (Gembrook) — I rise today to talk about the Gembrook electorate and the recent campaign by the federal member for La Trobe. On a semiregular basis the federal member for La Trobe has been sending fliers out with the heading 'Save Chisholm TAFE from Baillieu and Abbott'. Now let me set the facts straight and put on the line the truth surrounding Chisholm Institute of TAFE in Berwick and see where we end up. The Baillieu government has increased funding in every apprenticeship in Victoria, we are supporting TAFE courses with real job outcomes. The Baillieu government is committed to a trade training centre at Chisholm TAFE in Berwick to service one of the fastest growing communities in Victoria. The Baillieu government is committed to making our vocational training sector sustainable into the future, and I am positive that with the changes made we will see a vibrant, healthy and sustainable vocational training sector for many years to come.

On the other hand the federal government has cut \$150 million from the trade training centres program, cut \$11 million out of the Australian apprenticeship access program and cut \$54.1 million out of the Australian apprenticeships incentives programs. To top it off, the federal member for La Trobe supports a cut of \$380 million in net funding for the Skills in Need program. So whilst in Victoria we are encouraging, promoting and funding more people to get into an apprenticeship in the skills required to continue the growth in our state, the member for La Trobe and the Gillard government are trying to prevent young people from accessing the opportunity of further education. After taking more the \$6 billion from the state in the forward estimates, this latest round of cuts proves yet again that the Prime Minister has no respect for the education system in this state, and the federal member needs to stand up to her government.

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

Essendon Keilor College and Niddrie Primary School: fete 10:15:00

Mr CARROLL (Niddrie) — Last Saturday, 20 October, I attended two important community events in the Niddrie electorate. In the morning I attended a real old-fashioned fete, titled Fun Day Out, jointly held on the grounds of Essendon Keilor College and Niddrie Primary School. The weather was perfect, and a fun day was had by all. However, underneath the entertainment and fun for all ages was an important message — our public schools need public investment.

Essendon Keilor College is a high-profile case of a school in urgent need of attention, which is recognised by all from the Minister for Education down, and all concerned are eagerly waiting for some good news in next year's state budget.

Special mentions go to Jess Weston, Nicole Kotoski, Sarah Patterson and Cynthia Ryan, the key organisers behind the success of the Fun Day Out, and also to the Rotary Club of Keilor East for its assistance on the day.

Moon Lantern Festival, Keilor East

Mr CARROLL — On Saturday evening I had the privilege of attending the Moon Lantern Festival at the Centreway in Keilor East. This was a wonderful night when the growing Vietnamese population in the Niddrie electorate was able to share its culture with the local community in a healthy celebration of this traditional children's festival. The celebration included lantern making, active children's games, traditional and cultural performances of story-telling and song and dance, as well as a candle-lit lantern procession. The traditional Vietnamese Children's Moon Lantern Festival is one of the most popular family holidays celebrated in Vietnam. I wish to put on record my thanks to the organisers and supporters of the festival: the Vietnamese Arts Association, represented by Anh Pham, Yvonne Moon from the Centreway Traders Association and Moonee Valley City Council, represented by Cr Ange Kenos.

According to the Australian Bureau of Statistics the local Vietnamese community in the Niddrie electorate is now the third largest for country of origin and fourth for language spoken at home. This leads to one conclusion — the Moon Lantern Festival is set to grow stronger year by year.

Working visas: fees

Mr ANGUS (Forest Hill) — The federal Labor government and the federal Treasurer are to be condemned for their short-sighted decision to increase the cost of working holiday visas by 28 per cent to \$360. This will have an immediate and disastrous impact on Victorian growers in the Yarra Valley and the Dandenongs, especially those in the Monbulk area, by making it even more difficult for them to attract pickers. It will deter backpackers and increase costs in a highly competitive market — New Zealand has a much lower visa fee of \$125. The member for Monbulk should stand up for his local farmers and contact the federal Treasurer to have the increase reviewed.

Further to that, the cuts that were announced in the so-called federal mini-budget earlier this week have adversely impacted on the Victorian budget and state funding in the areas of health and — —

The ACTING SPEAKER (Mr Morris) — Order! The time for statements by members has concluded. We will return to government business.

TOBACCO AMENDMENT (SMOKING AT PATROLLED BEACHES) BILL 2012

Second reading

Debate resumed from 24 October; motion of Dr NAPHTHINE (Minister for Ports).

Mrs VICTORIA (Bayswater) — I am so pleased to rise to speak in the debate on the Tobacco Amendment (Smoking at Patrolled Beaches) Bill 2012. I think this is one of the greatest initiatives the government has been able to implement in recent times, because it will affect so many people. When you are going to do something healthy with your children — I have a nine-year-old daughter who likes going to the beach when we have time — the last thing you want to do is have that beautiful healthy family environment infected by smoke and smokers, who have no idea of what they are doing to the people around them and do not care. We know that smoking is one of those awful habits, but unfortunately it is not illegal, and I say that as a former smoker. It is something we like to curb in public spaces, and beaches should be one of those places. On the passing of this bill, it will be.

Half of all long-term smokers will die from smoking-related illnesses. One of the things we would like to do is to discourage children from taking up smoking in the future, and I will return to that in a minute. We already have bans in place for smoking in enclosed areas — for example, in workplaces — which could be anything from bars and restaurants and the like and for smoking on school grounds. Smoking is also banned in the covered areas on train platforms, at tram stops and at bus shelters. I would like that to be enforced more effectively than it is, because I was at a tram stop recently where somebody was standing under the covered area and smoking. It was raining, but they were still breaking the law. Another great initiative that has been brought in since I was elected to Parliament is the ban on adults smoking in cars if they are carrying children as passengers.

We know that children are extremely impressionable. Earlier I touched on the fact that I had been a smoker. We know that children who see adults smoke are more

likely to take up smoking if they see it as a normal thing to do.

10:20:00 I gave up smoking — I cannot even remember how many years ago; it must have been 14 or 15 — cold turkey when my beautiful goddaughter Amelia was at my house for her second birthday. Her grandmother and I were good friends. I never smoked in my house, but we sat out on the back porch and we were smoking. As I took the cigarette from my mouth to the ashtray this two-year-old was watching me, and she watched my hand go backwards and forwards. I said to her grandmother Carol at the time, ‘This isn’t right. I shouldn’t be doing this in front of Melie’, and that was the last cigarette I took. I went inside and I thought, ‘How stupid am I? If I’m thinking that this is not a good thing for me to be teaching Amelia, it is probably not a good thing for me either’. I put my cigarettes in the bin and have not had another one since. It would be lovely if everybody could do that, but not everybody can. I have got to say that I do not crave cigarettes at all.

One of the things I remember as a child is that my mother was a smoker. I remember her smoking in the house, the car and wherever we were. I wonder if that had some impression on me. My mother and I were extremely close while she was alive. I also remember that we lived close to Elwood Beach, and one of the worst things I remember from when I was growing up and into my teen years is the number of butts that were left all over the beach. There was not just the smell of smoke — and as a hay fever sufferer I can say that inhaling smoke is one of the worst things that can happen to you on a hay fever day; it can bring on lots of sneezing fits — but also the sand was polluted with butts. Knowing that they would not disintegrate or break down and that they were polluting our waterways was not a good thing. I think this ban is an extremely positive step, and I will come to the practicalities of it in a minute.

I am delighted to say that pretty well all the initiatives that have gone through the house on smoking-related topics have had bipartisan support, which is as it should be, and I am very pleased. I am sure that the opposition will be able to continue that tradition. We have lots of evidence on what smoking does to people, to the community and to health.

Of course all the reforms that we are introducing here in Victoria are based on evidence; they are not just things we think we might arbitrarily do. This one is certainly not to do with money. We are hoping it will be fairly well self-regulating. The maximum penalty that a local council officer can impose upon an adult smoker on the beach is 1 penalty unit. I think that is around about

\$140-odd. If they do not stop smoking when asked to, they can be fined a second time, so they can incur a maximum fine of about \$280-odd. It is not a huge fine, but hopefully what will happen is that people around them will say, ‘Have a look at the sign. Don’t you know? Haven’t you seen on the internet? Haven’t you seen the ads? You are not allowed to smoke in this patrolled area of the beach’. Hopefully that is what will happen and people will self-regulate in this manner.

We have nearly 70 patrolled beaches here in Victoria, and our coastline is one of our greatest assets. We want everybody to be able to enjoy it. Certainly the ban will stop families from being exposed to cigarette smoke, and hopefully it will stop younger, more impressionable people from being influenced in a decision to take up smoking later in life.

Whenever we are doing something healthy obviously the best thing to do is have an entirely healthy environment. I cannot say a Madonna concert is healthy, but I do remember being at the MCG for a Madonna concert many years ago. People around us were smoking — this was before smoking was banned there — so even though the MCG was roofless and obviously had plenty of fresh air, the smoke was still setting off the hay fever. It was quite awful, and a couple of the people who were in the group that I went with went home as a result of the people around us smoking. Thank goodness places like the MCG banned smoking.

We are not the first state to introduce such legislation, but I do believe this is the best legislation of its kind. It is enforceable, whereas some of the legislation in other states is far less enforceable. In Queensland they introduced this in 2005, in Western Australia in 2010 and in Tasmania just earlier this year. We have certainly undertaken plenty of consultation as to what people might think of this initiative. It is really amazing when you do a survey of the general populace. The Centre for Behavioural Research in Cancer did a survey within the last couple of years and found that 73.6 per cent of Victorian adults disapproved of smoking on beaches. This is a very good reaction from this government, saying, ‘This is not a good thing. We need to be able to keep control of this’, so here is the initiative before the house.

I talked about consultation, and we have approached the Municipal Association of Victoria, Quit Victoria, the Cancer Council of Victoria, the Heart Foundation, the Australian Medical Association Victoria, Life Saving Victoria, the Surf Life Saving Victoria, the Surf Life Saving Victoria, the Surf Life Saving Victoria and all those sorts of bodies. Of course they are all delighted

that this will help clean up the beaches and also be a deterrent to those who might want to smoke.

We are going to back this up; we are going to make sure people know about this. It will be in place for this summer, and people will hear about this through communication campaigns. The media will hopefully pick this up as a very positive thing. There will be peer influence, so the news will be spread around. There will be education, and most importantly there will be permanent signs erected. Those signs, although permanent — they will be there all year round — will also explain, I believe, that smoking is banned between the yellow and red lifesaving flags only when those flags are present. So, for example, if you went down to Elwood Beach and the flags were not there in the middle of winter, then that ban would not be in place; it is simply when the flags are there.

From a practical point of view there is a 50-metre radius around each flag, which does extend into the water. That is really important because you certainly do not want anybody flouting the law and saying, ‘All right, I can’t light up on the beach, but I will just go and stand knee-deep’, which is where children play traditionally. This does take in the water area, which I think is incredibly sensible. I do not think that is the occurrence in other states, so I commend the Minister for Health on the initiative in this bill and also on making sure that it is a bill that is enforceable. I think this is fantastic. We know that smoking impacts severely on our health-care system, our community, our families and of course the economy. This is a great initiative, and I wish this bill a very speedy passage through both houses.

Mr PALLAS (Tarneit) — I rise to speak on this bill, which Labor does not oppose. We acknowledge that there are public health benefits associated with the introduction of the bill, but quite frankly we would not want to overstate them in the sense that the work in the battle against tobacco and the addiction to nicotine is a responsibility for the entire community. It is something that government should go about rigorously and diligently while recognising that anything it can do to reduce the number of smokers in our community materially advantages the health and wellbeing of our community.

We do not oppose the bill, but I would not overstate it. I was interested to hear the comments of the member for Bayswater that this is one of the greatest initiatives we have been able to achieve in recent times. Clearly the bar has not been set particularly high by this government about what constitutes a great achievement. This bill is one of a number of bills that

have been introduced in recent times aimed at dealing with tobacco reduction in broad areas of the community and also at reducing its addiction and the insidious impact it has upon the wellbeing of community members, particularly those less capable of giving informed consent when it comes to their exposure to smoking.

We have seen amendments included in the Tobacco Act 1987 relating to smoking in cars with children, a ministerial ban on certain tobacco and tobacco-related products, a ban on tobacco sales from temporary outlets, increased and new penalties and a ban on the display of tobacco products at point of sale with an exemption for on-airport duty-free shops. Time and again we have seen government after government, regardless of their political persuasion, being able to put in place the necessary adjustments and improvements to the way that tobacco is accessible, available and restricted in the broader community.

It is important that this happen, but I do not know if I would say it is one of the greatest initiatives to have been seen in recent times. I see it as the diligent, rigorous and appropriate action that government needs to go about to progressively reduce the level of addiction to smoking. Nicotine is one of the most addictive drugs known to man, and it is therefore important that dramatic action be taken. 10:30:00

As the son of two smokers, I was constantly amazed by the change in community mores around smoking. Although I have five siblings, not one of us has smoked, despite the fact that both my parents did. I have seen the insidious effects that tobacco has had upon my family — for example, I saw my father die of vascular dementia and arteriosclerotic injuries and I saw my mother struggle with emphysema, although she continues in relatively good health.

Tobacco touches everybody in our community. We all know somebody who has smoked for a considerable period of time, and we all wish good health for those who we love. Tobacco addiction is something we should do everything we can to restrict, particularly when it comes to those in our community who are unable to provide informed consent or who are unwilling or unwitting recipients of second-hand or side-stream smoke. It is important for the wellbeing of the community.

We are getting results. We have seen smoking amongst adults reduced from 17.3 per cent to 13.8 per cent of Victorian adults. Smoking amongst pregnant women has been reduced by 50 per cent, from 9.3 per cent to 4.7 per cent. The community is becoming increasingly

wise about and aware of the health implications of smoking addiction. Changes of this nature represent good policy, but let us not overblow the practical significance of this bill. Step by step, change by change, we need to look at a continual progression towards a community that has a clear and unambiguous view about the unacceptability of subjecting others, particularly those who are uninformed or incapable of providing consent, to nicotine and that ensures that they are protected by the community and by legislation.

The bill before the house amends the Tobacco Act 1987 to ban smoking between the flags at patrolled beaches and within a 50-metre radius of those flags. I have concerns, which I will raise for the minister to look at, about the way these provisions will operate. It could well be a practicality of the way that statutory expression is applied, but new section 5RA(1)(a) provides for a ban between yellow and red flags and new section 5RA(1)(b) talks about a 50-metre radius around each of the flags. If you think about the practicality of those two restrictions, they do not necessarily create a substantial area.

For example, if we are talking about flags that are more than 100 metres apart, then we will have areas within those two flags that are therefore not the subject of prohibition. I am not sure that will be the case in practice, and I am prepared to stand corrected if there is some advice from government about it, but if you are talking about an area, I believe that area should be more clearly defined. We would not want to have too many Philadelphia lawyers sitting on a beach between flags more than 100 metres apart, away from the point between the two flags, saying, 'The law does not prohibit me from doing this'. I think it is worthwhile, for the purposes of clarity — —

Mr O'Brien — Between the yellow flags or the 50-metre radius.

Mr PALLAS — I thank the minister at the table, the Minister for Gaming, for saying it is 'or', but the problem is that between the flags is a straight line and does not define an area. That is the point I am making. I am not trying to make a great issue of this, but the legislation may need to be considered in that context. I do not imagine there will be too many people standing on a beach with a copy of the Tobacco Amendment (Smoking at Patrolled Beaches) Act 2012 seeking to absolve themselves from culpability — or maybe certain people who have great affection for their right to smoke at all times. The important thing is that the bill sends a message — a continuing, consistent and bipartisan message — that smoking should be consistently restricted in areas of public access and that

there should be a progressive reduction in exposure for those members of the community who cannot provide informed consent or do not provide informed consent because of the circumstances in which those proximate to them participate in the activity of smoking, an activity that we know unambiguously has a deleterious effect upon one's health.

The enforcement of the ban will be the responsibility of local councils. Existing local government environment officers will fine people for breaching the ban, and the penalty units, which are currently equivalent to \$141, send a clear and appropriate message. I note that the ban will take effect from 1 December this year. That being the start of the swimming season, and the ban applying to both ocean and river beaches to the extent that they are patrolled in this way, will ensure that the community is given a very strong message about the continuing intent and direction of public policy in this area, which is to restrict access and ultimately reduce the level of nicotine addiction in our community.

The bill is therefore a valuable piece of public policy. However, I do not see that it should be overblown in terms of its quality or importance. It is just a diligent piece of public administration. It should be seen as the sort of thing that government does day to day in order to protect and preserve the wellbeing of the population. Having said that, I will end my contribution to the debate on the bill.

Mr BULL (Gippsland East) — It is a pleasure to rise to speak in support of the Tobacco Amendment (Smoking at Patrolled Beaches) Bill 2012. As my father and grandfather were smokers, I certainly remember as a youngster growing up that back in those days smoking was considered aloof and noble. You would watch TV and see the Marlboro Man on horseback and Paul Hogan espousing the catchcry of 'Anyhow, have a Winfield'. It was easy as a young person to get caught up in that and come to the conclusion that in some way smoking was a bit cool. I can remember as a relatively young boy stealing my older brother's packet of cigarettes to go and have a smoke with my mates and be very popular amongst them.

However, I must say that since I have known better, smoking is something I have never really understood people partaking of. It presents enormous health risks and is particularly financially burdensome on families, and on top of that it can have detrimental impacts on those around you. Speaking from a father's perspective, it is for those reasons that no parent wants their child to grow up to be a smoker — and some startling figures support this notion.

Figures suggest that smoking claims around 4000 lives each year in Victoria. It remains the leading avoidable cause of cancers as well as of a whole range of other diseases, including respiratory and cardiovascular diseases, and of general health problems. The stark reality is that half of all long-term smokers will die of a smoking-related illness. As I said, young children are very impressionable and see what is occurring as a commonplace in the community at large to be acceptable behaviour. Seeing people smoke while socialising, having fun and chatting increases their belief that this is acceptable behaviour. Therefore it is important that we take on the responsibility of sending the right messages to our children. To make sure they do not become tomorrow's smokers we need to instil a change of standards in our behaviour that is then reflected to them — they cannot grow up to see smoking as an everyday, normal part of life. Children must understand that smoking is both highly addictive and harmful to health. I note the comments of the member for Bayswater about when the penny dropped for her and how she was able to give away smoking instantly. I commend her for that and note that it is the type of attitude we need to get into the wider community.

In line with these comments I am very pleased and proud as a parent and as a VicHealth board member that this government is making Victoria's patrolled beaches smoke free from 1 December 2012. As we know, beaches are a very important part of summer life and nowhere more so than in my electorate of Gippsland East. They are very popular with children and families enjoying the great outdoors on holidays and during healthy outdoor activities, so there is some irony that when we go to beaches on the weekend with our families, we put on the hat, slap on the sunscreen and take precautions against skin cancer-type diseases but then a percentage of people will sit down and light up a cigarette in close proximity to their own children and those of others. Through banning smoking on beaches we protect Victorian families from exposure to second-hand smoke, but more importantly we stop our children from seeing people smoke and sending that message. We also reduce the environmental damage of cigarette butts being littered everywhere around our beaches. Unfortunately a large number of smokers on our beaches do not remove their cigarette butts. You only have to walk along our beaches to see that — they are not too hard to find.

Smoking will be banned between the flags and within 50 metres of the flags on patrolled beaches including bayside and seaside beaches, and even up in the far north-west of our state where the riverside beaches at Mildura will be brought in under this legislation. It will

be introduced across the length and breadth of Victoria, and I am obviously very supportive of that. Statewide bans have already been introduced in Queensland and Western Australia, and as we heard from the member for Ferntree Gully in his contribution yesterday, they were introduced in Tasmania earlier this year. This reform brings Victoria into line with those states.

In my electorate of Gippsland East there are three main patrolled beaches — they are at Mallacoota, at Eastern Beach and the main beach at Lakes Entrance. They are very popular beaches, and I am frequently at the two beaches in Lakes Entrance with my family. There are a lot of activities going on with nippers, there are organised activities and a lot of social and recreational activities at those beaches, so a high percentage of families visit them and we need to be sending the right messages to them when they are swimming between the flags. Whilst my wife and I know better and a number of other adults know better, I look forward to taking my three children to those surf beaches this summer knowing that they will not be getting mixed messages about smoking from those around us.

No-smoking signs will be erected at beaches to remind people of the ban and of their responsibilities, and we will obviously have an extensive communication campaign around this to inform people. I think this is the type of legislation that in time will become self-governing; socially and community-wise it will become well known that smoking between the flags at beaches is not appropriate. However, for smokers who want to ignore the new legislation there will be on-the-spot fines of \$141 that may increase to \$700 if the matter goes to court. That is an appropriately stern and stiff fine as we introduce this measure, but to ensure that people do not get caught by surprise it is important that the communication campaign goes along with it.

At a cost of \$6 billion a year, smoking-related illnesses not only impact on our lifestyles but are a massive burden on our health-care system, on families, on the community and on the economy, particularly with lost productivity, which has been well documented in the past. I acknowledge that historically there has been a lot of bipartisan support for reforms related to smoking, and I am sure this government will continue to implement those reforms over the course of this term.

Almost \$8 million is allocated to tobacco control in Victoria each year through the Department of Health and the Victorian Health Promotion Foundation. That is a great example of the problems that smoking causes in our community and the health issues that arise as a result of it. One in seven Victorians is now a regular

smoker — a figure that has dropped significantly over recent years — but clearly more work needs to be done to improve that percentage. As I said, we need to ensure that our children of today do not become our smokers of tomorrow, and this bill certainly helps to send that message.

Smoking rates are still too high among lower socioeconomic groups — the very people who probably cannot afford to be smoking — and there continue to be too many adolescents and young children taking up smoking. I am often quite alarmed at the number of young people I still see smoking in certain areas. The Baillieu government will continue to introduce new tobacco control reforms in Victoria over time, and our goal is clearly to protect the next generation of Victorians and our children.

There have been significant changes in standards in relation to smoking, and I note that this legislation has been strongly supported by Life Saving Victoria, Quit Victoria, VicHealth and the Australian Medical Association. As recently as last week I was talking to members of my Lakes Entrance surf lifesaving club and explaining to them that the legislation was coming before the house. Some of the lifesavers who patrol the very beaches on which this legislation will impact were absolutely delighted that this measure was being introduced. They said that smoking on patrolled beaches clearly sends the wrong message. They know that utilising our public beaches carries the message of a healthy and active lifestyle, and smoking between the flags flies in the face of the clear and strong message that we should be giving to the next generation. This is important, common-sense legislation, and I wish it a speedy passage.

Mr SCOTT (Preston) — It gives me pleasure to rise to speak on the Tobacco Amendment (Smoking at Patrolled Beaches) Bill 2012. As mentioned by a number of other members, but specifically the member for Tarneit, there has been an incremental and cultural shift in the attitude towards smoking. Several pieces of legislation have limited public places at which smoking can occur, and in addition we have seen the introduction of plain packaging for cigarette packets. The federal government should be commended for the legal victory it has had in relation to plain packaging and the provision of health warnings on cigarette packets. All of these measures have been due to a realisation of the highly detrimental nature of smoking on a person's health.

There is a bipartisan view that smoking is a serious issue with very negative consequences for the community. Nicotine is an addictive substance which,

particularly for young people, is extraordinarily difficult to give up, as indeed it is at any age. It should be noted that the negative impact of tobacco and particularly smoking was observed way back when smoking was introduced into Western culture in the 1600s. I would not usually quote from the Stuarts, since many of the parliamentary institutions which we enjoy today essentially arose in opposition to the attitudes of the Stuart monarchs in England, but in 1604, in a *Counterblaste to Tobacco*, the evils of smoking were quite well summed up by James I of England, who defined smoking as:

... a custom loathsome to the eye, hateful to the nose, harmful to the brain, dangerous to the lungs, and in the black, stinking fume thereof, nearest resembling the horrible stygian smoke of the pit that is bottomless.

Smoking is a terrible blight on our community that is particularly injurious to people. As mentioned by the previous speaker, it is costing the lives of 4000 Victorians per year, and we should reflect on that — 4000 persons are struck down prematurely and taken from the community due to smoking. It would be beneficial over time for further legislation to be introduced on this issue, and I am sure this will not be the last piece of legislation that appears before the Parliament regulating smoking in public places or other places, because this is an issue where the community is slowly making up its mind. Others have noted, and indeed I have noted over my lifetime, the changing attitudes towards smoking, which was much more socially acceptable in earlier times.

When I was younger there were no restrictions on smoking on trains, in aeroplanes, in forms of communication and in public places, and even in politics there is often reference to a smoke-filled room, but in my experience in recent years they are not smoke-filled rooms because people generally do not smoke; and even around Parliament the number of smokers has rapidly declined in recent years. I will not name them, but there are a number of long-term and continuing smokers in the Parliament who you will see puffing away in the parliamentary gardens. But the attitude has slowly changed due to the realisation of the harmful effects of smoking and the tragedy of lives cut short and persons left fighting very serious illnesses such as emphysema and dementia. I will not list all the negative health impacts of smoking because they are well known, but I hope there will continue to be a bipartisan support for this issue.

On a less bipartisan note, the Labor Party has made a determination not to accept donations from tobacco companies, and I welcome others joining that stand because I do not think tobacco companies should be

influencing the decisions of anyone through donations. I am not suggesting that that is occurring, and in fact the legislation represents the continuation of bipartisan regulation of tobacco smoking, but it would be useful if all parties refused to accept donations from tobacco companies.

The regulation of smoking in the bill is not opposed by the opposition, and I hope there will be a continued bipartisan view that smoking needs continued regulation and that we need to ensure that fewer persons smoke, particularly fewer young people, and that the health impacts of smoking are reduced over time in the community, hopefully more rapidly than has occurred in the past.

Mr ANGUS (Forest Hill) — I am pleased to speak in support of the Tobacco Amendment (Smoking at Patrolled Beaches) Bill 2012. The purpose of the bill is contained in clause 1, and it is a very clear and concise purpose. It reads:

The purpose of this act is to amend the Tobacco Act 1987 to ban smoking between the flags at patrolled beaches and within a 50 metre radius of each of those flags.

It is a very simple purpose. I note that clause 2 talks about the commencement of this particular bill, and it will be effective from 1 December 2012. It is a very good thing for our broader community that this legislation is not only going through this place and the other place but that it will be effective by the time the peak of the summer season on the beaches of Victoria comes to pass. Clause 3 inserts new sections 5RA and 5RB, which delve into all of the details of the legislation as it stands, but I will not go into that at this stage.

In terms of the background to the bill, we all know in this place and probably in most places that smoking is very deleterious for one's health. Sadly, approximately 4000 Victorians perish each year as a result of smoking-related illnesses. It is the leading avoidable cause of cancer and respiratory, cardiovascular and other diseases, so it has a huge impact on the broader community, not only in terms of the personal impact, which is so tragic in any of those individual circumstances where someone passes away as a result of any of those afflictions, but also from an economic point of view in terms of the cost to the community, the cost to the health system and the loss of productivity to business and throughout the broader economy of the state.

It is a very serious matter from all angles and one that we as a government need to take very seriously. I should note in passing that we have bipartisan support

on this, which is a great thing. We should do everything we can to discourage smoking in the broader community.

I note also that in 2011 the percentage of regular smokers in the Victorian community was 14.4 per cent, or basically one in seven people, which is down quite dramatically from 1998 when it was about 21.2 per cent, and 1987, when it was approximately 30 per cent. It shows that with effort and focused attention, an impact can be made on the rate of smoking in the population, and that is an excellent thing. 10:55:00

Back in 1987 the government of the day enacted the Tobacco Act 1987 which did a number of things, but in particular it set up the Victorian Health Promotion Foundation, otherwise known as VicHealth, of which I am fortunate to be a current board member. It has been one of the pivotal organisations in Victoria in addressing matters to do with the adverse effects of tobacco on the broader community and certainly on people's health. The initiatives and the programs undertaken by VicHealth and others, including the Quit campaign which is a very well-recognised campaign that has been run successfully in this state for a very long time, are all things the community can be very grateful for.

There have been a range of other control initiatives over recent years, including restrictions on the advertising, sale and consumption of tobacco, as well as advertising promoting antismoking directly and telephone counselling services, and a whole range of other mechanisms. This bill is a further step in the progression of positive ways to discourage the community from participating in this pastime. This reform will reinforce the existing tobacco control measures in Victoria and endeavour to further reduce the prevalence of smoking.

The legislation relates to smoking at patrolled beaches, and I can remember very clearly that as a child we holidayed regularly on the Mornington Peninsula. Along with my mates, one of our pastimes when we were waiting to go swimming or doing other things was to collect cigarette butts on the beach which, looking back at it now, was a bizarre thing to have done. We used to gather them up and examine the tobacco. We were fascinated with the whole thing because the beach was littered with cigarette butts. That is something we certainly would not want our children to be involved with these days, and this reform will have a direct impact by alleviating the problem within the flags at patrolled beaches.

An important aspect of this legislation is to send a clear message to the next generation of Victorians that smoking should not be normalised in any way. In other words, when people go to the beach to undertake recreational pursuits, which are very wholesome activities, including swimming and other things, to see people smoking between the flags flies in the face of the healthy lifestyle and healthy pursuits that are being undertaken. This legislation is a positive step in relation to those activities.

In Victoria there are around 70 patrolled beaches along the coastline and as we all know, during the course of the beautiful Victorian summer, they will be chock-a-block with families and young children. All being well, the legislation will be effective from 1 December and that will send a very clear message to the community.

The ban will not only send that message to children but it will also prevent families from being exposed to cigarette smoke during their leisure time as they lie on the beach or swim between the flags. As other members have mentioned, this restriction extends into the water and that is a very sensible thing. As a previous speaker has mentioned, we do not want smokers wading out into the water and smoking in the shallows, which is where most of the very young children will be. It is very important that the restriction extends into that vicinity.

We all know about the issues surrounding second-hand smoke, and so it is important not only to protect children and others from seeing people smoking between the flags, but also from becoming victims of the second-hand smoke ensuing from anyone smoking in their vicinity. As I said before, it will also reduce the litter on the beaches in terms of discarded butts. Denormalising this pastime is a key aspect of the legislation, and it is important for us, as a government and as a Parliament to send the clear message to the community that going to the beach is a healthy outdoor activity for all Victorians, and it is not the place to smoke.

I note also that statewide smoking bans on beaches were introduced in Queensland in 2005, in Western Australia in 2010 and in Tasmania earlier this year. This reform brings Victoria into line with the smoke-free patrolled beaches that residents in those places enjoy.

There has been strong support in Victoria for a ban on smoking at beaches. A 2010 survey by the Centre for Behavioural Research in Cancer found that 73.6 per cent of Victorian adults disapproved of smoking on

beaches. There has been support from various organisations such as Quit Victoria, the Cancer Council Victoria, VicHealth, the Heart Foundation, the Australian Medical Association, Life Saving Victoria and so on, which is important to us, as legislators.

In conclusion, I congratulate the minister on his work in this area, and I commend the bill to the house.

Ms BEATTIE (Yuroke) — It gives me great pleasure to make a brief contribution to the second-reading debate on the Tobacco Amendment (Smoking at Patrolled Beaches) Bill 2012. The purpose of this amendment bill is to prohibit smoking between the flags at patrolled beaches — the red and yellow flags — and within a 50-metre radius of each flag. It is intended that this smoking ban will further limit the exposure of children and families to second-hand smoke, denormalise smoking, minimise the littering of cigarette butts and improve public amenity at patrolled beaches in Victoria.

11:02:30

I say at the outset that Labor does not oppose the bill. It springs from a long line of bipartisan legislation that has come before the house. Consultation in August 2008 found overwhelming public support for the legislative reforms that the then Labor government introduced. There has also been a cultural shift in our attitudes to smoking. Once upon a time it was the normal thing to smoke; now it is not the normal thing. After the conflicts of World War I and World War II returned servicemen were given cigarettes as a therapeutic product to help them get over what we now know as post-traumatic stress disorder. They were told, 'This will help you along the way; it will calm you down'. Many of those ex-servicemen died from the effects of smoking rather than from post-traumatic stress disorder.

I have a couple of small concerns about the bill. I note that the ban will take effect from December this year and that enforcement of the ban will be the responsibility of the relevant local councils. Local government environmental health officers will fine people breaching the ban 1 penalty unit or \$141. It seems to me that more and more legislative reform is being targeted towards local government enforcement. We recently saw local government being asked to collect the new fire services levy. I am a bit concerned about that shifting of responsibility to local government.

I understand the Department of Health will provide local government with funding for the communications strategy to alert the public about the new rules. As I said earlier, the ban will take effect from December —

in time for the summer season, as has been pointed out by others. I hope some work has been done on the communications strategy, because it is a very short time. We are now at the end of October, and that really gives local government only four weeks to come up with that communications strategy. While I understand you cannot pre-empt the bill's passage through both houses, I hope some thought has been given to that communications strategy.

As I said earlier, our attitudes to smoking have changed a great deal in recent years. Anybody who has visited countries that do not have strict antismoking laws, which we have here, will know the unpleasantness of sitting down to dinner with smoke being blown all over the restaurant and then going home with their hair and clothes smelling of cigarette smoke. It is quite off-putting. I hope other countries learn from the remarkably successful strategy we have had here. Some organisations would like us to go a bit further with this, but it is important that we take the community along with us on this journey. The Australian Medical Association, the Heart Foundation, Cancer Council Victoria and Quit Victoria have supported this legislation. They would like to see further bans introduced, and that may occur at another time.

One of the bans I would like to see introduced concerns my electorate. Everybody who has travelled will know that you cannot smoke on a plane any more — smoking used to be allowed on aeroplanes — and there is no smoking in the terminal. When you come out through the electronic doors at Melbourne Airport you are confronted by a big blue haze. You feel as if you have to get a knife to cut through the cigarette smoke at times. It is also really unsightly to have cigarette butts all over the place near the airport doors. Perhaps some work could be done in that area with some of those organisations and with Melbourne Airport, which I know is always keen to improve the airport and its surrounds for passengers.

As I said at the outset, Labor does not oppose the bill, but it is important that if we are going to consider further antismoking bills, we take the community along with us. That has been demonstrated with this bill, and I am sure it will be in the future. With those few remarks, I conclude my contribution and wish the bill a speedy passage.

11:10:00 **Mrs BAUER** (Carrum) — I am certainly pleased to rise to speak on the Tobacco Amendment (Smoking at Patrolled Beaches) Bill 2012. I am very proud to be a member of a government that is introducing this legislation. I am proud of the initiative not only for myself but because people within my community spend

a lot of time on the beach; it is part of our electorate and part of something we really enjoy doing. With four sons and a large extended family, I think this is something we can be very proud of.

We are committed as a government to tackling smoking in Victoria. As I said earlier, this is common-sense legislation. It is sending a clear message that smoking is not good for our health and not good for our community's health. We have heard earlier speakers mention the statistic that close to 4000 deaths occur every year as a result of smoking and smoking-related illnesses, and that is just in Victoria.

By amending the Tobacco Act 1987 this bill will ban smoking between the flags and within 50 metres of the flags on all patrolled beaches in Victoria from 1 December 2012. I believe that the first day of summer, which is when the changes will be implemented, is appropriate timing. The opening of the season for all the different sailing clubs, motorboat clubs and lifesaving clubs is currently happening, and it looks like we will have a very warm summer. Families will be out and about, enjoying beaches, so the timing of this legislation is very appropriate.

Victorian governments have already accomplished a lot in terms of smoking reforms in our state, and this is just another important step in tackling smoking and trying to drive down the numbers of smoking-related illnesses and deaths. Similar bans are already in place in Queensland, Western Australia and Tasmania, and they are working well. I am pleased to hear that with these bans on smoking on beaches that are already in place, people at the beaches are self-regulating the bans. They work well because it becomes second nature that people know they are not to smoke in that area.

The issue of smoking is a work in progress, and it is all about changing attitudes and lifestyles. Just as people now are used to not smoking in restaurants, pubs, clubs and cars, I am hoping that very soon no smoking on patrolled beaches will also become part of the norm and something we just do automatically. We have witnessed smoking trends decline, especially since 2005. There have been quite a few strategies implemented to control tobacco use, and they are working, which I am delighted to see. We have had positive results in reducing smoking rates, and I commend Quit Victoria for all the terrific work it does.

There is nothing worse than being at the beach and having the fresh air tainted by people smoking around you. It is not fair that individuals should be subjected to second-hand smoke or passive smoking while they are trying to enjoy the outdoors, including beaches. Just

before I came into the chamber this morning I was having a chat to Piper from Patterson Lakes. Piper has been here on a visit this morning. Piper is in grade 5, and I was very interested to hear her views on this. Piper agreed that this is really good legislation. It is going to send a much healthier message to people in the community — that is, that smoking is not healthy. I was very happy to have a chat to Piper on her visit this morning.

I have also spoken to many residents in the community about this while I have been going for my walk on the beach in the morning or just chatting to people out and about. They also believe this is good legislation. People will self-regulate, and I have spoken to the local councils as well because they will be responsible for enforcement. They are supportive of this legislation.

Residents in the Carrum electorate are very fortunate to have a total of six beaches: Aspendale, Edithvale, Chelsea, Bonbeach, Carrum and the Seaford foreshores. Beaches in the Carrum electorate play a major role in the lives of my constituents; not only do they benefit my constituents but the magnificent foreshore also attracts many visitors to the region every year.

The SPEAKER — Order! Pursuant to a decision of the house, I intend to suspend the sitting of the house. A joint sitting of the house will be recalled at 11.30 a.m. this morning.

11:25:00 **Sitting suspended 11.15 a.m. until 11.30 a.m.**

APOLOGY FOR PAST FORCED ADOPTIONS

Mr BAILLIEU (Premier) — By leave, I move:

That this Parliament expresses our formal and sincere apology to the mothers, fathers, sons and daughters who were profoundly harmed by past adoption practices in Victoria.

We acknowledge that many thousands of Victorian babies were taken from their mothers, without informed consent, and that this loss caused immense grief.

We express our sincere sorrow and regret for the health and welfare policies that condoned the practice of forced separations.

These were misguided, unwarranted, and they caused immeasurable pain.

To the mothers and fathers who were denied the opportunity to love and care for your children, and the pain and trauma you experienced, we are deeply sorry.

To the sons and daughters for whom adoption meant continual anxiety, uncertainty and the deprivation of a natural family connection — we offer our sincere apology.

Today, with all members of the Parliament of Victoria gathered in this house, we acknowledge the devastating and ongoing impacts of these practices of the past.

To all those harmed we offer our heartfelt sympathy and apologise unreservedly.

We undertake to never forget what happened and to never repeat these practices.

For all those who have experienced forced adoption the hurt is never-ending, the pain is deep and overwhelming, the tears are private, lonely and spontaneous, triggered by places, dates, events or mere passing moments or by recollections long since weary with self-doubt.

The fear is suppressed, but it is real. The so-called shame is implied, imposed and very unfair. The blame is heartbreaking and the resentment is a burden of unspeakable hardship.

The basis of these actions remains, even in the most benign light, wrong, disgraceful, ill-conceived and in some cases illegal.

11:30:00

Whatever the emotions, those who have endured the misery of forced adoptions have suffered too much, and too long. There is no substitute for that loss. But today we mark an end to the silence. We come here today to bring together those for whom separation has been torture. We do so as one Parliament — united in a commitment to apologise to the mothers, to the fathers, to the sons and daughters and to the families whose lives have been shackled by unhappiness and their long, quiet, unforgiving ordeal. We speak too, as best we can, for previous Parliaments. As one, we say to you all, we are sorry. If, through this process, we can lift even the slightest weight from your shoulders, then we will at the very least know better the way ahead. And that way includes extending our respect, our support and our love and committing to ensure such wrong is never repeated.

Today is a historic occasion for which many Victorians have been waiting for decades. We acknowledge and welcome all those who are here today in the public gallery, those watching in Queen's Hall and the Windsor Hotel across the road, and everyone across this state and across this nation and, I know, across the world.

Today the Victorian Parliament is standing up and saying 'Sorry'. We know that the practice of forced adoptions occurred from early last century into the early 1980s, but it was particularly institutionalised between 1950 and 1975. During those years at least

11:35:00

19 000 Victorian children were relinquished for adoption, the vast majority from young unwed mothers.

In many cases the babies were forcibly removed by practices that were unethical, immoral and unconscionable. Young mothers were routinely compelled, coerced and given no realistic choice other than to relinquish their babies for adoption. Their birth experiences were often brutal and highly traumatic. We have all heard or read the many harrowing accounts from mothers who were subjected to the use of shackles and drugs or had blankets and pillows placed over their faces. These vulnerable young women were denied information and freedom of choice. They were bullied and victimised by the very ones in whom they were expected to place their trust, including medical and legal personnel and welfare officers. Many never saw nor held their child. They have understandably been traumatised ever since.

Sadly this state did not restrict nor condemn these practices, nor did the state provide or require support or alternatives for parents faced with a pregnancy out of wedlock. On the contrary, these practices were effectively sanctioned and in the process the stigma and harmful social and religious attitudes of the day were reinforced. No financial, legal or psychological support was provided, and adoption was assumed to be the only possible option for unmarried pregnant women.

Forced adoptions occurred in both state hospitals and private hospitals, with the active involvement of churches and non-government agencies. Many of these bodies have already apologised for their actions, and we acknowledge the presence in Parliament House today, to hear and support this apology, of the senior representatives of churches and other organisations that were involved.

As a parent myself I can barely imagine the heartache. And we can only have a small inkling of what was taken from these mothers. They never saw the beauty of their baby asleep, never heard their first words or saw their first steps. They did not take them to their first day of school or see them walk down the aisle. These children were taken as babies, and — if they were lucky — returned for some as grown-up strangers.

We know too that intense shame and secrecy often surrounded these pregnancies and adoptions. These traumatised and victimised young women were told to forget about it, never to speak of it, to get on with their lives, and later, particularly at a time of reunification, many found themselves criticised again, this time accused of having given their children away.

What was done cannot now be undone, but we do hope that this official recognition and apology helps in some way to lift the burden of secrecy and bring some peace and relief. It is our undertaking today to ensure that the lessons of the past are learnt and are never repeated.

There are very few adoptions in Victoria today, but we do not live in a perfect world and adoption or permanent care arrangements are still sometimes the best option for some children. Now, however, we recognise that in the instances where it is appropriate it is critical that adoption is open and transparent, with a child always understanding his or her background, and the capacity for these sons and daughters to connect with their natural family is fundamental. We now understand that education for adoptive parents on identity issues and full care for birth mothers are also essential.

At this time I would also like to acknowledge that not all past adoptions were forced and not all of the outcomes for adopted people were poor. I would like to acknowledge the validity, the informed choices and those personal positive experiences of adoption. 11:40:00

The Minister for Community Services will shortly say more about the additional practical actions that the government will be taking to better respond to the needs of persons affected by past adoption practices. But most importantly today is about a Parliament apologising — apologising for the trauma, pain and loss that so many experienced and continue to experience to this day as a result of flawed and harmful government policy. We say sorry for the moral arrogance, for the flawed justification, for the heartless approach of authorities and institutions. We know these young mothers were terrified, ashamed and alone, and today we offer them our unreserved apology. We say very clearly, and as one, ‘You were and are not to blame. It was not your fault. We know your love endures and is very much respected’.

And to the sons and daughters, we also offer our unreserved apology for the love that you too were denied. We acknowledge your lifetime of unknowns. It is our hope that in your hearts there is a place for those who, throughout their own lives, longed just as much to be there with you. If our coming together today brings you closer together, then our community has taken an important step.

I commend the motion to the house.

Mr ANDREWS (Leader of the Opposition) — I rise to add to the eloquent words of the Premier and to speak in support of his motion.

For decades cruelty lived in our homes and in our hospitals. For decades it was sanctioned by successive governments. It was methodical and it was inhumane. It was performed by trusted members of our community, and it remains our shame. We gather today to recognise the anguish we administered and to honour the thousands of women whose lives we devastated. We gather to comprehend a time when our society failed its most instinctive human duty. Together today we gather to say sorry.

I rise to support this motion of apology to the victims of past adoption practices in Victoria, and I acknowledge those present with us in the parliamentary precinct and those watching elsewhere. I acknowledge those who may read our words in the future as well and those who are sadly no longer with us. All of you are in our thoughts, all of your stories have struck at a raw place in our beings, and this, Speaker, is their day. To those people listening, this is your day.

To acknowledge the tragedy you have endured I must affirm one simple rule — that is, to prematurely separate a mother and her newborn child against their will is to pervert the order of nature and to betray the basic tenets of civilisation. That any government, any profession, might violate this rule is a concept deeply unsettling to comprehend. It is wrong, it is inexcusable, and the violation of this rule is a principle test for the health of any society. We failed that test. We failed it when doctors would lull young women into medicated delirium, press them into submission and undertake the procedure with a cold and clinical urge.

11:45:00 We failed it when parents would consign their pregnant children to social isolation or compel them into adoptive consent. We failed it when employers sacked, when communities shunned, and when charities snubbed. But most of all we failed it when elected representatives of this state allowed this systematic tragedy to unfurl and thought nil of those it affected, when they thought nil of the practice they enabled or their obligation to end it. For this I say, on behalf of the Labor Party and on behalf of this Parliament more broadly and without reservation, we are truly sorry for your pain and for your grief, and we are truly sorry for our failure.

We will always remember. We will not ever wear the pretence of denial; we will not attempt a feeble silence. We will always remember, because to forget is to discredit the courage of so many — the many affected who came forward with their stories, who revealed their broken lives, who exposed the acts committed inside our hospitals and institutions and demanded that they cease. If we failed society, then they restored it — those

mothers and children who stood up to be seen and asked us to read the darker chapters of our history. We debate this historic motion today because of their efforts. Yet there were many more who were so broken in anguish they could not bear to divulge their past. We cannot forget those who took many years to relive their memory and we cannot forget those who are as yet unknown.

These are women whose newborns were taken from them. These are women who were given sleeping pills in the safety of a local doctor's clinic and woke up in secure institutions for unwed mothers. These are women who, on revealing their pregnancy to loved ones, were told to change their name and to change their identity. These are women who were told by priests and physicians that God had designated them a birthing vessel for infertile couples. These are women who were drugged and pressured until they signed adoption forms. These are women who were expected to wear corsets and were ushered into closets when guests arrived. These are women who gave birth while tied to a bed, who had sheets and pillows affixed to their face so they never saw their baby. These are women whose only concept of their first child is an infant crying behind a hospital curtain.

These women were told to forget it. They were showered and medicated and spat out of the system. They did not feel the cushion of post-partum care. They watched instead as care was taken only to expunge records and to cleanse memories, and a generation of sons and daughters were denied their mothers. Sometimes the children were told their mother did not want them; they were told she did not care. Sometimes they were told nothing at all. A theory was held that with a clean break mothers would feel no grief and children no void. This theory said that children can be commodities and that mothers can be replaceable. This theory was applied without restraint, but this theory was bankrupt.

Mothers are not replaceable Jo Farmer is not replaceable. Jo gave birth to a baby girl at the age of 18. She told me how in her bed after childbirth a nurse brought her baby to her. This was strictly against the rules. She was thankful for that moment with her infant child. She told me how for years she looked for her baby — she looked regularly for children who resembled the infant she once held in her arms. She told me that when she eventually registered to find her child, she was told, 'You have a 19-year-old daughter'. The word 'daughter' moved her. She had never before felt she had permission to consider her own child a daughter.

11:50:00 The state was obligated to support Jo and her daughter, but it did not. The state failed them, and today we speak to Jo and to thousands more. We speak to those who, unlike Jo, never saw their child, but today we speak too late — too late to prevent harm, too late to recognise it, too late to avert an illegal practice, too late to comfort those who are no longer with us and too late for them to hear the words of our remorse. But we are not too late to help some mothers find their children, and we must do everything in our power in this Parliament to hasten that reunion and to allow that embrace.

Our words today will not heal wounds, but they may comfort those who seek recognition, they may urge silent victims to speak and they may declare that an institution which abandoned so many has finally accepted its responsibility. Today this Parliament accepts that responsibility, and this Parliament will never, ever forget. Yet this Parliament cannot fully heal any pain, and this Parliament can never fully comprehend the agony and torment of those we so manifestly failed.

This is a day of some significant moment. We hope to write, with you, a new chapter — one that ensures your recognition and confirms our responsibility, one that offers no justification and pleads no excuse. So we speak this lasting testament: may it carry our unconditional apology, and may it rest forever in our records. On behalf of the Labor Party and on behalf of this Parliament, I say: I am sorry. We are sorry — truly, truly sorry.

Mr RYAN (Minister for Police and Emergency Services) — I acknowledge the remarks made by the Premier and the Leader of the Opposition on this historic occasion. I would also like to acknowledge the efforts of the commonwealth parliamentarians who worked tirelessly on this issue and paved the way for us here today. I welcome our guests, particularly the families who were directly affected by this policy and who are here with us. They have waited a long time for this day to come.

Today, as Leader of The Nationals in Victoria, I am humbled to offer our sincere and unreserved apology to the mothers, fathers, sons and daughters whose lives have been harmed by past adoption practices in this state. Thousands of families, not just in Melbourne but right across regional and rural Victoria, including my own constituency in Gippsland South, were denied the opportunity to love and care for their sons and daughters because of policy implemented in this place last century.

As a father, one of my greatest joys in life has been to see my three children grow up and blossom into the wonderful adults they are. For parents who were denied this opportunity against their will, I can only begin to imagine the feelings of grief, helplessness, anger and loss they must have experienced and continue to experience. Without for one moment wanting to take away anything from the commitment of adoptive parents, it must be recognised that this misguided and unwarranted policy and these past adoption practices had a detrimental effect on many Victorian children taken from their mothers. Sons and daughters right across our great state experienced anxiety and uncertainty and were deprived of the connection to their natural family.

I was particularly moved by one of the submissions to the Senate inquiry from one such individual who had been taken without consent from their mother and grew up in a small Victorian town. It appears at page 74 of chapter 4 of the Senate report entitled *Commonwealth Contribution to Former Forced Adoption Policies and Practices*, and it says:

I lived in a small central Victorian town where everyone [knew] everything, so when I attended the local primary school I [was] teased: you're not a real ... your mum's not your real mum, your real mum didn't want you. I would go home crying. I can still remember that to this day.

11:55:00

This individual was only reunited with their birth mother when aged in their 40s, and that time can never be replaced.

I know this apology today will not undo the decades of hurt, pain and grief that have resulted from forced adoption. Mothers will never be able to get back the precious time lost with their children because of this policy. They were denied the opportunity to help shape the people their children became in adulthood. Often these families were only reunited in adulthood as complete strangers.

But standing here in this chamber today, united across the floor of the Parliament, we apologise unreservedly to all of those who have suffered. We acknowledge that this unwarranted and misguided practice had a devastating impact on all of those involved. All of us here will ensure that what you have been through — those people who are here and those who are watching — the pain, the loss and the hurt, will never be forgotten. Perhaps even more importantly, it will never be repeated. I commend this motion to the house.

Mr BARBER (Northern Metropolitan) — The Greens support and welcome this motion. On behalf of the Victorian Greens, I join with all members of the

Parliament to acknowledge the terrible pain, grief and anguish that have been suffered by thousands of people who were separated by the inappropriate, unethical and illegal forced adoption policies of the recent past.

I would like to acknowledge all the mothers, fathers, sons and daughters and their extended family members and friends who are present in Queen's Hall and the Windsor Hotel today, who are a small number of the hundreds of thousands who were harmed by these policies in Australia and around the world. We know this has been a very, very long road for you and that today will be a day of mixed emotions.

I would also like to acknowledge that for many thousands of people who are no longer alive, this apology has come too late. It is indeed difficult to believe that it has taken so long for this day to come about. As a father of two children whom I adore, I have tried to imagine what it would be like to have them taken away from me. I found it too painful to continue even with the imagining.

On 28 February this year, the Senate tabled its report *Commonwealth Contribution to Former Forced Adoption Policies and Practices*. The report recommended that state and territory governments and non-government institutions that administered adoptions should issue formal statements of apology that acknowledge practices that were illegal or unethical, as well as other practices that contributed to the harm suffered by many parents whose children were forcibly removed and by the children who were separated from their parents. The report also recommended that formal apologies should always be accompanied by undertakings to take concrete actions that offer appropriate redress for past mistakes.

Evidence to the inquiry told of mothers and fathers who were pressured into giving up their babies by their families, institutions — both state and private — social workers, doctors, nurses and those who they rightly expected to help them.

There was evidence of consent not properly taken. There was evidence of coercion. All the pressure, practices and policies have had lifelong impacts on mothers, fathers, adoptees and family members.

Hundreds of women who gave birth in hospitals and other institutions between the late 1950s and the 1970s said that laws were broken or that there was unethical behaviour on the part of staff in those institutions. Common failings included applying pressure to women to sign consents, seeking consent earlier than permitted by the legislation, failing to get a consent signature or

obtaining it by fraudulent means and denial of reasonable requests, particularly for a mother to have access to her child.

As explained in the report, certainly after new laws were enacted in the mid-1960s actions of these types were in many cases illegal. Such actions were wrong not merely by today's values but by the values and laws of the time, because they did not recognise or act in the best interests of the parents and children. Instead of receiving support, young pregnant women and young mothers who had their children in publicly funded institutions were subject to practices that denied their rights as mothers. Many were told they were unworthy, sinful or selfish for even becoming pregnant or worse things if they wished to keep their children. Young women were ostracised, degraded and diminished. They were denied the chance to see their babies, to hold them or to name them. 12:00:00

These young women were vulnerable. They had no advocates and, in the face of the power of the church and state, they had no choice. Some women who tried to keep their children or even just tried to see them were forcibly restrained. Many were tricked into signing adoption papers while believing they were signing other documents, or were so affected by medication that they were unable to provide legal consent as we know it. These young women did not want to relinquish their children — their children were removed through pressure, intimidation and threats. The human rights of the children who were taken were also denied.

Many women did not survive this experience; unable to live with the guilt and grief, they committed suicide. Adoptees who were never able to understand why they were given up have also taken their lives. Both prejudice and discrimination against women who raise their children on their own are still with us. Every time someone has a go at sole parents, who are usually sole mothers, they keep this prejudice alive. These prejudices run deep.

To the mothers, fathers, sons and daughters who were affected by these flawed past adoption practices, we are sorry. Because so many pregnant and unmarried women were not given the appropriate care and respect that they needed, we are sorry. Because so many sons and daughters suffered long-term anguish and emptiness, we are sorry. We sincerely hope this apology brings some comfort and redress for what was done to you.

As representatives of our community, members of this Parliament have a responsibility to recognise what happened and to ensure that there is redress for the

people affected. These flawed adoption practices occurred under a framework of laws created by the Parliament of Victoria and were implemented by successive governments. Governments and institutions must now provide the means to redress the wrongs. Support and funding for groups that provide specialised services and assistance tailored to the needs of those who have been affected is needed.

Ongoing research is important to assist in understanding the extent of the impact of these practices and to inform the actions required to redress them. More funding and assistance is needed to help reconnect families. Governments must provide leadership in developing awareness and understanding in the community of the trauma caused by past adoption practices and to encourage those from institutions and professions who were involved to apologise if they have not already done so. As has been suggested in some other states, we think there should also be a memorial to ensure that the public is aware of what happened and its ongoing consequences. We all have a responsibility to ensure that these actions are taken to redress the effects of past adoption practices.

In addition to saying we are sorry, it is also very important to say thank you to all of the groups and individuals who have worked so hard for so long to raise the issues and to provide support and assistance to the mothers, fathers, sons and daughters who suffered as a result of these practices.

12:05:00 It is important that we recognise the ongoing role they have played in bringing about this formal apology and thank them for everything they have done.

I would like to acknowledge the commitments the government will announce in a few moments. We sincerely hope that today does bring you some comfort and redress for what was done to you, and we commit to do all that we can to ensure that governments provide the ongoing support and resources that you have called for and need.

Ms CAMPBELL (Pascoe Vale) — Today's apology is due to the relentless and courageous endeavours of mothers for the truth to be recognised: the truth that they gave birth to babies that they loved and continue loving. Parliament and society denied them the right to exercise their mothering role. We thank you for your persistence in teaching us the truth.

I rise to offer an unconditional and sincere apology on behalf of the Victorian Parliament for the profound pain and distress caused by past unlawful adoptions and abductions. Past Victorian governments were complicit

in this in terms of both their actions and their omissions. I say sorry to the mothers whose children were taken from them and who since have suffered lifetimes of trauma. I say sorry to those who missed the direct affection, love and care that their mothers were desperate to give them and who were deprived of knowing their families. I also say sorry to the fathers who were not given a chance to meet, bond with or raise their own child. We recognise and acknowledge that many past practices and policies denied people their human rights, they were abusive and unlawful, and they also contravened the codes of professional conduct of many in the medical profession.

The multiple abuses and unlawful practices which took place included depriving mothers of information about their rights to keep their babies, lying to mothers about the material assistance that was then available to them and the supports to which they were entitled, and lying to mothers about the outcomes of keeping their babies. They included coercing mothers into signing adoption papers and having people other than the mothers sign the adoption papers. In many cases the legal status of those papers was never properly explained and a copy never given to the mother. In other cases those papers were misrepresented to the mothers as formalities and in some cases even as death certificates. Lack of informed consent included the failure to explain the consequences of signing the papers and the right to revoke, which was both a denial of the mother's rights and entrapment.

If a copy of the adoption papers plus honest explanatory material had been provided, as required by law, mothers would have known of their right to revoke consent and how to go about it. Many mothers say they went back to the hospital on days after signing but were told, 'You are too late: the baby has gone', when in fact that was a downright lie and their baby was still in the nursery, unable to receive the mother's cuddle. The law was systematically broken with impunity. Theoretically the purpose of adoption laws was to protect a mother's right to raise her child, and this was broken. There was no advocacy and no truly independent third party to assist the mothers. The results of this included: from the moment of birth the baby being whisked away, unsighted by its mother; babies being denied the chance of direct affection and love in their first days and later on; mothers being denied a chance to cuddle or even breastfeed for a short amount of time; and, in many cases, mothers when they had decided to give up their babies for adoption not even being able to name their babies.

There was also the use of medical drugs outlined by others and procedures that ensured that women could

not give informed consent. The medical drugs were used not with the aim of administering of medical care but as a control mechanism to sedate mothers and restrict their rights and access to their children in an attempt to prevent the development of a bond between that mother and child.

12:10:00 There was systematic lying to adopted people about their identity, including fraudulent alteration of birth certificates. To this day many adults are completely unaware that they were adopted. Psychological assistance and counselling to mothers was withheld, and many were lied to about their baby's outcomes. As I have said, in some cases mothers were told their babies had died and in other cases were told their baby was a boy when in fact it was a girl, and vice versa.

In hospital there was no advocacy for the mothers, and they were emotionally manipulated. They were told their baby's best interests would be served by giving them to married couples who would provide them with a family environment and who would love them, yet the baby was already part of a family; an innate lifelong bond between a mother and child already existed. The failure to acknowledge the truth of these deep connections facilitated the incidence of forced adoptions, sometimes under the disguise of altruism. These actions were not only misguided in their intent but illegal and immoral. There was total denial of the right of a mother to be with her child, regardless of her marital status or her financial position, regardless of the lack of approval from her family, community or society at large and regardless of the desire of others to adopt her baby. Being with their baby was a right — a right these mothers had taken from them.

When a woman becomes pregnant she becomes a mother. Regardless of whether the state supports her or not, she is always a mother; that does not leave her. The pregnancy ends but the motherhood endures. Parliamentarians and society collectively failed in our duty. We also failed by allowing so many of these children to grow up thinking they were neither wanted nor loved. Governments and the health system permitted these and other inhumane and unethical practices to take place in our hospitals and in organisations that received government support and backing. We actively worked against the interests of mothers, many of whom were single, were without independent financial means and were kept in the dark about the financial support that was then available for them.

We facilitated the removal of children from their mothers by force and subjugated those mothers' human rights to those of agencies which did not have the

mothers' interests at heart. Collectively society judged, denigrated, intimidated, shamed and coerced. For all of this I am profoundly sorry. I also acknowledge that I think after hearing the other speakers we now understand what we did.

The litany of abusive practices has had consequences that can never be undone, resulting in an untold amount of trauma, grief, loss, pain, anger and despair that can never be repaired. In some cases that profound trauma has manifested itself by mothers having no memory of the hospital or even of giving birth. In a state that has had a continuous 156 years of parliamentary democracy this institution must accept responsibility, and we do on behalf of all Victorian governments, for those wrongs that were committed under the jurisdiction of the state.

I acknowledge that what happened with adoption in this state over many decades was against the law. The actions to forcibly remove babies from their mothers was considered child stealing under the provisions of the Criminal Law Practice Statute 1864 right through to the Victorian Crimes Act 1958. Child stealing is contrary to the 1948 Universal Declaration of Human Rights, which recognises in article 5 that no-one shall be subjected to degrading treatment, and article 25 decrees that all children, whether born in or out of wedlock, are entitled to the same protection.

Past governments also acted against the requirement of the 1959 United Nations Declaration of the Rights of the Child, which stipulates that all children should be cared for and provided for and should not, save in exceptional circumstances, be separated from their mothers. These actions happened at a time when people knew it was morally wrong to forcibly separate a mother and child. They were not consistent with society's stated values then or now. As it would be wrongful to flout the laws of mothers and their babies now, it was wrong and indeed unlawful then. 12:15:00

We have learnt and will continue to learn from past malpractice, and collectively we strive today to ensure that such terrible injustices against a mother and her child will never be repeated. I ask us all: who is more vulnerable than a mother and her child in the delivery suite? We also need to address the injustices that have already occurred, and I welcome the news that we are about to hear of some initiatives. It is good that we are going to take some tangible steps. We must do so, because to take steps towards healing and recovery we must acknowledge the past and ensure that there is redress where practices have been wrong.

Healing requires deep honesty. The disturbing truth of what happened with adoption in this state over many

decades needs to be presented to the Victorian people in all its painful reality. I want to quote a mother who has taught me a lot and who has led a wonderful group of women for the last 16 years who collectively have taught us so much. She said:

When parliamentarians get social policy wrong, it is incumbent on us to identify the truth — the cold, confronting, uncomfortable truth — facing it, dealing with it. Until we fully confront that truth, there will always be a shadow hanging over all of us ... We have never parented our children. Our children live with the reality of being parented by others. The reality for most mothers is a lost baby at birth, a profoundly painful reality that is only fully understood by each mother in her unique circumstances.

To the mothers listening, you know your unique circumstances, and we acknowledge you.

As a step towards healing and recovery, I am glad to hear today that the Victorian Parliament will not only make an apology but we also need and I would suggest that we put in place legislation within the next 12 months to ensure that hospital or organisational records pertaining to adoption in this state cannot be legally destroyed. We need to give parents the right to know what happened to their children and assist people to know and understand the truth of their own stories, their own lives and their own medical and genetic histories. This can only be done if records are kept and made available to those to whom they pertain. Many birth registrations were fraudulent. A legal birth certificate should be truthful, and where one is not we as a Parliament need to ensure that corrective mechanisms are established.

As well as mothers, many people, including fathers, grandparents and families, continue to suffer as a result of the unlawful and immoral decisions that were made with the approval and the imprimatur of past Victorian governments. Between the hospital and the official lodging of birth details, the names of some fathers were removed by hospital social workers or almoners. That is why it is important birth certificates are truthful. We should never compound people's suffering by turning a blind eye to those who wish to cover up the truth, or, worse still, to destroy records. We have to continue to educate health professionals about the sensitive issues around a mother and child. Pregnancy can end for mothers, but their motherhood continues.

A further obligation on this Parliament is to ensure that adopted people are properly supported in the process of finding out about their families of origin and the truth of their mother's story, which requires medical and emotional support, listening to what everybody has to say and acting where it is humanly possible to redress past wrongs.

Today's apology is unequivocal. To do otherwise would be to re-traumatise mothers.

To complete our apology here today we must also put into place independent accountability mechanisms to ensure that our undertakings to mothers, fathers, adopted people and their families and the broader community are fully and unequivocally met. I make a personal commitment, and I encourage others in this Parliament to do so also, to continue to work to ensure that all those mechanisms are put in place so that significant steps can be made towards healing the gaping and terrible wounds that exist in our community.

12:20:00

For the illegal, immoral and unethical behaviour of past governments, their agencies and people employed by them, this Parliament apologises. To the mothers joining us at Parliament House and from beyond, especially those who cannot be personally present, can I say I am truly sorry.

Ms WOOLDRIDGE (Minister for Community Services) — It is indeed an honour to rise as the final speaker in support of the motion for an apology for past adoption practices here today. As Minister for Community Services I have had the opportunity to be part of so many conversations and so many meetings and have been sent so many letters and emails — all telling stories of loss, trauma and grief. Many tears have been shed, but they are just a fraction of the tears shed over the past decades for daughters and sons never held or ever known, for mothers and fathers never met and separations never explained or understood.

Many of you are here today — in this Parliament, in Queen's Hall, at the Windsor or watching on the internet. Thank you for the courage in sharing your journey. Thank you for the courage of your conviction that what happened was wrong and deserved an apology, and thank you for your care for others that so convincingly makes the point that we must ensure that this never happens again.

You have told us that you were young, scared and alone; that you were restrained, drugged and coerced; that your babies were taken and that you could do nothing about it; that while these practices happened many decades ago the pain is still very raw and very real; that every day you see people who look about the right age and wonder, 'Is that my daughter, is that my son?'; and that the pain and that wondering never leave you and that the anger and frustration never leave you either.

One mother said to me, ‘There is always an empty space at the table’, another that she has spent her life ‘walking on eggshells’. These are very powerful metaphors for the experiences of mothers right across this state. I stand here and say to each and every one of you, you have been heard. We have heard your pain and your trauma, and we say sorry. The reality of forced adoption was brutal and unconscionable. Your rights and the rights of your baby were denied and abused, and there were cases where the practices you experienced were illegal.

To have a government and a Parliament stand up and formally apologise is truly significant, and today’s apology — and those of other states and the commonwealth to come — is the direct result of years and years of effort from many, many women right across the country and in this state who refused to give up the fight. Progress towards this day has been slow and steady. Governments began by ceasing the practices of forced adoption, providing support for single mothers and, beginning with Victoria in 1984, ensuring open adoption processes and allowing access to previously closed adoption records. I know we have individuals in this chamber today who were involved in that process, and I acknowledge your efforts nearly 30 years ago.

Today marks another important milestone. For mothers this very public and sincere apology, in our Parliament, is recognition that what you have been telling your community, your family, your daughters, your sons, or perhaps what you have kept to yourself for decades, is valid and believed.

12:25:00 For people who are adopted I hope this contributes to a deeper understanding of the circumstances surrounding your adoption. I hope that this official recognition of those practices and this apology can remove any false stigma and hopefully lift any remaining burden of secrecy.

We can also assist in practical ways. As of today we are removing fees charged when people affected by adoption search for their family information through the family information networks and discovery service. We will provide enhanced access to specialised counselling and support in rural, regional and metropolitan Victoria, including new professional development for counsellors in post-adoption psychotherapy. We will also support the development of an integrated birth certificate, which shows the names of one’s parents and adopted parents on the one document in conjunction with the national reforms of birth and adoption records, and we will introduce legislation to this place to amend the Adoption Act 1984 to allow mothers and fathers in

Victoria to receive identifying information about their daughters and sons in line with what occurs in other states.

We cannot change what happened, but we can commit to ensuring that it never happens again. British philosopher Edmund Burke said that those who do not know history are destined to repeat it. Today we say that not only do we acknowledge what has occurred but we now understand it. We understand the unwarranted and immeasurable pain caused to tens of thousands of Victorians. We understand that policies of the day condoned the immoral and unethical practices, and we understand that this Parliament has a leadership role and indeed a responsibility to ensure that this never happens again.

In conclusion I join with the Premier, the Leader of The Nationals, the Deputy Premier, the Leader of the Opposition, the Leader of the Victorian Greens, the member for Pascoe Vale and indeed all of this Parliament to support and commend this motion of apology to the house.

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

Sitting suspended 12.28 p.m. until 2.34 p.m.

14:30:00

Business interrupted pursuant to standing orders.

QUESTIONS WITHOUT NOTICE

Ombudsman: investigation into allegations against Mr Geoff Shaw, MP

Mr ANDREWS (Leader of the Opposition) — My question is to the Premier, and I refer the Premier to the commitment that he made this morning to make further inquiries into footage of the member for Frankston’s inappropriate conduct in this chamber yesterday. I simply ask: can the Premier inform the house of the results of those inquiries?

Mr BAILLIEU (Premier) — I thank the Leader of the Opposition for his question, and indeed, as you know, Speaker, you gave me the opportunity to look at the footage in question. I have looked at that footage on three occasions, and that footage is very brief. I do not believe I could reach a conclusion from that footage.

Indonesia: trade relations

Mr BATTIN (Gembrook) — Can the Premier advise the house on how the government is working to

improve Victoria's business relationship with Indonesia?

Mr BAILLIEU (Premier) — As members would know, there is significant economic growth taking place in the Asian region, and Asia's emergence creates extraordinary opportunities for our state. By 2020 Asia will account for, it is estimated, 45 per cent of global gross domestic product and one-third of global trade. As members will know, it is a key theme of this government to seek to grow and expand our markets, and that is what we have been doing. That is a strategy, and our broad strategy has been endorsed today by Standard and Poor's. Standard and Poor's today has backed Victoria's disciplined and responsible approach in the face of tough economic times and reaffirmed along the way our state's AAA rating.

I am very proud to say that Victoria is leading the way when it comes to trade engagement. There are those who are talking about the Asian century, but we are simply getting on and doing it. We have conducted Australia's largest ever trade missions twice to China and twice to India as well as trade missions to the Middle East and Japan. There have been outstanding results, and we have reported to the house on that already with hundreds of millions of dollars in exports, investment and the creation of additional jobs. The feedback has been extraordinary.

We have also established new trade and investment offices in Beijing and Mumbai, plus an expanded presence in China's fastest growing area in Chengdu. That means Victoria has the strongest presence in Asia of any state, and it will mean even more jobs, investment and export opportunities.

But we do not intend to stop there. We have also taken steps to significantly ramp up our activity in relation to Indonesia and South-East Asia. We know Indonesia is a major growth market, obviously our nearest neighbour and a very large nation in itself. It is predicted that Indonesia's economy will go from being the 16th largest in the world to the 7th largest within the next two decades. To address this I am very pleased to announce that Victoria will reopen its Jakarta Victorian government business office. It was an office that closed under the previous government in 2002, and that I believe was a short-sighted decision. We will also explore with Indonesia the possibility of establishing a mutually beneficial sister-state relationship.

Victoria will also conduct a trade mission to South-East Asia next year as part of developing our comprehensive South-East Asia strategy.

That will mean more jobs, more investment, more opportunities and more exports — that is what our strategy is about.

14:37:30

I am sorry that the office was closed in 2002. At the time the Australia Indonesia Business Council had this to say about the decision:

It does not ... reveal a real understanding of the value of that office or a proper evaluation of the cost benefit.

I believe the council was right. In contrast, we are acting to promote Victoria's interests and capitalise on the opportunities that Indonesia represents. That news has been strongly welcomed by the Victorian Employers Chamber of Commerce and Industry, which said:

VECCI congratulates the ... government on its announcements of activities in South-East Asia that will continue to grow our markets and increase export opportunities for Victorian business.

It was also welcomed by the Australia Indonesia Business Council, which said:

The ... Council congratulates the Victorian government on its initiatives to strengthen the state's economic and cultural links with Asia, including Indonesia.

We are not simply waiting for the outcome of the Henry review; we are getting on with it. This is part of a key theme for this government: the largest and most successful trade missions in Australia's history and the strongest formal representation in the region from any state. We are ensuring that we are the most Asia-capable state with an Asia-capable workforce, and that we maintain a AAA rating.

Member for Frankston: conduct

Mr MERLINO (Monbulk) — My question is to the Premier. Can the Premier detail for the house exactly what he believes is inconclusive about the footage of the member for Frankston? Was it the member's hand gestures, the word he said or both?

Mr BAILLIEU (Premier) — As I said, I viewed the footage on, I think, three occasions. It is an extraordinarily brief piece of footage, and the view cuts. As I said, I was unable to reach a conclusion. I believe the footage was inconclusive.

Economy: government achievements

Mr TILLEY (Benambra) — My question is to the Treasurer. Can the Treasurer update the house on the latest independent assessment of the Victorian economy?

Mr WELLS (Treasurer) — I thank the member for Benambra for his question. As the Premier has announced, Standard and Poor's has confirmed today that Victoria has had its AAA credit rating reaffirmed with an outlook marked as stable. There are only two states in the country that have that stable outlook — that is, Victoria and Western Australia. When you look around the world and see countries losing their AAA ratings, when you look around the states in this country and see them being downgraded, you realise that this is a great effort by the Baillieu government.

We have had to face a lot of challenges. The first has been the blatant incompetence of the previous government. Major projects and cost blow-outs — —

Honourable members interjecting.

The SPEAKER — Order! The member for Williamstown and the member for Narre Warren South, that is enough.

Mr WELLS — There is the blatant incompetence of the previous Labor government on major projects such as myki, Melbourne Markets, regional rail and HealthSMART, together with falling productivity because the former government was dominated by trade unions. It had no control over expenditure, with an average expenditure growth of 7.3 per cent each year when revenue growth was only 6.9 per cent and with back office public service numbers increasing at 5.3 per cent when the population was growing at only 2 per cent. It was clear that Labor could not manage money and could not manage major projects.

In addition to that, we have had massive write-downs in revenue. GST was written down by \$6.1 billion and stamp duty was written down by \$1.5 billion, so that is over \$7.6 billion in just those two revenue streams. In addition to that we have had the high Australian dollar. We have had the carbon tax hitting every single Victorian family. Then what happened at the start of this week? The hypocritical federal Gillard Labor government laid its boots into health, education and the apprenticeship scheme.

In light of all this the Baillieu government has maintained a AAA credit rating. What does Standard and Poor's say? It states:

Victoria's very capable and conservative management, the state's resilience and diversified economy ...

The stable outlook reflects our expectation that Victoria will continue to deliver on its budget cost savings and fiscal strategies.

It goes on further to state:

The Victorian government continues to demonstrate fiscal discipline ...

And further:

...despite these challenges, Victoria's unemployment rate remains low.

Let me finish on this point: had the previous Labor government continued in office with no policy change, the operating position for this financial year would have been a \$4 billion deficit. By 2015–16 that would have been a \$10 billion deficit. State Labor members should hang their heads in shame.

Member for Frankston: conduct

14:45:00

Mr MERLINO (Monbulk) — My question is again to the Premier. Why does the Premier believe it is appropriate for him, me, the Speaker and journalists to have viewed the tape of the member for Frankston's actions but not all Victorians? How is this consistent with his claims to run an open and accountable government?

Dr Napthine — On a point of order, Speaker, may I suggest that you ask the member to rephrase his question? He began the question with, 'Why does the Premier believe'. That is clearly seeking an opinion. That is against the standing orders, and I would ask you to perhaps give the member the opportunity to rephrase the question so he is not seeking an opinion.

Mr Andrews — On the point of order, Speaker, there is no point of order. The question asked the Premier why it was appropriate. The Premier has deemed it appropriate, given what he has just detailed for the house. We asked him to update us on his inquiries; he provided us with details that he has viewed the tape. He therefore believes it is appropriate; in his view it is appropriate. The question is in order. It ought to be allowed, and the Premier ought to answer it.

The SPEAKER — Order! I ask the member for Monbulk to rephrase his question and not seek an opinion.

Mr MERLINO — My question is to the Premier. Why is it appropriate for him, me, the Speaker and journalists to have viewed the tape of the member for Frankston's actions but not all Victorians? How is this consistent with his claims to run an open and accountable government?

Dr Napthine — On a point of order, Speaker, as I heard the question that was asked, I believe it is an issue for you, as Speaker of the house, not a decision for the Premier with respect to government business.

The decision about access to the vision is a decision for the Speaker, not a decision for the government or the Premier, and I ask you to rule on that.

Mr MERLINO — On the point of order, Speaker, the question is entirely in order. The Premier is responsible for the code of conduct. This question is entirely in order.

The SPEAKER — Order! It is a decision of mine, as the Speaker, as to whether that DVD will be released to the media. I have allowed the media to view the DVD, and I am now going to release it to the media.

Bushfires: royal commission recommendations

Mr NORTHE (Morwell) — My question is to the Deputy Premier and Minister for Bushfire Response. Can the minister update the house on the coalition government's progress in implementing recommendation 46 of the 2009 Victorian Bushfires Royal Commission through a voluntary bushfire buyback scheme in the state's worst affected bushfire areas?

Mr RYAN (Minister for Bushfire Response) — I thank the member for his question. He of course represents an area which was very badly affected as a result of the awful fires — the Gippsland fires and the Black Saturday fires — of 2009. The coalition government, as the house knows, is committed to the implementation of all 67 of the recommendations of the 2009 Victorian Bushfires Royal Commission. Recommendation 46 proposed the introduction of a scheme for non-compulsory acquisition of land by the state. We promised to implement this recommendation, and we are delivering on that commitment. I might say that we are doing so after the former Labor government flatly refused to do anything to implement recommendation 46.

In implementing this recommendation, the royal commission suggested that priority be given to areas of unacceptably high bushfire risk and those in which dwellings were damaged or destroyed by the 2009 bushfires. The rationale for this voluntary scheme is explained at page 249 of volume II in the series of final reports, *2009 Victorian Bushfires Royal Commission — Final Report — Fire Preparation, Response and Recovery*. It states that fire-affected landowners had:

... little option but to rebuild if they cannot sell and move on. But if they rebuild the risk to life and property returns; if they sell their land to someone else who then rebuilds the risk is merely transferred to someone else. Were they able to sell their land to the state ... they could resettle elsewhere, and the problem of the risk would be redressed.

This scheme will of course never redress the tragic events of February 2009, but we hope that the acquisition of the properties that were subject to those events will assist those landowners to resettle. A total of 137 eligible landowners have now been given the option of selling their property through the buyback scheme. Of those, some 69 of those properties have been settled, so the former owners of those properties now have their money. A further 41 properties are in the process of settling, and there is a group of landowners who are continuing to consider their position. The land was valued through the valuer-general process, and there were two valuations done. They were done on the basis of vacant land, and they were timed to 1 January 2009 and then to current market value. The offers were sent to the owners of the properties on the basis of the higher of those two figures.

The majority of the properties that have been acquired are in the Murrindindi shire; however, other properties have also been acquired in the shires of Alpine, Greater Bendigo, Latrobe, Mitchell, Nillumbik, Whittlesea and Yarra Ranges. The bushfire land acquisition panel will now make recommendations to me and to the government as to the future use of this land. I emphasise to the house, however, that under no circumstances will the land ever be able to attract the provision of a permit for the construction of a residential dwelling. The land may be taken into public estate or it may be resold — for example, to an adjoining landowner. Where it is appropriate, selling of the land will enable an adjoining landowner to better manage their own bushfire risk — for example, they might decide to simply graze that adjoining property. As we all know in this Parliament, the grazing of property in fire-threatened areas is a very sensible thing to do.

I would like to pass on my thanks to the chair of the panel, the honourable Patrick McNamara, the panel members and the staff across a number of departments who came together to enable this buyback scheme to be given effect. It has provided options and alternatives to people who under the former Labor government had been abandoned and would not have had these alternatives available to them. We are proud, therefore, to have put the buyback scheme into effect. Another of the 67 recommendations has been implemented.

Member for Frankston: conduct

Mr ANDREWS (Leader of the Opposition) — My question is again to the Premier. Given the imminent release of the footage showing, clearly, the inappropriate conduct of the member for Frankton —

given that that will be released quite soon — I ask the Premier: would he like to revise his earlier answer and his commentary that the footage is inconclusive? Would the Premier like to revise that assessment, given that the video will be released quite soon?

Mr BAILLIEU (Premier) — I thank the Leader of the Opposition for his question. Earlier today I was asked the question by the media, and I said I had no problem with the footage being released; that was a matter for you as the Speaker, and the government does not direct the Speaker. What I said before is that I believe the footage is inconclusive. I have viewed the footage three times, and it is extraordinarily brief. The first time, as you are aware, Speaker, I was not even aware what particular piece of the footage we were looking at, so I believe the footage is inconclusive.

14:55:00

Rail: city loop

Ms MILLER (Bentleigh) — My question is to the Minister for Public Transport. Can the minister advise the house on the actions the government is taking with regard to rail safety in the Melbourne underground loop, given the Ombudsman's report tabled today?

Mr MULDER (Minister for Public Transport) — I thank the member for Bentleigh for her question and her ongoing interest in public transport and the safety of public transport here in Melbourne. We came to government with a commitment that we would make our railway stations safe and we would invest in the rail network to improve punctuality, do away with the high level of cancellations and make sure that people who travel on the public transport network could do so and feel safe in doing so. And we are delivering on that commitment. We are rolling out protective services officers across the network to make the station precincts safe and we are putting additional funding into maintenance and upgrades to the network. In particular we are putting money into safety improvements that should have been carried out a long time ago.

It is no secret that when Metro took over the network it did a due diligence, and detailed in that due diligence was the appalling state of the metropolitan network — to the point that Metro identified lines where it believed trains were at risk of derailing because of the poor maintenance regime of the former Labor government and successive Labor ministers. We have acted, and we have acted very quickly and precisely to put money where it is needed and to deal with the backlog of dangerous issues on which the former Labor government and successive Labor ministers turned their backs. We have put an extra \$100 million into maintenance and asset renewal on the network, and this

financial year we will be spending somewhere of the order of \$247 million on the metropolitan and regional rail networks to make sure that those networks are safe.

In relation to the city loop, the subject of the Ombudsman's report, in August 2012 the fire protection system at Flinders Street station was put in place and upgraded. A request for around \$37 000 was put to the former Labor government to undertake this work, and that request was knocked back. That was clearly identified in the Ombudsman's report. In September 2012 corroded fire service pipes were replaced and emergency walkways were cleaned. The current program of works in and around the city loop includes mapping and preparing of the tunnel cracks, repairing emergency wetware walkways, cleaning and de-burring of pipes, addressing track bolt failures, replacing cracked sleepers and scoping of the ventilation system to upgrade it going forward.

Public Transport Victoria, the new statutory authority, will oversee these works on behalf of the Victorian public. The Ombudsman acknowledges in his report that Public Transport Victoria has responded quickly with a works program for this work. You could not get a more damning report.

Honourable members interjecting.

The SPEAKER — Order!

Mr MULDER — One after another, report after report in relation to the condition of that tunnel was handed to the former Labor government and former Labor ministers, and they continued to turn their backs on them. They did not make the investment. Where did the money go? Go back to another Ombudsman's report and have a look at the money that was spent on advertising at the very time when the engineers were saying to the former Labor government, 'You need to upgrade the loop. You need to put money into safety upgrades'. Instead the money was hived off and spent on advertising. Even when money was allocated to the loop, the government of the day very craftily started to drag the money away and put it into other areas of the network. It turned its back on safety. This is a damning Ombudsman's report on the maintenance and management of the rail network under the Labor —

The SPEAKER — Order! The minister's time has expired.

Member for Frankston: conduct

Mr ANDREWS (Leader of the Opposition) — My question is directed to the Premier. Given the Premier sacked the member for Benambra as a parliamentary

secretary just hours after a damning Office of Police Integrity report was tabled, why does the Premier continue this feeble defence of the rorting member for Frankston?

Mr BAILLIEU (Premier) — The Leader of the Opposition is incorrect; the member for Benambra resigned.

Honourable members interjecting.

Dr Naphthine interjected.

The SPEAKER — Order! The Minister for Ports is pushing it.

Mr BAILLIEU — As I said, the member for Benambra resigned. With regard to the member for Frankston, this house yesterday voted to refer the matter to the Privileges Committee, as was the recommendation of the Ombudsman.

Mr Andrews — On a point of order, Speaker, the question sought from the Premier why he applied one standard to the member for Benambra and why he covers up and excuses the behaviour of the member for Frankston.

Honourable members interjecting.

Mr Andrews interjected.

The SPEAKER — Order! Sit down! I do not uphold the member's point of order.

Mr BAILLIEU — The Leader of the Opposition theatrically makes that point of order, as he is wont to do, but I say again: this house yesterday voted to refer this matter to the Privileges Committee, which was the recommendation of the Ombudsman. It is the Privileges Committee which will consider this matter, and to the best of my knowledge the Leader of the Opposition is not on the Privileges Committee. The Privileges Committee has that responsibility, and we will await the report of the Privileges Committee.

15:02:30

Iluka Resources: Mallee mine

Mr CRISP (Mildura) — My question is to the Minister for Energy and Resources. Can the minister inform the house of new mining activity, investment and job creation in north-west Victoria?

Mr O'BRIEN (Minister for Energy and Resources) — I thank the member for Mildura for his question and for his interest in making sure that Victoria makes the most of its considerable mineral resources. I was very pleased to join with the member

for Mildura last week in opening the new Iluka Resources Woonack, Rownack and Pirro mineral sands mine just outside Ouyen in the member's electorate. This is a fantastic project involving over \$96 million in investment in the local community. It involves 180 local jobs created in a policy environment where we encourage companies to invest to sensibly develop our mineral resources. One hundred and eighty people in and around Ouyen and Mildura — not people who fly in and fly out — are actually living there and spending their money in the local communities: at the local pubs, with the local sporting clubs, at the local supermarkets, in restaurants and at tourist facilities. This is a great economic boon to the north-west of Victoria.

I was pleased to be there with David Robb, the managing director of Iluka Resources, John Pizzey, the chairman, and Grant Huggins, the mine manager. I was also delighted to meet with Rex Harradine, the senior elder of the Latji Latji people and Frank Clarke of the Barengi Gadjin people. The fact that Iluka Resources is so good at working with the local community, including the local Indigenous community and the local land-holders, is a tribute to the company, and we want to see more of that in this state.

Mr Wynne interjected.

Mr O'BRIEN — I acknowledge the words of the member for Richmond. We want to see companies working with the local community, providing local jobs and good economic growth and development right across Victoria, but particularly in our rural and regional areas.

In terms of our mineral sands endowment, what Iluka is developing is just a fraction of what the Department of Primary Industries estimates we have. The Murray Basin is estimated to hold about 350 million tonnes of mineral sands deposits, but across Victoria we believe we have over 3 billion tonnes of mineral sands deposits. This is a fantastic endowment for the state, and the coalition government is determined to make sure we have an environment where people and companies can invest and develop those mineral resources to bring in local jobs and local growth to the economy.

This project will operate for the next three years. Not only will it support 180 local jobs around Ouyen and Mildura, but it will also support 110 jobs at the Hamilton mineral separation plant and make sure that plant has an extended life. It means local people around the Hamilton area working in the plant will have guaranteed continued employment, because this

government is committed to driving the development of our mineral resources to make sure that we have jobs.

Victoria is very prospective when it comes to mineral sands; we account for 20 per cent of the world's retail production — 10 per cent of zircon and 0.5 per cent of ilmenite. This is an important product which has many household uses. It is very important in terms of the growing economies of China, India and other growing economies in Asia. Victoria has great mineral sands prospectivity. We are determined to make the most of it, and we are determined to work with companies like Iluka. We are determined to work with communities like Ouyen, Mildura and Hamilton to keep the jobs coming in Victoria.

TOBACCO AMENDMENT (SMOKING AT PATROLLED BEACHES) BILL 2012

Second reading

Debate resumed.

Mrs BAUER (Carrum) — I am pleased to continue my contribution to the debate on the Tobacco Amendment (Smoking at Patrolled Beaches) Bill 2012. As I was saying before the break, residents in my electorate of Carrum are incredibly fortunate to have six beaches, including those at Aspendale, Edithvale, Chelsea, Bonbeach, Carrum and Seaford. The beaches are definitely an integral part of the lives of our constituents, not only those in the Carrum electorate but those right throughout Melbourne. We also have a lot of interstate visitors, and it is great to know that people come down to the seaside suburbs in my electorate to holiday at Christmas time. They will benefit most definitely from this new legislation.

Going to the beach is a popular activity for my constituents and visitors to the area and this bill will make going to our beaches a more enjoyable and healthy experience for Victorians and visitors by banning smoking between the flags. Melbourne beaches are popular all year round — even through winter — but particularly in the warmer months. As we have seen in recent weeks, when the temperature hits 25 degrees, people hit the shopping strips throughout the electorate to buy bathing suits, bikinis and beach attire. With the holiday season fast approaching the timing of the legislation is perfect.

I would like to record my gratitude for the work that the lifesaving clubs do in my electorate in keeping our beaches safe not only for locals but for those who visit them. There are seven surf lifesaving clubs in my electorate and they very much welcome the change we

are implementing. They include the Aspendale Lifesaving Club, Bonbeach Lifesaving Club, Edithvale Lifesaving Club, Chelsea Longbeach Surf Lifesaving Club, Seaford Lifesaving Club, Carrum Surf Lifesaving Club and the South Eastern Beaches Association.

They are all friendly, family-oriented clubs, and they do a terrific job in encouraging kids to be active, to be healthy and to lead active and healthy lifestyles. 15:10:00

Earlier I mentioned the lifesaving clubs, which are all run by very committed and talented volunteers. They do a fabulous job training our five-year-olds and over who are partaking as little nippers and cadets, and also our seniors. They run the terrific club-to-club swims from the Bon Beach Lifesaving Club that occur every year, and people travel from across the state to get involved with those. I commend the volunteers on keeping our beaches safe for all who visit them.

I am confident that members of the lifesaving clubs and other clubs within the electorate will embrace the changes in this legislation. The ones I have spoken to in recent weeks are very keen for it to be introduced. My family and I are blessed to live in the electorate of Carrum. The beautiful beaches are a huge attraction, and we get enjoyment from them year round. On my morning walks along the Carrum and Bon Beach beaches I speak to constituents regularly. Sadly, I also see a lot of cigarette butts on the beaches, and I think a side effect of this legislation will be the reduction in the number of butts being disposed of recklessly.

This bill will not only reduce this problem and clean up our beaches but also be fantastic for the health of those within the electorate. Introducing penalties for beachgoers who fail to abide by the new laws will help to enforce the changes, and I am convinced the majority of Victorians will applaud the new legislation. I commend the minister and I commend the bill to the house.

Debate adjourned on motion of Ms KAIROUZ (Kororoit).

Debate adjourned until later this day.

APOLOGY FOR PAST FORCED ADOPTIONS

Ms WOOLDRIDGE (Minister for Community Services), by leave, presented parliamentary apology for past adoption practices.

Tabled.

Ms WOOLDRIDGE (Minister for Community Services) — By leave, I move:

That this house take note of the parliamentary apology for past adoption practices.

It has genuinely been a historic day for this Parliament. As was said in the earlier debate, in terms of the exercise this morning of making an apology for past adoption practices, today reflects this Parliament at its very best. It was an honour and a privilege this morning to be able to speak to the motion, and I know that through their contributions the Premier, the Deputy Premier, the Leader of the Opposition, the Leader of the Victorian Greens from the other place and also the member for Pascoe Vale felt similarly about that opportunity to speak to the apology. It was a good message to the community that both houses came together in that process to support the apology.

Many tens of thousands of Victorians were affected by those past adoption practices, and many were able to be here today in the chamber, in Queen's Hall and at the Windsor Hotel. Many more would have been watching online through the internet streaming of the activities of the Parliament and many will read about it in the future, and hopefully many will watch the DVD of the apology if they were unable to see it or if they wish to watch it once again so that they can understand the very clear messages.

I am very pleased we have this take-note motion before us today as well, because it is an opportunity for all members in this house, if they wish to, to contribute to the apology that was given this morning. I will limit my contribution to a brief few words, because I know there are others who have not yet had that opportunity and who will want to contribute.

It was a very special opportunity to go over to the Windsor Hotel following the apology that was made by this Parliament and to talk to many people. You were there as well, Speaker, which was wonderful. There was a lot of emotion but also a sense in some way of relief and acknowledgement. That was very important. A lot of people spoke to me, and it was touching. One woman came to talk to me about some of the women she knew and who were there. Her comment to me was that they felt they had come home. That was probably the most touching comment of all I heard and a recognition of what this Parliament has been able to achieve this morning with the motion that we passed.

I was also very pleased that the package of practical measures put forward by the government was very well received as well. Some of those measures, such as the removal of fees, supporting an integrated birth

certificate through a national process, the expansion of counselling services and helping counsellors to increase their capacity to work with women who have been affected by adoption practices, were welcomed. Also welcomed was the government's intention to introduce legislation in relation to mothers and fathers being able to access identifying information. I think it will be a good opportunity, when this house reconvenes at some time, to debate that legislation. I certainly had a lot of feedback that that was very welcome and would make a real difference.

We cannot undo the past, but we can make amends. The activities of the Parliament today are contributing to that process. In finishing up I want to acknowledge that so many people in so many ways have contributed to the achievement of the apology today in this Parliament. I want them all to know they have our thanks. For many this journey has been over 30 or 40 years. Many have been active for a decade or so; some have become more active recently. We met all the people representing all those groups today. I want to thank the mothers and the fathers, and also the daughters and sons, who have been so active and courageous in their advocacy, which has been a very important catalyst to today becoming a reality.

I also want to recognise the leadership and the commitment of the Premier, who has delivered this apology as the Leader of the Government. He is obviously very committed to what has been achieved today. I want to mention my department, the Department of Human Services, led by Argiri Alisandratos and his team, who worked exceptionally hard on not only the substance but also the process so that everything ran smoothly today. I also want to acknowledge Anna Schulze in my office, who has worked in so many aspects of the work done to achieve the apology today.

I commend this take-note motion to the house. I want to recognise everyone who has been involved and I want to recognise the Parliament at its best in what we have been able to achieve today.

Ms GREEN (Yan Yean) — It is with great humility and a real sense of emotion that I join this take-note debate on the apology for past adoption practices. There are very few occasions when this Parliament comes together in universal agreement with such a unity of purpose and commitment. In the almost 10 years that I have been in this place I have been privileged to be part of two of these profound moments: the care leavers apology on 9 August 2006 led by then Premier Steve Bracks and this respectful apology for past adoption practices today.

It was a privilege to be at the Windsor Hotel. I chose to be over there today with other parliamentary colleagues and with so many of those who have suffered due to past adoption practices.

15:20:00 I want to reiterate the apology for the technical difficulties at the beginning of the debate. I know, Speaker, that they were due to circumstances beyond your control, and I thank the technical staff who worked so hard to get the audio feed going — and it only began partway through the Premier's contribution — and then unfortunately the visual feed was not up until Mr Barber's contribution. I am pleased that the Minister for Community Services and the Secretary of the Department of Human Services have said that there will be a DVD available to anyone who would like a copy.

Today's apology was really a profound moment. Being in the Windsor Hotel with people, some of whom had their families with them, including small children, seemed absolutely right. It seemed absolutely right to hear the cries of babies and small children whilst the leaders in this place were speaking because it reminded us that some of the first and last contact these women would have had with their children would have been with a crying baby. Maybe that was all they heard; maybe they never got to see the face of their newborn.

Tragically many of those who are the subject of this apology today and those who are with us, are care leavers to whom this Parliament apologised in 2006. I am pleased, but I am terribly sad, that we are having to apologise to them again today, because not only did the state fail in its duty to them as a parent — whether it be through neglect, abuse or failure to provide the most basic of sex education and family planning advice — it further failed when it did not allow them to parent their child.

Today I had the privilege to be at the Windsor Hotel with Valda Hogan. I had met Valda on several occasions before today, and it was wonderful to be seated so close to her and to be able to give her a cuddle after the apology was concluded. Valda has told me that she was raised in a Good Shepherd institution and that when she became pregnant and gave birth her daughter was removed from her. I am really glad that Valda and her daughter, Michelle, have now met. They met for the first time only last year. Michelle is in her 40s; she is probably close to my age. Valda is now a grandmother.

I think Valda's story tells everyone's story. It tells of the loss of family and the loss of connection for Valda, for Michelle and for the grandchildren. Today I marvelled at Valda's goodwill and how, given what has

happened in her life, she was able to thank the leaders from the bottom of her heart and respectfully and cheerfully ask them to sign her copy of the apology. Valda just astounds me, she is amazing. It is personal stories like those of Valda and Jo Farmer, which the Leader of the Opposition referred to, that help legislators and the wider community to get a small insight into what life has been like for those who have had their children forcibly removed from them.

I have thought long and hard about telling my own story and that of my son Blake. In 1982, much to the shock of my parents, at 18 years of age I found myself expecting a child. Until that time I had been my dad's right hand. Despite living 600 kilometres from each other since I left home we had spoken every day until I delivered him the deeply disappointing news that I was going to be an unwed mother. From that day my dad said he would refuse to speak to me unless I committed to having my then unknown child adopted out. I was not allowed home, I was not allowed to tell my sisters and I was not allowed to tell my dad's family.

When I was admitted to the Royal Women's Hospital, although I had paid private health insurance for over a year, I was discriminated against because I was a single parent, and I was placed in a public ward. I believe that because I was a single mum I received substandard care. Mums go home a lot earlier these days, but I was in hospital for 10 or 11 days — I have forgotten exactly how many now. I was disrespected by most of the staff due to my single status. I was constantly visited by the social workers and by nurses who put papers in front of me suggesting that I adopt my child out. I was given advice about the registration of my child's birth. I hung out for more than a week to register my child's birth because I was told that if the child did not take his father's name, 'father unknown' would have to be recorded on the birth certificate. That was the case until 1984. I think my experience shows the kind of pressure women were under. I am not saying that I hold it against my dad or the institutions, but I think my story and the story of Valda shows how the odds were stacked against women until very recently. It is not very long ago that these things happened; it is in so many people's lifetimes. Because I was a sole parent I received substandard care, and I was constantly berated by social workers about doing the right thing and having my child adopted out. None of these staff made any effort to really know about me or about how much experience I had with children. I am the oldest of four, I have 14 cousins who are younger than me, and I had been involved in raising all of them.

My mum had been unwell when I was young, so I was really good with kids. The hospital staff did not believe

me when I said, 'I am not well enough to bath my baby. I'm really not well enough'. They kept saying to me, 'You're rejecting that child; you're not bonding with that child'. It could not have been further from the truth. On Christmas Day, I finally agreed to their pushing — Blake had been born on 21 December — and I said, 'Okay, I'll bath my child'. As I was running the bath I said to the nurse, 'You need to hold him for me', and I collapsed on the ground. They did not believe that I was ill. I had a raging postnatal infection, but they did not believe me because I was a sole parent. That is why they continued to try to force me into this choice.

Today is not about me, but it is about those women who were not, in the end, able to make the choice that I was able to make. I want to thank my grandmother, my uncle Alan and so many other members of my family who supported me in my choice, despite my parents' opposition. I want to thank Fr Ernie Smith. The church has had a very bad rap in these matters, and rightly so, but he supported me and told my dad to get his act together. He knew that I would be successful and that I could raise a child on my own, and I have proved that I can. Blake is now 29 years old, and everyone who meets him thinks he is fabulous. But it makes me incredibly sad for Valda and for so many others who were not able to hold their babies and raise them to adulthood to be wonderful young Victorians like Blake.

Today is a very important day. I think every parent who has spoken today — and everyone who has spoken today has been a parent — identifies with this.

15:30:00 I thought it was important to share the sort of pressure that I was subjected to because if it happened then, imagine what it was like in the years before that — the years before the Whitlam government allowed sole parents to access the sole parent pension and the years before there was decent child care. I am glad that we have moved on from that time and that we have recognised that children have a right to be raised by their mother and father.

However, this apology needs to be just the beginning of righting the wrongs that were done by the state and by many well-meaning people and many not so well-meaning people. I congratulate the Australian Nursing Federation today because it joined this Parliament in making its own apology on behalf of nurses who may have contributed to the sadness and the loss of the many mothers who were forced into adoption. I apologise to the Australian Medical Association if it has already done so, but I hope that the AMA will also make that apology on behalf of its members. As the opposition leader said, for decades this cruelty lived in our homes and in our hospitals, and

it was sanctioned by successive governments. It was methodical, it was inhumane, it was performed by trusted members of our community and it should remain our shame.

I want to thank the government for the announcement of measures that the Minister for Community Services indicated today will be a follow-up to this apology. Today must be just the beginning of the reparations. The apology is very important, but so is the amendment to the Adoption Act 1984 that the minister has announced, which will allow birth parents to receive identifying information about their adopted adult sons and daughters. In line with other Australian jurisdictions, this will be accompanied by the introduction of a contact statement which will allow adopted persons to regulate contact if desired. I know at the time of the Cain government's 1984 reforms to this area we got very close to this, but it did not happen. Now, almost 30 years on, it is really welcome to see these changes. The opposition looks forward to working with the government to make these changes the best that they can be.

We also welcome — and I thank the minister for the private briefing she gave me last night about this — the enhanced support for access to specialised counselling and support, including in both rural and metropolitan areas of Victoria. It is really important that it will include a new professional development program for qualified counsellors to build specialist competencies in post-adoption psychotherapy. Although what occurred was widespread, it is a very specialised area of counselling. Many people have sought counselling, support and advice since that time; they have not always got the understanding they needed from those from whom they sought advice. It is a very important measure.

It was great to hear the applause from the audience in the Windsor Hotel when the minister announced the removal of fees, effective immediately, to enable free access to personal and family information through the family information networks and discovery service for people affected by past adoptions and the support for the development of an integrated birth certificate in conjunction with national reforms relating to documentation and provision of birth and adoption records. These measures will assist in building on the goodwill of the apology that has been made so sincerely by this Parliament today.

I conclude by again thanking the Minister for Community Services for the briefing that she provided to me last night and for the comprehensive opposition briefing that was provided to me and Jenny Mikakos, a

member for Northern Metropolitan Region in another place. I reiterate the remarks the minister made just before about the work of Anna Schulze; she certainly seemed to understand this area. I thank the staff of the Department of Human Services, led by Gill Callister, for the work they have done, particularly the poor old technicians whom I could see struggling away trying to restore the lost feed. I thank Andrea Coote, a member for Southern Metropolitan Region in the other place, who was also there and who is the minister's parliamentary secretary, including for the big hug she gave me just before we started question time. I think Andrea is a really good person, and I have been privileged to work with her on a lot of matters in the Parliament across the houses. It is not often that you can have those sorts of relationships across party lines.

Finally, I want to commend the many women and their supporters who have fought for this apology and for these reforms for so long — for not giving in, for telling their stories, for getting in front of our faces as legislators and for speaking out about it in the media. I know how I feel today; it is not an easy thing to talk about your private life and what wrong might have been done to you. It is a really important thing to name a practice that is wrong, because it is the only way that we as legislators can rectify it. Without all of the women over all these years who have been prepared to tell their story and fight for justice, this day would not have come.

With those words, I am privileged to have led the opposition's debate in noting the apology for past adoption practices. I look forward to continuing to work with those on the other side and in the other chamber to make sure that we can do everything in our power to right this wrong and to look after those who need our care as a result of these terrible practices over many decades.

15:37:30 **Mrs FYFFE** (Evelyn) — I am honoured to speak on this most important apology motion for past adoption practices. We have heard moving and eloquent speeches this morning from the leaders of the three political parties in this house, the Minister for Community Services and the member for Pascoe Vale. In their speeches they referred to the number of mothers and children — a disturbing number — and the instances where women were forced, drugged or coerced into giving away their babies or forcibly had their babies taken away from them. Like the other speakers, I am also a parent. In fact we are blessed with five children, who are all now adults, and two grandchildren. I cannot imagine what it would have been like not to have lived through all the joys, trials and tribulations of nurturing, watching and enjoying as

they matured and their personalities developed and through the joy of standing back and watching with pride as they sought to establish their identities and their places in life, work and family.

My heart aches for every mother, every child, every father and every grandparent who has been through the experiences and pain we have heard about today. There have always been children born out of wedlock, or, as it used to be referred to, 'born on the wrong side of the blanket'. Over the centuries many of these children were absorbed into immediate and extended families. Many famous leaders unashamedly acknowledged their bastard offspring, and many of those bastard offspring were treated well. Those of the wealthy were given titles and land, and with great pride they would talk about all their numerous children. Even the children of the poorer families were not treated as outcasts. They were absorbed and were part of the community, but sadly at some stage society began to treat the unmarried pregnant woman and her children harshly.

Practices were carried out that we now look back on with horror. They were often sent away so that neighbours and family would not know. They were expected to have the baby and to come back from the so-called holiday with country or interstate relatives or from an unmarried-mothers home, to pick up their lives and to act as if nothing had happened. No-one would talk about it; things were swept under the carpet. During the time after the First World War and the Second World War while these practices of forced adoption were going on we also had men coming back from the horrors of war and being told to get on with their lives and forget what had happened. We now know that those returning soldiers did not forget and that these mothers, fathers and grandparents have not forgotten.

When I was growing up in the 1950s and 60s we accepted so much more than we do today. There was not the questioning and the fighting back. It was an era when you did not question the authority of your parents, teachers, doctors or priests. It was an era when a mixed marriage was a marriage between a Catholic and a Protestant. So many of these mothers we are thinking about today were young, were scared and were made to feel guilty — they were made to feel that they were bad girls for having participated in that most natural, overwhelming need and hunger for the physical act of sex.

Looking around the chamber today when everybody was in here and looking at the members — some of them several decades younger than I am — I thought that they could be forgiven for wondering why we let

this happen. I guess the only answer I can give is because it was thought to have been for the best. But now we wonder who society at that time thought it was best for? Certainly it was not for the mother — and in many cases not the father — and certainly it was not for the child; although I acknowledge that the majority were placed with loving adoptive parents who nurtured the children, and those adoptive parents frequently had no idea that the mother had not voluntarily relinquished the child. Neither was it best for many of the workers in the hospitals and unmarried-mothers homes, some of whom may be listening to or reading about today's apology. Without in any way minimising the hurt and pain suffered by the parents or justifying the actions taken, we understand that they were also hard, emotionally tough times for many of the nurses, nuns and other workers.

Times were tough for women with no equal pay. When I became a single parent in the early 70s my wage was \$45. I was paying \$21 in rent and \$7 in before-and-after school care, leaving me with a grand total of \$12 for food, clothes and utilities, and there was not the support and acceptance we have today. It was even tougher in the 1940s, 50s and 60s for a woman to manage to live, to work and to bring up her children. I admire the bravery of all the women who have lobbied relentlessly — and rightly so — for today's apology, which is an acknowledgement of the wrong done to them and their children. I would also like us to take time to quietly think of those women who even today cannot talk about the baby they had and lost. Whilst we are today publicly acknowledging all the beautiful women who have come here today, I would ask that we also reflect on those who for whatever reason are still suffering in silence and privately grieving for their child.

I asked a young woman what she thought about this apology. This is a 22-year-old woman, and this morning I asked her what she thought about us doing today's apology and whether she knew much about it. She said, 'I don't know much about it, but it must have hurt the parents very much to lose their child like that — and the guilt they must be feeling — and if an apology helps, I think you should do it'. It is important that we keep making sure that our young people know the history of what has happened. It is part of our history. It is part of the history of many countries around the world, but we must tell this story because we cannot let history repeat itself. We often get carried away with righteous indignation and doing the right thing; but we know now that the right thing in those days certainly is not the right thing.

To all the mothers, fathers, grandparents and most importantly to the adopted children: we cannot undo what has been done, we cannot take away the pain you have felt for all those years and — reiterating what the Premier said earlier — all we can do is offer you on behalf of this government and of all the governments that came before us a sincere apology and regret for the practices of forced separation. Those practices were wrong and unwarranted and caused immeasurable pain. I hope the action that has been taken today in this house, which is a totally bipartisan action — which means by all sides of Parliament — gives some comfort to those of you who went through the forced separation of your children. I know the measures being introduced after all these years by Mary Wooldridge, the Minister for Community Services, are supported by the Minister for Ports, who is the minister at the table and was a community services minister in the late 1990s, and I hope that you accept this apology and that it helps to ease your pain.

Ms KNIGHT (Ballarat West) — I rise to speak on the apology to the victims of past adoptive practices. Today we stood in this house and did something that has been long awaited and extremely important. It has been a long time coming for a lot of mothers and their daughters and sons. Today we stood in this house and acknowledged a great wrongdoing, a great tragedy and a crime perpetrated in our lifetime. Today we stood in this place and unequivocally apologised for the systemic practice of taking babies from their mothers, often and predominantly for no reason other than that the mother was single, alone and vulnerable.

15:45:00

While there is certainly an emphasis on the period of the 1950s, 1960s and 1970s, I want to emphasise that this practice was not absolutely restricted to that point of history. As stated in the *Age* today, at its peak in 1971–72, 10 000 babies were taken from their mothers, while by 2012 the number of adoptions per year is fewer than 200. That is a big difference, and one that shows clearly that those 9800 sons and daughters were adopted not by choice but by a clear and calculated policy that did not have any consideration for the mothers or their children. They are figures that clearly show that babies were considered commodities and the mothers were considered the means to accessing that commodity.

Many of these mothers were young and single, and I would argue that all were vulnerable. To use that position to effect another advantage — that is, to take their babies with the sole intention of breaking that relationship — was a blatant and cruel breach of human rights. To withhold information from women at that point was, I believe, a blatant and cruel breach of

human rights; and to actively participate in withholding information was a crime, as were the methods used to restrain women. They were restrained physically, emotionally, psychologically and systemically in order to remove their child without their consent.

These were oppressive practices. They were not practices based on the principles of self-determination. They were judgemental practices, not practices based on the best interests of the child and her or his mother. They were inequitable policies, not based on the position that all people have a right to choices that affect their lives, and these were unjust policies, not based on any principles of individual justice or rights. They were cruel, callous and calculated policies and practices based on nothing but a criminal and bloody-minded intent to take from someone and give to someone else.

The effects of this state-sanctioned action, which was supported by many religious, government and non-government organisations, are deeply and personally traumatic — a trauma experienced by mothers and a trauma experienced by their children. They were despicable acts performed by those often in a trusted position and performed by people who clinically abused that trust. I believe it was absolutely akin to an act of violence perpetrated against women by those in positions of power.

Grief and loss experienced by these acts do not diminish over time — they deepen; a constant dullness and anguish, a constant vigilance and guilt, a constant loss. It is post-traumatic stress disorder; it is real and it is serious. Post-traumatic stress disorder can manifest in many ways, some of those being loss of memory, loss of energy, risk-taking behaviour and sometimes loss of life.

As I said in the beginning, this practice was perpetrated mostly on single mothers for seemingly no reason other than the fact that they were single mothers. I have spent part of my life being a single mother to three now grown children, and I think about what I would have missed and what they would have missed if my circumstances had been different, if I had perhaps been born in another time. While we did not have any money and we did not have many things, we certainly had a hell of a lot of love in our household, and the thought that my family would be considered unworthy and illegitimate and valueless is sickening and offensive.

The theory that single mothers were not in the best position to raise children is wrong. The policies were wrong. The practices were wrong. And for those policies and practices, for the ongoing hurt and trauma,

for the gaps that can never be filled in the lives of mothers and their children, for those who are here and those who have died of pain, I am truly and sincerely sorry. I welcome the measures the government has announced today, and I make a personal commitment to do my best, both in this place and outside it, to never forget this part of our history and to use that as a framework for being the strongest possible advocate for mothers and their children, and to ensure that this never ever happens again.

Mr WAKELING (Ferntree Gully) — It gives me pleasure to contribute to this debate on the Victorian government's apology for past adoption practices. It is certainly with a heavy heart that all sides of Parliament rise to make contributions on this very important debate. As has been identified, between 1950 and 1975 there was institutionalised, systemic adoption of nearly 19 000 Victorian children, many of whom were relinquished by young unwed mothers, and as we have heard today, many of those mothers did not willingly give of their child. As the Premier has stated, young mothers were routinely compelled, coerced and given no realistic choice other than to relinquish their babies for adoption.

Many people will have personal experiences with regard to adoption. Within my own family there has been an experience of adoption, and although my experience is not in this context, many will have a personal experience in this area. My age lends itself to being the peak time in which many children were adopted, and I certainly can recall many children during my time at school who were adopted children. I remember one child who was a friend of mine at school, and I asked the question as to why he was adopted, and I remember him saying that he had been told that his mother could not look after him and chose to give him up for adoption so that another family could care for him.

We have now learnt that for many that was not the case. We now know, as the minister advised today, that many were restrained, drugged and coerced, their babies were taken, and they could do nothing about it. We know that these were practices that were enforced at a systemic level by the health system, by religious orders and by non-government organisations, but shamefully it was a practice endorsed at a government level in the sense that the government sought not to intervene, and certainly we are all the better for ensuring that those practices no longer apply.

Whilst for many this has been a long time coming, I know many in the community will be gratified to see that the Parliament of Victoria has done this, that it has

been endorsed by all sides of politics and that it will help heal part of those wounds. I congratulate the minister for the work she has done. I understand there has been work done by all sides of politics on this important issue, and I recognise the work that has been done to date by various governments on this issue. In particular, the amendment which has been foreshadowed to the Adoption Act 1984 allowing birth parents to receive identifying information about their adopted adult sons and daughters certainly received resounding applause earlier today from those in the public gallery. Normally such applause would not be allowed in this house in terms of contributions by the gallery, but on this occasion it was received in the spirit in which it was intended.

Other amendments include enhanced support for access to specialised counselling and support in both rural and metropolitan areas, including the training of new professional development programs for counsellors to build specialist competencies and post-adoption psychotherapy; and also the removal of fees to enable free access to personal and family information through the family information networks discovery service for people affected by past adoptions.

Clearly these are important measures which I hope are supported by all sides of politics. We recognise that for many it will not take away the hurt or pain they have endured, and on behalf of the community of the Ferntree Gully electorate and this Parliament I pass on my regards. I share their deep concern and frustration with former governments and the way in which they have acted in this area.

15:55:00 **Mr NARDELLA** (Melton) — Today I got an email about the parliamentary apology motion from my very good friend who has also been my electorate officer, Chris Papas. Some people may know Chris, certainly the honourable members for Kororoit and Derrimut know Chris. He has been around Melbourne for a long time. Chris is one of the people in Victoria who have been affected by forced adoption. He is a lovely bloke, he is a terrific bloke, and he and his family are just fantastic. I will read the email he sent to me. It says:

As you are aware today is a significant day for those of us that were part of a terrible state government system. While I have been relatively open and public about my adoption and extremely lucky to be in a loving migrant family, I have not been so forthcoming about the horrible way that it came about. Today's apology will go some way and assist in healing and helping those of us understand the helpless way in which we feel for our biological mums and come to terms with never knowing our biological fathers.

I only wish it was a Labor government driving this and not the conservatives. I also ask that you take note carefully of the

wording and see to it that future governments never undertake these terrible state-sanctioned policies of family destruction.

Chris does come from a very loving family. Both Mr and Mrs Papas, whom I know, have nurtured and looked after Chris all his life. He needs to repay that because of some of the health problems and issues that unfortunately they now face. But this email drove home to me the personal reality of what the apology really means and the effect this has had on individual people and people close to me. I have known Chris from the day he walked into my office, really angry because of some things that were happening in his life at the time. That was probably in around 2000, so I have known him for about 12 years.

The apology is a very powerful way for us, as parliamentarians representing the state of Victoria, to express our apology on behalf of everyone to people like Chris and others and to help them find a way forward. I appreciate the commitments given by the Minister for Community Services earlier today, and I conveyed those to Chris as well. Chris will look into using those mechanisms and policy changes in his own situation. I thank the government and everyone who has spoken powerfully on this matter today. I think the healing and the hurt will take place over time. These issues are so personal that sometimes they never heal. Sometimes the hurt can go away, but often it does not.

Does the apology help? I think it does, and I think it is an important step. It is a recognition, and it says that we, as a community and as a society, will not do this again. I certainly pledge that position to the Parliament and to Chris — that this should never happen again and that we should not allow it to happen again. I sincerely wish all those who were affected by forced adoption everything of the best for the future. I trust that this apology will assist them in the future.

Mrs BAUER (Carrum) — I rise to speak on the motion on the parliamentary apology for past adoption practices. Today I am proud to be an elected member of the Victorian Parliament and to be part of such a historic apology for forced adoptions. I thank my parliamentary colleagues the leaders of the Liberal Party, The Nationals, the Labor Party and the Green, as well as fellow members from the Legislative Assembly and the Legislative Council, for their unity and bipartisan support in expressing regret and extreme sorrow for the past practices of forced separations and adoptions. The motion today is significant; it is an important milestone for the estimated 19 000 children who were taken or relinquished for adoption, many against the wills of their mothers and fathers.

In the contribution of the member for Yan Yean we heard the story of Valda Hogan. I also have the privilege of knowing Valda and her personal story. It is moving to hear Valda, to see her strength and to know that she had her baby daughter taken away but then became reunited with her. Valda had the strength to share her story. This afternoon she said to me, 'Today, Donna, the apology was just what we wanted. It was respectful, well done and I loved meeting everyone'. It was a very important day for Valda. I thank Valda, and I thank the member for Yan Yean for her contribution.

The practice of forced adoptions continued until the 1980s. I was born in 1970, and I have family and friends who were adopted at birth. We are talking about children who are now my age who have not had the chance to meet their parents. I cannot imagine never having the opportunity to meet my maternal and paternal family, or grandparents, and I feel very blessed to have been in the fortunate situation I was in as a child.

16:02:30 The majority of children who were adopted grew up as part of loving families. They had loving adoptive parents who were overjoyed to be given the opportunity to adopt and raise a child, which they might otherwise never have had the opportunity to do for a variety of reasons, including infertility. However, at the back of the minds of the adopted children there was always the question of what their birth mum and dad's circumstances were. I have been told firsthand that children were told when they were growing up that their birth parents were young, alone and unable to love and care for a baby, or that the children were not wanted. Many times this may have been true, but as we have discovered, and as we have heard from previous speakers, including the Premier and the Minister for Community Services, this was often not the case — babies were often taken against their mother's will. The government sought not to intervene.

Children are still forever wondering. Questions remain unanswered, and they are raised again year after year with the passing of every significant date, such as a birthday, Mother's Day or Father's Day. I hope today's historic apology provides some comfort to those who were never granted the right to know their birth parents. Years that were lost without knowing your birth parents cannot be replaced; however, I hope today brings comfort and some closure in having all members united in their acknowledgement that the past practices were wrong, in apologising unreservedly and in committing to never allow a repeat of these circumstances.

I place on the record my sincere expression of sadness as a mother for the mothers and fathers who have never

had the chance to know their children. I cannot imagine the pain it would cause to have a child taken away after carrying a baby for nine months, loving the feeling of your baby's first movements in utero, engaging in the fun of choosing names for a newborn and planning for the impending birth. We are so fortunate today to have a wonderful range of services provided at a government level, including at local council level, for mothers and fathers during pregnancy, during the delivery of a baby and after a birth. I honestly cannot imagine the grief, pain and trauma associated with having a baby taken away at birth. I can only imagine that it feels like a part of you has died. The guilt must be unimaginable. We have heard of mothers trying to visit hospitals in the days after giving birth to get their baby back, only to be told that it was too late, that their baby had gone — and we now know that was often not the case.

I have four amazing sons. They are my proudest achievement. Each day brings new challenges and achievements. They have taught me some incredibly important lessons. Their lives are not complicated. They enjoy their days not trying to impress anyone. They have taught me a lot about how to enjoy life and not sweat the small stuff. My boys are extremely forgiving. One minute they can be fighting, and the next minute they are wrestling or mucking around and kicking the footy. They are handsome and energetic; they have brought richness to my life that I cannot imagine being without. I feel devastated when I imagine thousands of parents being robbed of the same opportunity to experience the magic of raising their own children.

I thank the mothers, fathers, children and other family members who have for decades lobbied governments to recognise the wrongs that occurred. I am proud of the announcements made today by the minister and the Premier of the important measures that will assist those affected by past adoption practices. I commend the government for announcing a number of new measures to respond to the needs of those affected. We have heard that these initiatives will include an amendment to the Adoption Act 1984 to allow birth parents to receive identifying information about their adopted adult sons and daughters. In line with other Australian jurisdictions, this will be accompanied by the introduction of a contact statement which will allow adopted persons to regulate contact, if they so desire. It was an incredibly moving to hear the cheers from the gallery when this was announced by the minister. It was certainly very welcome. There will also be enhanced support for access to specialised counselling. Fees will be removed, effective immediately, to enable free access to personal and family information through the family information networks and discovery service.

There will also be a discovery service for people affected by past adoptions.

In closing, on behalf of the people of the electorate of Carrum I say thank you to those who have attended today — thank you for your strength in attending today's historic announcement. It has been an incredibly emotional day for us all. We have learnt from the mistakes of the past, and we look forward to the future.

Mr NOONAN (Williamstown) — It is with humility that I rise to join other speakers from this chamber to support this motion of apology to the victims of past adoption practices in Victoria. I acknowledge those present with us in the parliamentary precinct today and those who are watching from elsewhere. This is without doubt a day of profound significance for those individuals who have struggled for decades to face a life of sorrow and emptiness as a result of the most inhumane act that a society could inflict on its own — the forced separation of a mother and her newborn child.

As I sat and listened earlier today to the Premier, the Deputy Premier, the Leader of the Opposition, the Leader of the Greens in the Legislative Council, the member for Pascoe Vale and the Minister for Community Services, I wondered how a society could commit such cruel acts on others. I pondered what the significance of an apology would be to the many thousands of mothers who never had the chance to hold or nurture their own baby, let alone name them or enjoy those wonderful moments that all parents do on occasions such as first birthdays and Christmas mornings. I pondered what hearing the word 'sorry' might mean to a generation of sons and daughters who were denied an opportunity to know their birth fathers or mothers. As much as I considered the devastation associated with the various stories that were offered here in the Parliament earlier today, I simply could not imagine the deep pain that people affected by these past adoption practices must experience on a daily basis.

As powerful as the apology speeches were this morning, there is one moment that will stay with me forever. That moment did not come from the floor of the Parliament; it came from the many people sitting in the visitors gallery.

16:10:00 The moment I refer to was the sound of people crying and sobbing, stricken by grief and punished by a life of profound sadness and misfortune. The pain of those audible sobs said it all. I hurt for those people with us today; I hurt for those who were not here with us today, and I shed my tears for complete strangers.

Broken lives can never be put back together. Past wrongs can never truly be corrected, but I hope the apology that has been offered by this Parliament brings some level of comfort and hope to the many thousands of Victorians who have clearly suffered for too long. I hope the measures announced by the Minister for Community Services and the Victorian government, including a commitment to amend the Adoption Act 1984 to let mothers and fathers access identifying information about their forcibly adopted sons and daughters, will go some way to demonstrating the desire of this Parliament to assist those who have been so badly let down by so many in the past.

Finally, let me say that on behalf of the Williamstown electorate I too am sorry for the anguish and inhumane treatment inflicted upon the thousands of mothers, fathers, children and grandparents. This is a significant day — a moment in history. It is a moment to never forget those who wept in our company today. It is a moment for those who will continue to weep long after our speeches are consigned to the pages of *Hansard*. Your pain has been felt, and your stories will never be forgotten.

Mr NEWTON-BROWN (Pahran) — The pain and the hurt filling the Victorian Parliament today is palpable — in this chamber, next door in Queen's Hall and across the road at the Windsor Hotel. There is so much hurt and immeasurable pain. Each one of you has endured a lifetime of longing for lost opportunities — a lifetime of longing for relationships that were never able to be developed. Whether you are a mother, a father, a son, a daughter, a brother, a sister, a half-brother or a half-sister, you have all suffered enormous loss.

There are hundreds of people here sharing this day. Some of them you may know — most you probably will not. All of these people around you have suffered too; in one sense in the same way but in another sense in very unique ways. Some of you have battled depression all your lives. Some of you have turned to drugs or alcohol to blank out the pain. Some of you have turned to self-harm. Some of you have explosive anger. Some of you are crippled by shame. Some of you have spent a lifetime withdrawn and unable to speak about how you feel, and some of you are just very sad and have been all your lives. You are all different, yet you are united as one in this Victorian Parliament having suffered from the consequences of forced adoption.

It is important for the community to know that the coercion in the adoption regime took many forms. We heard about some truly horrific experiences today.

Some of them were insidiously subtle but still amounted to forced adoption. For example, some of you were told not to think of your unborn baby as your own; adoption was pushed on you as the right thing to do. Some of you were presented with adoption papers to sign and not given further information or support regarding your options. Some of you were unable to read or understand the forms you signed. Some of you were not told of the 30-day revocation period, which would have enabled you to change your mind. Some of you had no support from those around you at the time to keep your baby.

For many of you the lack of recognition of what was done to you has made it worse. The Parliament and its members, the representatives of all Victorians, are here today to recognise what you have been through. We are here today to say to you unequivocally that what happened to you was wrong. We accept responsibility for these wrongs, without qualification. We offer our sincere regrets and profound remorse that you have suffered this immeasurable pain, and we assure you that what happened to you will not happen again to others.

The apology I make is not simply an expression of regret for what others did to you, because I believe this Parliament has itself directly contributed to your hurt. It was in this Parliament that legislation was debated and passed which provided the legal framework for many of your identities to be erased. It was legislation passed in this very chamber that facilitated many of you growing up with no means of knowing your biological origins. It was legislation passed in this chamber that prevented many people from knowing anything about their son or daughter as they grew up.

Many of these wrongs have been subsequently righted, but as a Parliament we must recognise the mistakes that were made in this place — in this room — and ensure that they are not made again, because this is not all ancient history; there are related issues to do with the importance of identity and the rights of children which we continue to grapple with and have responsibility for in this place, such as intercountry adoption, surrogacy arrangements and donor-conceived children. Just today in a newspaper it was reported that a child can now be created using two eggs and one sperm. It is incumbent on members in this place to keep up with medical and technological developments to ensure that the rights of children to know their true genetic origins are kept paramount in our legislation. It is a changing world, and as your representatives we must keep up with it.

I was born in 1967. Unbeknownst to me until a few years ago, on the other side of the world a little girl called Catriona was growing up. Catriona is my

half-sister. She was born as a result of a relationship my father had with her mother when they were at university. She was adopted at birth to an English family. Sometime later my father married my mother and had four boys. He died about 15 years ago, never having told anybody. Catriona made contact a few years ago. She lives in Italy now. I can only speculate as to the circumstances of her adoption and the impact this would have had on her, her mother and our father, but from a personal perspective I feel that while I now have irregular contact with Catriona we have been robbed of perhaps some more meaningful contact that may have occurred as we grew up.

The apology today is a time for sadness and a recognition of your pain. It is okay to let it show; we have all been very emotional here today in the chamber. But today is also a time for healing, and it should be a time for optimism. The apology from this Parliament is just a small step which can never right the wrongs of the past, but I hope that today marks at the very least a line in the sand from which you can move forward. I hope today marks the day you can start to rebuild your life. Today is a small step on a long road; let us take that step together.

Mr McGUIRE (Broadmeadows) — The wail was a primal scream that rose from beyond the chamber. The release of raw emotion cut to the bone; it was as powerful and moving as the elegant speeches this house had just witnessed from leaders and members from all sides of politics. Today defined the best of the parliamentary system in bearing witness, delivering acknowledgment, easing a burden of history and restoring a measure of grace.

At the ceremony at the Windsor Hotel, a toddler chomping on a purple dummy brought home the full weight of innocence lost. Her blond ponytail bounced around the room as she ran alternatively into the embrace of her mother and father, laughing and playing, blissfully innocent to the enormity of the occasion. Today we also witnessed tears as each speech officially recognised how laws and hearts had been broken.

As a boy, one of the most eagerly awaited events in Broadmeadows was the annual foundling home fete. There were pony rides and raffles to raise money for the babies wrapped in pink and blue blankets who were wheeled out and lined up against a window for public viewing.

One of those babies has grown into an inspirational mother. Her son is my son's close friend; such are the coincidences of life. She was here today accompanying

her mother to witness the acknowledgement of the fact that thousands of babies were taken from their mothers without informed consent or by social mores and that this loss caused enormous grief.

Today's events have been cathartic for all. 'What's done is done' and cannot be undone, as Shakespeare lamented. But the commitments the Victorian government made are welcomed and will be beneficial. The practical measures and foreshadowing of legislation to help Victorians find their lost parents were roundly applauded, and justifiably so.

I would like to acknowledge and thank everyone who has made a contribution to today's important apology and the government and Parliament for the commitment to never forget what happened or repeat these practices.

Mr THOMPSON (Sandringham) — Looking back over the last 20 years in this Parliamentary chamber there have been a number of members' contributions that have stood out, and I have appreciated the sincerity, humility and earnestness of those who have spoken today during this apology for past adoption practices.

In my mind's eye I also recall the purest grief I have perhaps ever seen of a young lady who on a sustained basis was crying while my staff and I listened to her story about separation and the loss of her mother. It is that pure grief that stands out in my mind's eye as a memory of a political journey. That grief has been extrapolated to the circumstances that are before the house today and has been covered and narrated in a number of stories.

I enter this discussion with a strongly held perspective. In relation to adoption law and practice in the past I believe it is axiomatic, a fundamental principle and an inviolable right that an individual has a right not to be deceived. I strongly oppose, and have for several decades, the falsification of birth records. At the time this was embarked upon in a belief that it was for the greater good, but I also acknowledge that many at the time felt that it was not in the best interests of the child.

I also hold the very strong view that a person has the fundamental right to full knowledge of their genetic inheritance and that that right is fundamental to psychological and social wellbeing.

Western literature portrays a number of examples of circumstances of parents wondering about the life journey of children who have been surrendered and of children wondering who their parents are. The works of Charles Dickens in *Oliver Twist* and *Bleak House*, William Golding in *Free Fall*, Tourneur, Joseph Conrad in *Under Western Eyes* and Emily Bronte in

Wuthering Heights portray the tapestry of life in a literary sense. But the reality is that many thousands of times over in Victorian history those circumstances have been replicated not just through the eyes of a writer but through the reality of human experience.

In 1928 this chamber oversaw the first adoption legislation in Victoria. This was several decades after Western Australia introduced comparable legislation in the 1890s and the United Kingdom circa 1926. The legislation was later amended in 1964. The principles enunciated were to the effect that there was a fundamental termination of an understanding of a person's heritage and history and a transfer under the birth records of the state of Victoria to the adopting parents. That is an issue that is being worked through in the light of experience and in the light of the brave and strong journeys of those people who were in the parliamentary precinct today and who have lobbied over a long period of time.

In the 1970s a New Zealander by the name of Joss Shawyer wrote a book called *Death by Adoption*. On one occasion she noted the insult to personal dignity of the falsifying of birth records, which is precisely what adoption entails. There are a number of descriptions in the literature of the reaction of mothers. There is a feeling of loss. There is a feeling that whenever they see a child in the street perhaps that child might be theirs. One parent noted that it was the saddest day of her life to put her child up for adoption. Another parent noted, 'I think about my child always.' On the part of the relinquishing mother the story often related to an involuntary surrender of the child that may have been the product of youth; social, economic or family circumstance; or family pressure.

In fairness to the wider debate it should be noted that not all parents wish to seek reunion. I am aware of one or two circumstances of this within my electorate. In terms of the practice of adoption it is also interesting to note that Finland has a practice of incorporating both the parents and the adoptive parents on the birth certificate. The journey leading up to that decision is very interesting and illustrates the foresight and vision of those who contributed to that legislative outcome.

Comments were made earlier in the chamber about how the major life events of reaching adulthood, marriage, parenthood, illness and approaching death would trigger recurring memories of surrendering a child. Those occasions are very important, and they are an opportunity to pause and reflect. The changed life journeys and insurmountable grief felt by a number of people form part of the social history of this state.

For the children there is a lack of knowledge of their genetic inheritance — the appearance, interests and physical attributes of height and colour that they inherited — and the siblings or half siblings that they may otherwise have had.

16:27:30 In the literature there is the example of twins who are separated at birth and brought up on different continents. They may have the privilege of meeting again later on and finding out that they have remarkably similar attributes, mannerisms and behaviour. In the wider context there is the question of whether a person's life is determined by nature or nurture, and there are sociological debates that have occurred within that particular context. I hold the personal view that genetic inheritance has a pivotal and fundamental role.

There is an allied matter as we debate this issue before the house today, and that relates to surrogacy. Four years ago in this chamber I took a position in relation to the right to information concerning biological origin and the amendment of the birth record. I retain the view that a person has a right to a full knowledge of their genetic inheritance and a right not to be deceived. In previous debates I also raised concerns about the destruction of records as they relate to matters pertaining to surrogacy and the tragedy that is a result of the legislature not having kept up with scientific developments. This is not the first time in this chamber that we have debated this particular issue. In conclusion, I commend the government on its contribution to the discussion today, and I commend all members of this chamber.

The SPEAKER — Order! The time set down for consideration of items on the government business program has expired, and I am required to interrupt business.

TOBACCO AMENDMENT (SMOKING AT PATROLLED BEACHES) BILL 2012

Second reading

Debate resumed from earlier this day; motion of Dr NAPHTHINE (Minister for Ports).

Motion agreed to.

Read second time.

Third reading

Motion agreed to.

Read third time.

JUSTICE LEGISLATION AMENDMENT (MISCELLANEOUS) BILL 2012

Second reading

Debate resumed from 23 October; motion of Mr CLARK (Attorney-General).

Motion agreed to.

Read second time.

Third reading

Motion agreed to.

Read third time.

ROAD MANAGEMENT AMENDMENT (PENINSULA LINK) BILL 2012

Second reading

Debate resumed from 24 October; motion of Mr MULDER (Minister for Public Transport).

Motion agreed to.

Read second time.

Third reading

Motion agreed to.

Read third time.

Business interrupted pursuant to sessional orders.

ADJOURNMENT

The SPEAKER — Order! The question is:

That the house now adjourns.

Rail: South Morang station

Ms D'AMBROSIO (Mill Park) — The adjournment matter I have is for the Minister for Public Transport. The action I seek is that the minister take steps to install an additional myki ticket machine at the South Morang railway station and to reconsider his government's position not to build the Mernda busway. The reason I raise this action for the minister is because — —

Dr Naphthine — On a point of order, Speaker, the member has asked for two actions: one is to install a myki ticketing machine and a separate action deals with

a bus situation. My understanding is that under standing orders members can only raise one action.

The SPEAKER — Order! The feeling I had was that it related to the same item.

Ms D'AMBROSIO — The reason I raised this matter for the attention of the minister is because there is increasing frustration amongst constituents in my electorate with respect to a failure to augment the public transport system. With the advent of the brand-new South Morang railway station — courtesy of the previous Labor government's \$650 million investment extending that line and related works — many commuters are taking advantage of it, but the problem is that there is only one myki ticket machine. People have to queue up and their commute is delayed because they need to access tickets to be able to use trains. I ask the minister to seriously consider the need to add an extra ticket machine at the South Morang station.

The railway system extension has been very much welcomed by the community. You, Speaker, will recall that a lot of investment was put into that system to ensure that the growing population in the northern suburbs, including in my electorate but also further north, is able to enjoy the benefits of a good public transport system. With the duplication of the line between Keon Park and Epping, the new stations built at Epping and Thomastown and of course the new one at South Morang, this rail extension is very important. There is a need for a new machine, and I hope the minister can see his way to ensuring that an additional ticket system is put in place.

Yeshivah Centre: camp site

Mr SOUTHWICK (Caulfield) — I rise on the adjournment tonight to address a matter to the Minister for Youth Affairs concerning the Yeshivah Centre's proposal to build a new camp site in Victoria. I request that the minister visit the centre and meet with Nechama Bendet, the general manager of the centre, and Rabbi Moshe Kahn, the director of Chabad Youth, to hear about the great work they have done in youth leadership and to discuss advancing their camp site proposal.

The Yeshivah Centre has been a part of Melbourne's vibrant Jewish community for over 50 years, with a membership base in excess of 10 000 people, with 500 employees and with hundreds of dedicated volunteers. It provides a comprehensive range of programs for youth. Apart from the great educational institutions, including the Yeshivah Beth Rivkah early learning centres and the Yeshivah Beth Rivkah colleges

that it represents, it also does great work engaging young people through Chabad Youth. Some of the programs include winter and summer camps, seminars, weekend activities, after-school clubs and festival celebrations, to name a few. It is indeed a great pleasure to represent them in my electorate.

Yeshivah is proposing to invest \$3 million to construct a safe and secure camp site which will accommodate 600 campers and staff. The camp site will also be made available to other schools and community groups on a not-for-profit basis.

Some of the facilities proposed include commercial kitchens, bathrooms, assembly halls, swimming pools, rope courses, sports fields and facilities to accommodate performing and fine arts and music. I believe that the proposal would be of great benefit to Victoria as it would provide a new camp facility for our young people. The economic benefits of the camp site include job opportunities during the construction and ongoing management of the site with hundreds of thousands of dollars being spent in the local area and broader community on bus services, catering and food supplies. 16:35:00

It would be a great investment in regional Victoria as it would be located a significant distance away from the inner suburbs of Melbourne. Yeshivah is the sort of spirited, positive organisation that government should be working with. It is an experienced leader in running camp sites and camp programs; it runs programs for thousands of young people annually. I repeat my call for the Minister for Youth Affairs to meet with representatives of the Yeshivah Centre to discuss ways in which the government could work with them to provide a new camp facility. While the minister is there it would be a great opportunity for him to experience firsthand some of the after-school programs that the centre provides, to get a firsthand run-down from the various members and volunteers, and also to see some of the after-school programs in which the kids are involved.

The centre is unique to this community, which has some pertinent security issues when it runs camps and needs the highest security. This is another important element of the proposal, and I urge the minister to visit the Yeshivah Centre.

Grimshaw Street, Bundoora: pedestrian crossing

Mr BROOKS (Bundoora) — I wish to raise a matter for the attention of the Minister for Roads, and the specific action I seek from him is that he urgently

fund a safe pedestrian crossing on Grimshaw Street in the vicinity of Flintoff Street in my electorate. For some time the matter of a safe crossing in this area has been one of inconvenience. A large residential area to the south of Grimshaw Street has had no safe means of crossing the road other than by travelling further up Grimshaw Street to Main Street where there are pedestrian lights. People coming to Greensborough by train or other means of public transport to attend one of the many health-related services on the south side of Grimshaw Street where Banyule Community Health Service, radiography services, dental services, an aged-care facility and physiotherapy consulting suites are located, have not had an easy way of crossing busy Grimshaw Street either.

Recently Banyule council, with money provided by the previous state Labor government and the federal government, constructed a \$50 million regional aquatic facility right at that intersection and this has increased the number of people visiting the area. A number of expressions of concern have been raised with my office about people crossing the road at Grimshaw Street in a dangerous manner. An issue that has been one of inconvenience has now become one of safety. It would be important for the minister to ask VicRoads as a matter of urgency to investigate the possibility of installing some form of safe pedestrian crossing at that location, whether that be traffic lights or an overhead bridge. At this stage, I think the community would like some form of crossing investigated quickly before an accident occurs on that stretch of road in which someone is hurt, or worse, tragically killed.

In determining this matter the minister would be very welcome were he to make the trip to the northern suburbs to inspect this particular section of road. I am sure he would see firsthand just what a danger the concentration of development on that intersection is presenting. I witnessed a family with young children crossing the road, obviously from the new aquatic centre because they had towels hung over their shoulders, on the bend and a car came around the corner at speed. Only because the car driver was alert to them and was able to slow down in time was that family not hit by the car. It is important that the minister take some very decisive action on this matter. I raise this matter in the Parliament today but I will also be writing to the minister to ensure that his office is made fully aware of this matter.

I know that the local council has identified this intersection as a possible site for traffic signals, not only for pedestrian use but also for traffic management purposes. At this point I am simply asking for an

investigation to be made of pedestrian safety at that intersection.

Traralgon Greyhound Racing Club: funding

Mr NORTHE (Morwell) — I raise a matter this evening for the Minister for Racing. The action I seek is for the minister to advise when a decision is likely to be made in respect of the application for funding by the Traralgon Greyhound Racing Club under the very popular Raceday Attraction Program. The application is in regard to a date, which is coming up very quickly, and that is 28 November. The club is seeking to take up a unique opportunity, because on the same day the RACV Great Victorian Bike Ride will be stopping at Traralgon for a couple of nights. The club sees this as a great opportunity to ensure that many of the 4000 visitors to the region have the opportunity to go a local greyhound race day meeting.

Greyhound Racing Victoria has been very gracious in allowing the club to move a meeting from later in the week to Wednesday, 28 November, should the application be successful, and that is terrific. It is a great tribute to the hard work and initiative that Hec Caruana and his committee have shown with regard to this application.

The Traralgon Greyhound Racing Club has a long history in our region; it was established in 1973. I grew up just around the corner and I can remember in my early days going to the greyhounds on a Friday night. It has been a great asset to the local community for a long time. There are many local, passionate supporters of the greyhound industry, whether they be trainers, whether they be owners or whether they be supporters. It has been a successful club for a long time, and the Traralgon Cup is the culmination of great racing at the greyhound club in Traralgon.

As I said, if the application is successful there is an opportunity for up to 4000 visitors to attend this unique race day. I know the club in concert with the bike tour organisers has suggested that should the application be successful, they will allow free admission to the racecourse, provide some transport and entertainment during the course of the day. I am sure if this application were to be successful it would be wonderful day.

The racing minister has been a regular visitor to our region, both when he was in opposition and now he is in government. Glenview Park Racing Complex is where the greyhound track is; it also has a thoroughbred racing track. The minister, through an election commitment, added an additional race day at Glenview

Park for thoroughbred racing, which was held last week on Caulfield Cup Day and was another great success. I know the racing industry generally is very supportive of the minister and we hope he can support this application.

Dangerous dogs: Bellfield attack

Mr CARBINES (Ivanhoe) — I raise a matter for the Minister for Agriculture and Food Security, and the matter relates to a dangerous dog attack that led to the tragic death of a guide dog, which belonged to a local resident in my electorate. The action I seek is that the minister consult Banyule City Council and the Close family on the resolution of this matter under the Crimes Act 1958, following the implementation of the new dangerous dog laws, to ascertain whether any further action is required to protect the community from dangerous dog attacks and to ensure prosecutions are successful.

I have been made aware today that in the Magistrates Court yesterday the owner of one of the dangerous dogs responsible for this attack on 9 August was found guilty of four charges. Fines have been imposed on the owner of the dogs and Banyule council has determined today that one of those dogs will be destroyed. While that goes some way to dealing with the issues that were before the magistrate — under the amendments that the house agreed to recently around the dangerous dogs legislation — my office has been in touch with the Close family today and they have raised some other concerns about how the matter has been dealt with.

Given that other dogs were involved in this incident and while it has been dealt with by the court, the community needs to feel confident that the matter has been dealt as best it can be under the laws that we have put in place. It would be instructive for the minister to talk with Banyule City Council and the Close family to get some feedback from them and to get a sense of whether there is more that we need to do as legislators, as this is one of the very first cases to be dealt with under the amended laws. I refer to the report of the incident in the *Herald Sun* of 10 August, which says:

Allan Close, 25, was walking his brother's seeing eye dog, Matilda, and another pet when they were set upon by two unrestrained pit bull terriers and a bull terrier cross. Petrified four-year-old black labrador Matilda was chased by two of the dogs onto busy Bell Street, Bellfield, where she was hit by a car and later died.

16:45:00 **Matilda's blind owner, Andrew Close, was devastated and said she was his perfect match. He said:**

They have killed not only my best friend, but she was my eyes, my independence.

It is a very serious matter. The close family want to relay their concerns on this issue. I think it would be very appropriate for the minister to follow this matter through and ensure that we can continue to give confidence to the community that laws we make in this place are being applied appropriately to provide the justice the community needs.

Nepean Highway–Tower Road, Mount Eliza: safety

Mr MORRIS (Mornington) — I raise a matter this afternoon for the Minister for Roads specifically regarding the intersection of Nepean Highway and Tower Road in Mount Eliza. I will put a bit of context around it before I come to the precise action I seek. Nepean Highway in the vicinity of this intersection currently carries a significant level of traffic. However, but the traffic volume is expected to decrease once Peninsula Link is commissioned and functioning, and some estimates suggest a substantial reduction of between 3000 and 7000 vehicles per day. The action I seek from the minister is that he ensure that a reassessment of the intersection — that is, of the design and the appropriateness of the design of the controls and so on — be undertaken following the commissioning of Peninsula Link.

The intersection has a relatively good history in terms of collisions. Unfortunately there was a fatality there earlier this year, and I understand that may be the subject of further attention, so I do not intend to address it today. Generally the history of the intersection has been good, but certainly there is a degree of public concern about the situation. It is a very complicated intersection arrangement. In effect there are two intersections, one following the other. Firstly, there is the intersection of Tower Road and Nepean Highway, and then very slightly further north is the intersection of Volitans Avenue and Nepean Highway. In both cases there are currently opportunities for cars to do right-hand turns across fast-moving streams of traffic. There is the opportunity to cross from Volitans Avenue and then do a right-hand turn into Nepean Highway and also to come down Tower Road and do a right-hand turn across fast-moving traffic into the northbound lanes of Nepean Highway. Going north from Mornington there is the opportunity to do right-hand turns across fast-moving traffic coming down the hill.

There are many opportunities for accidents, and although there is not a history of accidents occurring there, there has been a substantial change to the make-up of the area. While Tower Road is outside the urban growth boundary, it very much has a suburban ambience. History tells us that when these sorts of

changes occur they sometimes have an impact on the way an intersection functions. Certainly there have been other instances locally over the past couple of decades where failure to respond to changed circumstances, even though the history of the intersections involved was not bad, has led to tragedy. I conclude by saying that history is not always a reliable guide, and I seek the action of the minister to assess the new conditions once Peninsula Link is commissioned and functioning.

Planning: commercial building licence

Mr NARDELLA (Melton) — I raise a matter for the Minister for Planning, regarding a builder, Mr Greg Trunov. The action I seek is that the minister undertake, through the appropriate channels, an investigation to follow through on Mr Trunov, because as I understand it, Mr Trunov has been working as a commercial builder despite his commercial builder's licence being suspended on 24 July 2012. The address of the project Mr Trunov is working on as a commercial builder is 344 Orrong Road, Caulfield. I believe part of this construction project is commercial. It is a class 6 building, with another part being a domestic project. Without a commercial licence Mr Trunov is not covered by insurance. Greg Trunov's commercial licence, CBL 25086, was suspended on 24 July this year. This can be checked through the Building Practitioners Board. The building is nearly finished, but the surveyors have not issued any occupancy permit or final inspection report as yet.

The applicable provision in the Building Act 1993 is section 136:

Offence to work as building practitioner without required insurance

- (1) A building practitioner (other than a builder carrying out or managing or arranging the carrying out of domestic building work) must not carry out work as a building practitioner unless the building practitioner is covered by the required insurance.

Penalty:

500 penalty units, in the case of a natural person.

2500 penalty units, in the case of a body corporate.

It is imperative that Mr Trunov be investigated urgently and action taken if he has broken the law. Mr Trunov is well known to the Building Commission, the Building Practitioners Board and the many people he ruined by his actions, negligence and shonky practices that have been found to be so and upheld by the Building Practitioners Board.

Regardless of whether you are an individual, a family or a company, when you contract a builder to undertake work on your behalf they must be competent, fully registered and fully insured for the work they undertake. This industry must be cleaned up so that people can be confident of builders doing the right thing and can have their projects completed. The industry must be rid of these shonky cowboys so that the genuine builders can go about their professional work. I have talked to the minister about this very serious matter. If it is found that this builder is doing the wrong thing, urgent action needs to be taken to stop him so that he cannot hurt more people and destroy their lives.

Environment: coastal erosion strategy

Mrs BAUER (Carrum) — I wish to raise a matter for the Minister for Environment and Climate Change. The action I seek is that the minister consider a strategy on coastal erosion. In the Carrum electorate we are fortunate to have 14 kilometres of foreshore and a stretch of unbroken beach. This is an amazing natural asset that must be protected both today and for future generations. The environmental threats facing foreshores in the cities of Kingston and Frankston are serious, with significant erosion in sections of the coastline. I would like to place on the record my gratitude to the Minister for Environment and Climate Change for recent foreshore improvements that have been taking place in the electorate. Recently completed beach renewal works at Aspendale beach have been welcomed by the community.

Aspendale beach received sand as part of the Victorian coalition government's Protection of Port Phillip Beaches and Foreshore program in partnership with the City of Kingston. Beach renourishment at Aspendale beach was part of the \$9.5 million program to protect our foreshores and beaches from coastal erosion and to provide safe and enjoyable beaches for locals and visitors alike. The Victorian coalition government is committed to protecting our coast, and I am pleased that it will be undertaking further beach renourishment projects across Port Phillip Bay over the next four years, including work at Frankston beach.

There have been concerns for many years about foreshore erosion at Carrum beach, with the sand dune walls collapsing in major storms, undermining the stability of the foreshore. Carrum beach has been neglected for many years; however, recent improvements and investments have been welcomed by the Kingston community. Carrum has recently been the benefactor of a beach renewal program, including dredging and retrieval works, with sand being pumped

onto the beach and the construction of an erosion rock wall. The Department of Sustainability and Environment (DSE) and Kingston City Council jointly funded the construction of a 135-metre rock wall at Carrum beach adjacent to the Patterson River. The seawall is being built in response to significant erosion of the sand dune immediately adjacent to a public park. A walking platform and boardwalk on top of the wall have been incorporated into the design to allow access during high-tide events. Kingston City Council was successful in securing funding through the DSE coastal risk mitigation program. The works are welcome; however, there is a need for the rock wall to extend further south down the beach as erosion continues to be a major problem. Currently the erosion is cordoned off with bollards and tape to prevent beachgoers entering the area and worsening the situation.

I am pleased to see works also progressing with the current construction of the new Carrum Surf Life Saving Club facility, to which we in government have contributed \$500 000 through Life Saving Victoria. I request that the minister advise on measures the government is taking to protect the foreshores of Port Phillip Bay by implementing the coastal erosion strategy.

Rail: Clayton station

Mr LIM (Clayton) — The matter I raise is for the attention of the Minister for Public Transport. I ask the minister to take urgent action to ensure that the rebuilding of the stand-alone waiting building on the city side of Clayton railway station is completed as a matter of urgency. Last year the historic waiting area building outside of the ticketing area was destroyed by fire and has since been demolished. The remaining undercover area is too small for commuters, especially during the morning peak period.

With our particularly wet autumn, winter and now spring, I would have expected that the rebuilding would be a priority, but this appears not to be the case. This delay in rebuilding also raises a serious safety issue, as on wet mornings commuters congregate under the remaining cover and the overcrowding is resulting in some passengers standing close to the platform's edge. I ask that the minister accord this matter the seriousness it deserves. We cannot wait for some unfortunate incident to happen.

The Liberal government's policy of providing two protective services officers at every railway station after hours is yet to be implemented at the Clayton railway station. I hope that the burnt-out waiting room area previously used by rail commuters is not going to be

taken up by exclusive-use toilets for the protective services officers. Clayton rail commuters would take a very dim view of such a development.

I ask the minister to investigate the matter and to take action to ensure that this historic undercover waiting area is rebuilt as soon as possible to ensure that commuters have adequate coverage at Clayton railway station.

Pioneer Road, Waurm Ponds: upgrade

Mr KATOS (South Barwon) — The matter I wish to raise this afternoon in the adjournment debate is for the Minister for Roads. The action I seek is for the minister to come to the South Barwon electorate and see the progress of works on stage 1 of the upgrade to Pioneer Road and at the same time view the proposed stage 2 of the upgrade to Pioneer Road. As the minister would be aware, the coalition government has provided \$5 million for the stage 1 works on Pioneer Road. These works are vital for the growing southern suburbs of Geelong, with Grovedale, Waurm Ponds, Highton, Wandana Heights and Belmont all seeing significant growth. This was an issue that was neglected by the previous government, allowing a lot of traffic congestion at this intersection.

Historically, Pioneer Road ran from the Surf Coast Highway and stopped at Waurm Ponds Creek, but with growth a bridge was built across the creek, with a single lane in each direction going to the intersection with the Princes Highway. With all the growth that has occurred in the area we now have the Waurm Ponds shopping centre, which is a very large shopping centre, on one corner of the intersection, an Apco service station and a McDonald's on another corner and the brand-new \$30 million Leisurelink facility that was constructed by the City of Greater Geelong on another corner, and now an Aldi supermarket is being built on the other corner. It is a significantly busy intersection.

As part of the stage 1 works two right-hand turn lanes are being constructed for vehicles turning right from the Princes Highway into Pioneer Road, and Pioneer Road is also being duplicated to four lanes of traffic, with dedicated right-hand and left-hand turn lanes going in and out of the Waurm Ponds shopping centre and also Leisurelink. The duplication that is taking place at the moment will extend to Waurm Ponds Creek. If the minister visits, he will be able to clearly see the benefits that stage 1 is delivering to the local community of Grovedale and Waurm Ponds. There is improved entry and exit out of the Leisurelink facility and the shopping centre and improved traffic movement along Pioneer Road, as it is a road that carries a lot of traffic.

While the minister is there he will be able to see the proposed stage 2 of the works, which will duplicate the bridge to four lanes and improve the intersection at Meadowvale Drive. The next stage will deliver four lanes of traffic there. It is a great opportunity for the minister to come have a look at stage 2 and the benefits it will bring and perhaps consider it for future funding.

Responses

Mr MULDER (Minister for Roads) — The member for Mornington raised an issue with me in relation to the intersection of the Nepean Highway and Tower Road in Mount Eliza and his concerns about a fatal collision on 25 June 2012. It is a saddening event that we have had a fatality at this location, and we do place a very high priority on road safety. A lot of work is being done in that space as we speak. I am advised that a coronial inquiry into the recent fatality is ongoing, and I assure the member that VicRoads will take any advice from the coroner's office once this inquiry has been completed.

One of the main issues of concern is that the intersection has high traffic volumes, leading to road safety concerns. I know the member for Mornington has raised this in the past. I think he also raised it as a councillor. As the member for Mornington and the surrounding local community are aware, the new Peninsula Link will be opening in early 2013. Peninsula Link will of course have an effect on traffic flow on the surrounding road network, including the Nepean Highway and this particular intersection the member has raised with me today. VicRoads will monitor any changes in traffic distribution across the entire area once Peninsula Link is opened.

In response to the member for Mornington's representations on behalf of his community I am going to ask VicRoads to ensure that the intersection of the Nepean Highway and Tower Road is monitored and assessed following the opening of Peninsula Link to determine if any appropriate road safety improvements are required once that very large road project is complete.

The member for Clayton raised an issue with me in relation to the stand-alone building at Clayton station and the fact that the historic building was destroyed by fire and there has been a delay in relation to the reinstatement of that building. He is concerned that perhaps when the reinstatement of that building takes place it could be used for PSOs (protective services officers). The member for Clayton is calling for the PSOs for his station. Is it not great to hear members of the opposition calling for the PSOs and welcoming the

PSOs on to their stations, lining up and saying 'Bring it on'? What a difference an election makes. I will have the Department of Transport look into that issue for me to see what the delay is in terms of reinstating the building at Clayton station, and I will report back on that matter to the member for Clayton.

The member for Bundoora raised a pedestrian crossing issue with me in relation to Grimshaw Street, Greensborough. I had a look at Grimshaw Street, and part of it is an arterial road while the other end is a local council road. I am not sure which section the member is referring to. I know that the Banyule community health centre sits somewhere between Main Street and Para Road, and that is a local road. 17:02:30

Mr Brooks interjected.

Mr MULDER — I will get VicRoads to provide me with further advice in relation to that matter. I was unsure which part of the road the member was referring to, but I will get VicRoads to investigate his request. I will get back to the member once we have established who is responsible and what negotiations have taken place with local council in relation to that matter.

The member for South Barwon has raised an issue with me in relation to our commitment to Pioneer Road. There is a \$5 million commitment as part of the 2011–12 and 2012–13 budgets to fund stage 1 of the upgrade of Pioneer Road and Princes Highway at the southern access point to Waurn Ponds shopping centre. The member for South Barwon is a great advocate for his community and is now pushing for completion of this particular project. There is another stage — that is, stage 2 down to Meadowvale Drive. The member has asked that I come and visit him so we can have a look at that project together, have a look at the progress that is taking place with stage 1 and at the implications stage 2 would have on that project.

The SPEAKER — Order! Come and visit me.

Mr MULDER — I think we have been down to your electorate, Speaker, and I think you have done extremely well. As I say, I will visit that area with the member for South Barwon and we will look at what would be required to deliver stage 2, including what the funding arrangements could be. I will work with him in relation to that because we know that it is an incomplete project and requires additional work to get the best possible outcome for his community.

The member for Mill Park raised a couple of matters with me. The first was the provision of an additional myki card vending machine at South Morang railway station. I will not go into the history of myki. I am sure

the member for Mill Park is absolutely aware of the history of myki. We are delighted at the success of the Epping to South Morang rail extension since it was opened earlier this year. It has a chequered history, and I know one of the previous Labor governments broke its 1999 promise in relation to this project, but it was great for the coalition government to be there with the member for Mill Park to deliver on that project for her community.

The Transport Ticketing Authority (TTA) has installed 428 myki card vending machines, including one at South Morang. Recently all the premium stations that are staffed from first to last train had their Metcard booking office machines converted to myki-only ticket office terminals. The TTA and Transport Victoria will continue to assess demand for myki top-ups at stations. However, passengers may visit the booking office and top up or use the alternative of a card vending machine at South Morang.

A couple of weeks ago about 80 000 myki cards per week were going out, and the member spoke about queues as a result of first-time users. I think it is really good for local members, when they have got the myki equipment down there and people are getting used to the new recruitment, to perhaps stand there and advise constituents as to the opportunities and options in terms of top-ups and other facilities that are available with myki. I think it is great publicity, and I think the member for Mill Park would be only too happy to take that up.

The member for Mill Park also raised an issue in relation to the prospect of a South Morang to Mernda busway. This was a pre-2010 election commitment by the former Minister for Public Transport, and it was drastically underfunded. I think the former government had allocated \$48.5 million to the Mernda busway, and when VicRoads had a look it indicated it would be around \$66 million. It was unfunded to the tune of about \$17.5 million. The member for Mill Park would like to know what is happening with the project, and I can only quote from the *Age* of 11 November 2010 in which Whittlesea councillor John Fry, a member of the Australian Labor Party, said the then Labor government had only made the bus promise because an election was looming.

I am not sure whether the member for Mill Park is familiar with Cr John Fry; however, it appears he is on top of the issue and understands everything about the politics of that particular announcement, and that is why that particular announcement did not go ahead.

Mr R. SMITH (Minister for Environment and Climate Change) — I respond as Minister for Environment and Climate Change to the member for Carrum, who raised issues around coastal erosion. This government has already done a lot of work around coastal erosion, and it has managed to renourish a number of beaches. On top of that it has put in a formalised framework around the prioritisation of beach works. There had been a fairly haphazard approach under the previous government, which I found when we came to government. We now have a very scientific approach and a rigid framework around how we prioritise beaches. The member for Carrum asked me to have a look at a coastal erosion strategy going forward, and I would like to inform the member that work is going on and I will make available to her the details of that work as it is finalised.

As Minister for Youth Affairs I would like to respond to the honourable member for Caulfield, a very good member who is a great advocate for his community. In fact it would take me far too long — longer than the 21 minutes I have available — to go through all the issues that the member for Caulfield has raised with me and other ministers. He is a very good advocate. He has raised a Yeshivah Centre proposal to build a new camp site in Victoria. The member has invited me to meet with the director of Chabad Youth to hear about the great work it is doing with youth and in youth leadership. One of the approaches I take to this portfolio is to celebrate the strengths of young people and what they can do. I certainly encourage them to get involved in their community and to have some good mentoring around leadership. It would be my pleasure in the very short term to come out to the member's electorate and have these meetings as he has asked. It would be my pleasure to do so.

Dr NAPHTHINE (Minister for Ports) — The member for Morwell raised an issue seeking assistance for the bike riders day at the track which has been raised by the Traralgon Greyhound Racing Club. As the member for Morwell said, the Traralgon Greyhound Racing Club is a very strong club with a very committed and enthusiastic club manager, Hec Caruana, who does a terrific job with greyhound racing in the area. Greyhound racing across Victoria is a very strong industry. It is a rapidly growing sport and industry and is an important part of the Victorian economy, with over 2000 jobs in greyhound racing and breeding across the state. Traralgon is a key track in Gippsland, along with Sale, Warragul and Cranbourne, and indeed Gippsland and east of Melbourne are significant areas for racing, training and breeding of greyhounds in this state.

17:10:00 The government's Raceday Attraction program, as the member for Morwell said, is a program that uses state taxes from on-course TAB bets to encourage more people to come to the races and enjoy this great sport. When you have more people involved in the sport, you grow the sport and the industry and you create more jobs.

Traralgon Greyhound Racing Club, to its great credit, has seized on a terrific opportunity to encourage the 4000 or more people who are participating in and supporting the Great Victorian Bike Ride to have a great day out at the Traralgon greyhound races on Wednesday, 28 November, which is a rest day for the bike ride. These people will be in the Latrobe Valley, and while there are many things to do there, one of the great things they could do is spend a day at the Traralgon greyhounds.

The club has applied for funding under the Raceday Attraction program so that it can use some of that punters' money to attract more people to the track and promote greyhound racing. I am pleased to advise the member, who has certainly lobbied hard on behalf of the greyhound racing club on this issue, that we have been able to provide \$9300 from the Raceday Attraction program, and that will be more than matched by \$8750 from Greyhound Racing Victoria and \$4700 from the club. This will provide for a terrific range of promotional activities, transport, and other activities on the day and will make it a great attraction for people who are involved in the Great Victorian Bike Ride. It will enable them to have a terrific day at the Traralgon greyhounds on their rest day, and I am sure a number of those people, who are sport-loving people, will enjoy the attractiveness and beauty of greyhound racing and become enthusiasts in the sport. I am pleased to advise the member of that announcement.

Mr Herbert interjected.

Dr NAPHTHINE — I am being very honest today. I am in a good mood this afternoon. But if the member for Eltham would like me to talk about Labor's record in racing, I can certainly divert.

The member for Ivanhoe raised with the Minister for Agriculture and Food Security an issue with regard to a dangerous dog attack which led to the tragic death of a guide dog. When that was reported on the news all of us were absolutely horrified by that circumstance. As the member said, not only was that guide dog the very best friend of the person it was working with but it was also his eyes, his way of getting around the world, so it was an absolutely tragic event. The member for Ivanhoe has asked the minister to meet and consult with

the Banyule City Council and the family with respect to this issue and the lessons that can be learnt in terms of how we deal with dangerous dogs in our community, and I will pass that on to the Minister for Agriculture and Food Security.

The member for Melton called on the Minister for Planning to investigate allegations in relation to a builder. He named the builder and said that he would pass that information on to the Minister for Planning. I am sure the Minister for Planning will take any such allegation seriously and will ensure that appropriate investigations take place. I will make sure the Minister for Planning is alerted to the issue raised tonight by the member for Melton.

The SPEAKER — Order! The time has arrived for me to say that the house is now adjourned.

House adjourned 4.14 p.m. until Tuesday, 13 November.