

news from **Labor**



Monday, 18 October 1999

STATEMENT FROM MR STEVE BRACKS MP Leader of the Victorian Labor Party

Today I have transmitted advice to the Governor of Victoria, Sir James Gobbo, that the Victorian Parliamentary Labor Party has secured the support of all three Independent MPs.

Accordingly, the Labor Party now has the required number of seats with the support of the Independents to form government in Victoria.

The Independents, Mr Russell Savage MP, Ms Susan Davies MP and Mr Craig Ingram MP and myself have signed a Memorandum of Understanding, which I have forwarded to the Governor and to Mr Kennett.

On behalf of the Labor Party, I am extremely proud that the people of Victoria have given us the honour of forming government.

We will return that faith and trust by governing for all Victorians and all of Victoria.

I also want to thank each of the Independents for their professionalism and integrity and look forward to working with them in the new Parliament.

In offering their support to Labor, the Independents have upheld the Westminster convention of supporting the party with the largest number of seats in the Parliament - which is the Labor Party.

They also supported the people of Victoria by endorsing the party which gained more than 50 per cent of the two party preferred vote at the general election and the largest primary vote of any party.

The election demonstrated that there was an enormous mood for change in Victoria.

And this was confirmed by the massive swing to Labor in the supplementary election for Frankston East on Saturday.

The people of Victoria have raised their voices for open, decent and stable government.

Through the decision of the three Independents to support Labor, Victorians can be assured that that is exactly the type of government they will get under Labor.

• **Attachment**

Media Inquiries: Colin Radford 0419 531 568

Memorandum of Understanding

between:

Susan Davies MP, Craig Ingram MP and Russell Savage MP (“the Independent members”) and

Mr Steve Bracks MP (for and on behalf of the Parliamentary Branch of the Australian Labor Party, Victorian Branch) (“the ALP”).

Objective

The objective of this Memorandum of Understanding is to provide stable government for the people of Victoria and to enhance parliamentary democracy and open and accountable government in Victoria.

Background

On 1 October 1999 the Independent members wrote to the ALP and enclosed a Charter (“the Charter”, a copy of which is annexed hereto). The Charter set out matters which the Independent members believed were essential to provide for stable, open and accountable government in Victoria.

On 12 October 1999 the ALP wrote to the Independent members and provided a detailed response to the matters raised in the Charter (“the Response”, a copy of which is annexed hereto).

Understanding

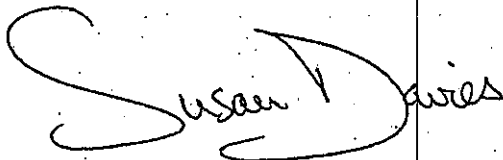
The ALP commits itself to the matters addressed in the Response to the Charter.

The Independent members, on the basis of the said commitment, each support the commissioning of Mr Bracks MP to form a Government and each agree to thereafter vote with the Bracks Government in the Legislative Assembly on:

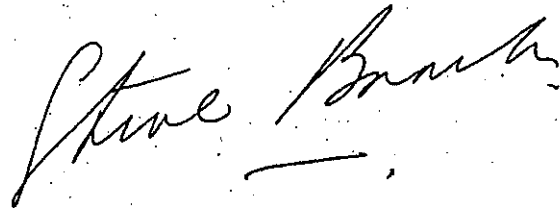
- appropriation and supply bills; and
- all motions of no confidence, unless there is evidence of fraud, misappropriation or illegal activities.

The said agreement is subject to the qualification that the Independent members will not support any government, and will remove support from any government, which:

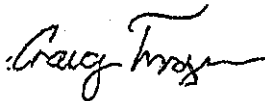
- demonstrates mismanagement or misuse of public funds;
- is shown to be corrupt, which supports any practices which are corrupt, or which violates accepted standards of public probity;
- abuses the spirit of democratic parliamentary practice and procedure.



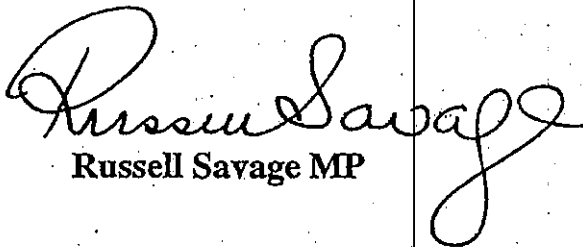
Susan Davies MP



Steve Bracks MP



Craig Ingram MP



Russell Savage MP

Dated 18th October 1999

Independents' Charter Released

Victorian Independent MPs Russell Savage, Susan Davies and Craig Ingram have released copies of their Charter.

They will be asking leaders to present their party's written response to the Charter by Tuesday 12th October.

Independents will announce their position after the declaration of the poll at Frankston East.

A copy of the 5-page Charter will follow.

Independents' Charter Victoria 1999

Russell Savage MP Mildura,

Susan Davies MP Gippsland West,

Craig Ingram MP Gippsland East

The aim of this Charter is to provide for stable, open and accountable government, which is able to work productively for the people of Victoria.

We Independents are determined to maintain our Independent status. We will not become a formal part of any government.

However we agree that to provide stability we will vote with the government on:

1. Appropriation and supply bills

2. All motions of No Confidence unless there is evidence of fraud, misappropriation or illegal activities.

We will not support any government, and will remove our support from a government which:

- **Demonstrates mismanagement or misuse of public finances,**
- **Is shown to be corrupt, which supports any practices which are corrupt or which violates accepted standards of public probity.**
- **Abuses the spirit of democratic parliamentary practice and procedure.**

We are willing to support a government, which publicly undertakes to:

- 1. Promote open and accountable government**
- 2. Improve the democratic operation of parliament**
- 3. Establish clear plans, strategies and targets to address the urgent needs of Rural Victoria**
- 4. Offer assurances of increased levels of co-operation with Independent Members, and improved codes of conduct between government and all other Members of Parliament.**

1. Promoting open and accountable government

This can be demonstrated by undertakings to, within the next sitting of Parliament:

1. a) Restore the role, function and resources of the Auditor-General by repealing the Audit Amendment Act 1997 .
- b) Have future appointments to the position of Auditor General be made on the recommendation of the joint Parliamentary Public Accounts and Estimates Committee.
- 1.2 Rebuild F.O.I. legislation to give full and proper access to government documents by:
 - a) Reducing the restrictions on access to documents on the grounds of "cabinet confidentiality"
 - b) Removing restrictions based on "commercial confidentiality" (to the extent of the NZ Act),
 - c) Removing obstructions such as excessive costs and appeals against document release
 - d) Reducing time-gaps permissible before providing documents.

The spirit of FOI legislation should be adhered to as well as the technicalities.

1.3 Ensure that budget documents are properly comparable from one year to the next, by including parallel information in both formats where a format change is deemed desirable.

1.4 Adhere to the ideals of freedom of speech by:

- a) affirming the principles that debate and dissent are legitimate aspects of a democratic political system
- b) removing restrictions on the freedom of speech of those employed under government contract or as public servants

1.5 Clearly establish the independence of the Director of Public Prosecutions and the Police Commissioner.

1.6 Establish a Judicial Inquiry into the ambulance contracts/ Intergraph issue.

The Terms of Reference to be agreed to by the Independents after consultation with Government, Opposition and other interested groups

1.7 Consult with interested parties within the community before developing new legislation.

2. Improving the democratic operation of Parliament

This can be demonstrated by undertakings to, within six months of the commencement of the 54th Parliament, :

2.1 Reform the Legislative Council;

- a) Abolishing the current 6-8 year terms, so that all Members face 4 year terms.
- b) Adopting a proportional representation voting system.
- c) Establish standing committees to review legislation and the operation of government (similar to the operation of the Senate)

2.2 Revise both sessional and standing orders of parliament to allow for:

- a) a requirement that Ministers actually answer questions during question time
- b) a minimum number of sitting days per year,
- c) more questions on each sitting day, (a minimum number of questions instead of a time limit on question time),
- d) more grievance and 'issues of public importance' debates,
- e) the opening up of opportunities to debate private member's bills and petitions.

2.3 Alter the constitution so governments serve fixed four-year terms unless interrupted by a vote of no confidence. Elections should be held on a fixed day every four years (eg 1st Saturday in March or the like)

2.4 Establish a Victorian Constitutional Commission to conduct a thorough review of the Constitution and Parliament with the aim of presenting a constitution to the Victorian people through a referendum.

3/ Establishing clear plans, strategies and targets to address the urgent needs of Rural Victoria:

This can be demonstrated by government making commitments to, throughout the life of this Parliament:

3.1 Improved rural and regional employment opportunities.

a) We wish to see evidence that Government is prepared to intervene in the public interest to encourage the growth of rural and regional employment opportunities. Public interest should prevail over National Competition Policy.

3.2 Improve rural-infrastructure such as roads, rail, water, power and gas.

- . We do not expect infrastructure improvements to be based on the profit potential, or opportunities for cost recovery of the provider, but want government to provide evidence that it accepts its basic responsibility to provide such infrastructure.

3.3 Rural health, education, police, emergency, environment and human services.

- . We wish to see evidence that government accepts its basic responsibility to provide services .

b) The measure of government's satisfactory performance is not to be the dollars which have been handed over, but

the extent to which people are able to access the service, and the equitable distribution of such services across all areas.

c) We wish to see a multiparty review of contracted out services, to report within six months as to whether the system should continue or be wound down and abolished as contracts expire.

3.4 Improving the relationship and consultative mechanisms between State government and local Councils and communities.

a) We wish to see evidence that government recognises that Local Government is a separate, democratically elected entity which is responsible primarily to the community it serves. This could include undertakings on planning controls, employment of CEOs and choosing levels of tendering out local services.

4/ Assurances for Independent Members

Improvements in this area can be demonstrated by immediate commitments to:

4.1 Treat all members of Parliament, including Independent Members, with courtesy and respect.

4.2 Allocate Independents a higher level of staffing and resources, in order to assist them in dealing with their significantly greater level of responsibility.

4.3 Allocate a senior member of the Premier's staff with the responsibility for ensuring that Independents have access to Ministers, key public servants and the Premier.

4.4 Construct an ongoing consultative mechanism with Independents to inform, discuss and negotiate on any planned legislation which may require their agreement in the Parliament.

4.5 In return, the Independents would undertake to inform government of any intention to vote against planned legislation.

5/ Privatisation The Independents seek an undertaking that Government will permit no more privatisation of public assets at least until after a full independent inquiry has reported to Parliament on the social and economic costs and benefits of planned and existing privatisations.

Conclusion.

The Independents do not wish to control the government's program or policies.

Rather, we wish government to acknowledge the need for substantial reform in certain, particular areas of government practice and to provide us with evidence that they are both willing and able to address these needed reforms.

We will maintain our right to vote on all legislation according to the needs of our electorates and our consciences, but undertake to involve ourselves in negotiations with government before exercising that right.

Above all, we hope that the current situation of a very finely balanced Parliament in Victoria can be utilised to improve the democratic principles and practice of our State as well as providing a framework to move us all forward in the spirit of balance and co-operation.

..... **Russell Savage MP**

..... **Susan Davies MP**

..... **Craig Ingram MP**

Ms Susan Davies MP

Independent Member for Gippsland West

12 October 1999

Dear Ms Davies

I write to formally respond to your letter of the 1 October 1999 incorporating an amended copy of the *Independent's Charter Victoria 1999*.

I am pleased to indicate that I support the Charter in its entirety and seek to outline in detail how a Bracks' Labor Government could implement it in full.

I join with you in expressing a commitment to providing stable, open and accountable government which is able to work productively for the people of Victoria.

It is the policy of the Victorian Labor Party to implement reform in order to revitalise Victoria's democratic institutions, increase community participation in decision making, and strengthen the power of key independent watchdogs.

At the broader level I am pleased to say that the four points listed in the Charter formed the basis of Labor's election campaign and policy development process. The majority of Victorians who voted for the Victorian Labor Party did so on the understanding that they were voting for a Bracks Labor Government that would:

- Promote open and accountable government;
- Improve the democratic operation of parliament;
- Establish clear plans, strategies and targets to address the urgent needs of Rural Victoria; and
- Introduce an improved code of conduct between government and all other Members of Parliament.

In respect to the relationship between a Bracks' Government and Independent Members of Parliament the record of Victorian Labor in working with Independent Members and encouraging their full participation in the democratic process over the last four years stands as a testament to our respect for all Members of the Parliament and the communities they represent.

This formal response will detail my position on the Charter and how I intend to implement both its detail and its spirit in the event of your support.

1. Promoting open and accountable government

I have campaigned and fought for the creation of open and accountable government in Victoria for many years. It is my greatest priority to ensure that the Victorian community

has its respect for our democratic institutions and system of government restored. I believe that if a Bracks' Labor Government were in a position to implement this Charter that we would see a transformation of our Government and the community's relationship with it.

1.1 a) Restore the role, function and resources of the Auditor-General by repealing the Audit (Amendment) Act 1997

b. Have future appointments to the position of Auditor General be made on the recommendation of the joint Parliamentary Public Accounts and Estimates Committee

I commit a Bracks' Labor Government to the following:

- The repeal of the Audit (Amendment) Act 1997;
- The restoration of the powers of the Auditor-General to conduct audits in his own right;
- The enshrining of the independence of the Office of the Auditor-General in the Victorian Constitution;
- An increase in recurrent funding of \$2 million to be provided to the Office of the Auditor-General in accordance with policy released during the campaign;
- Having all future appointments to the office of Auditor-General be made on the recommendation of the Joint Parliamentary Public Accounts and Estimates Committee; and
- Introducing these changes as the first item of legislation passed by a Bracks' Labor Government.

1.2 Rebuild the Freedom of Information Act

. Reducing the restrictions on access to documents on the grounds of "cabinet confidentiality"

I commit a Bracks' Labor Government to:

- Ending the ability of Ministers and Departments claiming a Cabinet exemption for documents that are merely attached to Cabinet documents for the purpose of avoiding release.

. Removing restrictions based on "commercial confidentiality" (to the extent of the New Zealand Act)

I commit a Bracks' Labor Government to:

- Removing the exemptions based on commercial confidentiality in accordance with the New Zealand Act;
- Have all contracts for the delivery of services to the community on behalf of the Government released. These contracts will also be published and posted on the

internet; and

- The Public Accounts and Estimates Committee's report into commercial confidentiality should have been released prior to the State Election. Labor representatives of the Committee will ensure that the report will be released promptly.

Removing obstructions such as excessive costs and appeals against document release

I commit a Bracks' Labor Government to the following:

- Removing the \$170 appeal fee imposed by the Government to appeal from a refusal by a Government Department to respond to a request (known as a deemed refusal);
- Amend the Act to compel Ministers to provide an explanation to the House as to why they have determined that the public interest is served by appealing from a decision of the Victorian Civil and Administrative Tribunal to release documents;
- Repeal changes to the Freedom of Information Act that require a full Tribunal Hearing before any documents that include the names of public servants or third parties are released to the applicant; and
- Capping appeal and applicant costs for Freedom of Information requests for the term of the next Parliament.

Reducing time-gaps permissible before providing documents

I commit a Bracks' Labor Government to the following:

- Adhere to the Freedom of Information Act's requirement to respond to all requests within the 45 day time limit set down in the Act; and
- Establish internal disciplinary procedures for public servants who fail to comply with the Act.

1.3 Ensure that budget documents are properly comparable from one year to the next, by including parallel information in both formats where a format change is deemed desirable

I commit a Bracks' Labor Government to the following:

- Ensure that budget information is consistent with previous formats to allow for full and transparent comparison by including parallel information in both formats where a format change is deemed desirable;
- Empowering the Auditor-General to report and comment on the information provided in the budget papers on budget day; and

- Providing regular budget updates to ensure that the Budget papers remain contemporary and accurate.

4. Adhere to the ideals of freedom of speech by:

- **affirming the principles that debate and dissent are legitimate aspects of a democratic political system**

I commit a Bracks' Labor Government to the following:

- Affirm the principles that debate and dissent are legitimate aspects of a democratic political system;
- Move a motion in the Victorian Parliament to express the Legislature's support for these principles;
- Leading a Government that promotes debate as the key to better policy making and outcomes for the people of Victoria; and
- Regular meetings of the Cabinet as a "Community Cabinet" in regional and rural Victoria.

- **removing restrictions on the freedom of speech of those employed under government contract.**

I commit a Bracks' Labor Government to the following:

- Abolition of teaching standing orders that silence teachers on matters of education policy;
- Abolition of clauses in funding contracts that limit public comment by community organisations to enable free debate and ensure the community is confident of the adequacy of existing services; and
- Introduce legislation to protect whistleblowers in the public service.

4. Clearly establish the independence of the Director of Public Prosecutions and the Police Commissioner

I commit a Bracks' Labor Government to:

- Restore the power of the Director of Public Prosecution to bring contempt of court proceedings independent of the Attorney-General and Solicitor-General;
- Enshrine the independence of the Office of the Director of Public Prosecutions in the Victorian Constitution;
- Abolish contracts and performance bonuses for the Chief Commissioner of Police and other members of the Victorian Police Force; and
- Lead a Government that recognises the independence of the Office of the Chief Commissioner and does not interfere with the exercise of the operational functions of the Victorian Police Force.

4. Establish a Judicial Inquiry into the Ambulance contracts/Intergraph

issue.

I commit a Bracks' Labor Government to:

- Establishing a Judicial Inquiry under the Evidence Act into the Ambulance/Intergraph issue. I have attached a draft terms of reference for your consideration.

1.7 Consult with interested parties within the community before developing new legislation

I commit a Bracks' Labor Government to:

- The consultative and inclusive style of Government that consults with the Victorian community prior to the development of new legislation (and policy) rather than briefing after the finalisation of a decision;
- Regular meetings of the Cabinet as a "Community Cabinet" in regional and rural Victoria;
- Establish a new mechanism for consultation between the Government and Regional and Country Victoria (as noted in paragraph 1.4 above);
- Accepting the legitimate role of advocacy in public debate;
- Desisting from personal vilification of community leaders; and
- Reinstatement of the Victorian Law Reform Commission to promote community discussion and debate on law reform.

2. Improving the democratic operation of Parliament

I am personally committed to transforming Parliament into an open and democratic forum for the exchange of ideas and the scrutiny of the Executive Government.

1. Reform the Legislative Council

- **Abolishing the current 6-8 year terms, so that all Members face 4 year terms**

I commit a Bracks' Labor Government to:

- Introducing a fixed date for four year terms for the Legislative Assembly and Legislative Council with elections being held simultaneously.
- **Adopting a proportional representation system**

I commit a Bracks' Labor Government to:

- The introduction of proportional representation for the Legislative Council with five seven member provinces electing 35 members of the Legislative Council;
- The introduction of legislation to give effect to this reform in the Legislative Assembly in the Spring session of 1999;

- In the event of the blocking of this Bill by the Legislative Council refer the legislation to the Constitutional Commission for consideration of putting a question by way of plebiscite to the Victorian community; and
- Actively campaign for the introduction of proportional representation in the Upper House until such time as it is achieved.
- **Establish standing committees to review legislation and the operation of Government (similar to the operation of the Senate)**

I commit a Bracks' Labor Government to :

- The establishment of properly resourced standing committees to review legislation and the operation of Government on behalf of the Victorian Parliament.

1. Revise both sessional and standing orders of parliament

- **A requirement that Ministers actually answer questions during question time**

As Premier in the Bracks' Labor Government I personally commit to the following:

- Instructing all Ministers to answer questions directly and in a manner that does not waste the time of the Parliament; and
- Lead by example, by answering all questions specifically with the required detail to fully inform Members of the Parliament of the issue raised.
- **A minimum number of sitting days per year**

I commit a Bracks' Labor Government to:

- Require that the Victorian Parliament sit a minimum of 50 days per year for the next term of Government.
- **More questions on each sitting day (minimum number of questions)**

I commit a Bracks' Labor Government to:

- A minimum of ten questions per question time.
- **More grievance and issues of public importance debates**

I commit a Bracks' Labor Government to:

- The introduction of a minimum of three grievance debates in a Parliamentary session; and
- The introduction of issues of public importance debates on every Parliamentary sitting day other than on a day when grievance debates are held.

e) The opening up of opportunities to debate private member's bill and petitions

I commit a Bracks' Labor Government to:

- Providing specific opportunities by way of agreement to debate private member's bills; and
- Refer the suggestion of a debate to be introduced for petitions to the Standing Orders Committee of the Parliament.

1. Alter the Constitution so governments serve fixed four-year terms unless interrupted by a vote of no confidence.

I commit a Bracks' Labor Government to:

- Introduce legislation to alter the constitution to fix four year terms unless interrupted by a vote of no confidence.

1. Establish a Victorian Constitutional Commission to conduct a thorough review of the Constitution and Parliament

I commit a Bracks' Labor Government to:

- Establish a Victorian Constitutional Commission of eminent persons, representative of the Victorian community, to review the Constitution and if required prepare a series of questions to be put to the Victorian people through a referendum or like mechanism.

3. Establishing clear plans, strategies and targets to address the urgent needs of Rural Victoria

I am personally committed to Labor's vision of growing the whole of the State and joining our regional towns and cities with each other through infrastructure projects and programs that put people first.

- 1. Improved regional employment opportunities**
- 2. Improve rural infrastructure such as roads, rail, water power and gas**
- 3. Rural health, education, police, emergency services, environment and human services**

Labor's policies are committed to ending the neglect of regional and rural communities and placing the public interest before economic policies that do not work for the whole of the State. In particular the following is a list of initiatives that are clear evidence of a Bracks' Labor Government's commitment to rural and regional Victoria:

- Revive regional economies through our Regional Infrastructure Development Fund;
- Upgrade the Office of Rural Affairs and create a new Department of State and Regional Development and a Ministry of Regional Development;
- Directly assist 70,000 unemployed Victorians statewide into the workforce by boosting traineeships, apprenticeships, labour market programs and community infrastructure projects;
- Upgrade key regional rail links;
- Inject \$120 million to fix accident blackspots in Country Victoria from a once off special dividend from the TAC;
- Reform case mix hospital funding in recognition of the different needs and circumstances of regional and rural hospitals;

- Boost ambulance services in regional and rural Victoria;
- Establish a Victorian Major Events Company;
- Abolish the Catchment Management Authority Tax whilst providing the equivalent funding to the Department of Natural Resources and Environment to undertake the function through the Catchment Management Advisory Committees;
- Increase police numbers by 800;
- Invest in education through Labor's Country Schools Plan and TAFE Regional Funding Differential;
- Cap electricity prices by introducing a maximum uniform electricity tariff;
- Abolish Compulsory Competitive Tendering;
- Boost employment in new and emerging industries through Labor's Regional Call Centre Attraction Program and the establishment of new high tech regional televillages;
- Increase support for new industry development;
- Keep Victorian Water Authorities in public hands; and
- Establish a multi-party review into the contracting out of services, to report within six months as to whether the system should continue or be wound down as contracts expire.

1. Local Government

I commit a Bracks' Labor Government to the following:

- Leading a Government that recognises that Local Government is a separate, democratically elected entity which is responsible primarily to the community it services;
- Limit the suspension and dismissal of councils and councillors to cases of corruption or other serious failure;
- Ensure that the Chief Executive Officer of Councils is solely answerable for their performance to the elected council and not the Minister for Local Government;
- Legislate to abolish compulsory competitive tendering;
- Give Local Councils greater powers in relation to proposals to establish new gaming venues or brothels in their municipalities;
- Give Local Government the authority to independently manage their own finances and the affairs of the municipality; and
- An amendment to the Victorian Constitution to properly recognise local government and safeguard its democratic processes.

3. Assurances for Independent Members

I have always attempted to build a relationship with all Members of Parliament regardless of their political affiliation in respect for their responsibilities and commitment to their constituents and the Victorian public.

I and my Parliamentary Labor colleagues have also forged a special relationship with Independent Members of Parliament in light of our mutual interests and in recognition of the particular difficulties confronted by Independent Members and our shared opposition to the degradation of community services in regional and rural Victoria.

I give the commitment to work with Independent Members, not based upon the balance of the current Parliament, rather on my own personal dedication to work with those who share a commitment to providing the best representation they can to the community they represent.

1. Treat all members of Parliament, including Independent Members, with courtesy and respect

I give a personal commitment to continue the positive, courteous, constructive and honest relationship that I have with Independent Members of Parliament.

2. Allocate Independents a higher level of staffing and resources in order to assist them in dealing with their significantly greater level of responsibility

I commit a Bracks' Labor Government to:

- Increasing the resources of the Independent Members of Parliament and elected as such, to provide for increased staffing and improved facilities commensurate with the responsibility those members have in holding the balance of power and representing their substantial electorates; and
- Review those arrangements in accordance with the experience of Independent Members during the course of the next term of Government.

1. Allocate a senior member of the Premier's staff with the responsibility for ensuring that Independents have access to Ministers, key public servants and the Premier

I commit a Bracks' Labor Government to:

- Providing a senior member of the Premier's staff to act as an Independent Members' Liaison Officer with the responsibility to be available to Independent Members and to facilitate access to Ministers, key public servants and the Premier.

4.4 Construct an ongoing consultative mechanism with Independents

I commit a Bracks' Labor Government to the following:

- By agreement with Independent Members of Parliament establish a mechanism that provides for a bi-lateral system of consultation designed to inform, discuss and negotiate on any planned legislation which requires the agreement of the

independents;

- Brief Independent Members prior to Parliamentary sessions on the likely Government plan for the upcoming session of Parliament in order to consider general direction of that program;
- Provide Independent Members access to Statutory Authorities and Boards to obtain advice and information on the operation of those bodies;
- Provide Independent Members with Bill specific briefings by Government Departments including impact statements of the expected outcome of the proposed legislation; and
- Provide Independent Members with ongoing briefings on the actual impact of legislation following passage through the Parliament on request.

5. Privatisation

I commit a Bracks' Labor Government to:

- The end of the privatisation of public activities until a full independent inquiry has reported to Parliament on the social and economic costs and benefits of planned and existing privatisations.

5. Statement of intent for Legislative program

It is my view that it is important that I detail the key elements of Labor's legislative program for the coming Parliamentary session in order to obtain in principle support for the key tenets of Labor's legislative agenda.

At this time you have been provided with a copy of all Labor's policies released prior to the State Election.

You would be aware my key priorities are to introduce democratic reform, improve education and health services to the Victorian community and implement a growth agenda for rural and regional Victoria. In particular my legislative program for the coming session of Parliament will include:

- A Bill to repeal the 1997 Audit (Amendment) Act and restore the powers of the Auditor-General;
- A Bill to amend the Freedom of Information Act to increase access to public documents;
- A Bill to restore the independence of the Director of Public Prosecutions;
- A Bill to establish a Regional Infrastructure Development Fund to provide for infrastructure projects in regional and rural Victoria;
- A Bill to reform the Upper House of the Victorian Parliament;
- A Bill to restore the common law rights of seriously injured workers;
- A Bill to amend the Local Government Act to provide increased powers and autonomy for Local Councils;
- A Bill to establish an Essential Services Commission;
- A Bill to abolish the Catchment Management Authority tax; and

- A Bill to abolish Compulsory Competitive Tendering.

I acknowledge and respect your right to vote on all legislation in accordance with the needs of your electorates. I also however seek your support for the general thrust and principle behind this Legislative program in order to make it clear to the Governor that your support for Labor's legislative program is able to be achieved after proper negotiation.

Conclusion

In our discussions I have been delighted by the commitment and courage you have demonstrated in demanding reform of Victoria's political system to ensure more open and accountable government.

The Charter reflects the commitment of myself to actively work towards a different style of leadership in Victoria that harnesses different views and embraces public debate in developing better policy and outcomes for ordinary Victorians.

I have a personal view that, if Labor were to form Government with the support of Independent Members, power in Victoria would be firmly placed back into the hands of our community. I have an absolute commitment to restore pride back in Victoria and provide stable, open and honest government.

It is also important to note that Labor's determination to implement the Charter will extend to administrative actions outside the Legislative process in line with the Party's longstanding policy commitments.

I believe Labor can work with Independent Members to further the interests of the State and I look forward to ongoing discussions in respect to these issues.

In the event of your support I would be happy to provide a formal Memorandum of Understanding for your consideration.

Kind regards

STEVE BRACKS MP

Victorian Labor Leader

ATTACHMENT 1

Ambulance Royal Commission

Draft Terms of Reference

The Royal Commission is to be appointed for the purpose of inquiring into and reporting upon the following matters:

1. The matters raised in the Auditor-General's special report No.49 into "Contracting and outsourcing practises of the Metropolitan Ambulance Service" (*the MAS*)
2. Whether there has been any, and if so what, improper or illegal conduct in relation to the reporting of performance standards pursuant to contracts entered into by the MAS.
3. The manner in which government agencies and public officials have dealt with or responded to requests pursuant to Freedom of Information Act since 1 January 1994 relating to:
 - a. contracting and outsourcing by the MAS;
 - b. matters arising out of, or related to, the same (including police investigation documents).
4. Whether there has been any:
 - a. failure to properly disclose; or
 - b. improper conduct in relation to:

documents relating to ambulance contracts or outsourcing practises.
5. Whether, in relation to the above matters, there is evidence admissible in a Court of Law sufficient to place any person on trial for any offence or to initiate disciplinary proceedings.