

Thursday 29 November 2018

The Speaker, **Ms Hickey**, took the Chair at 10 a.m., acknowledged the Traditional People and read Prayers.

RECOGNITION OF VISITORS

Madam SPEAKER - Honourable members, I am very pleased to introduce everyone in the parliament to the grade 5 and 6 students from Sacred Heart College Catholic School from Ulverstone. It is important to note that this is Mrs Broad's class. Mrs Broad is the wife of our dear Dr Broad. Welcome to parliament, I hope you enjoy it.

Members - Hear, hear.

QUESTIONS

Mr Adam Brooks MP - Integrity Commission Report - Legal Costs

Ms WHITE question to PREMIER, Mr HODGMAN

[10.04 a.m.]

Despite what you say is a golden age, thousands of Tasmanians are struggling to pay the rent, to put food on the table and are facing a bleak Christmas. Yet, taxpayers handed over almost \$60 000 to allow millionaire Adam Brooks to lie and to cheat and to bury evidence. Despite Mr Brooks moments ago saying he will pay it back, that \$60 000 is more than the average wage of a worker in Braddon who trusted Adam Brooks to represent them. How did you possibly allow this to happen in the first place?

ANSWER

Madam Speaker, I thank the Leader for the question. I advised the House last evening that the Government had taken advice on this matter. We have received advice from the Solicitor-General about the indemnity that is provided to ministers, when, in the exercise of their duties, they are acting in good faith and entitled, by convention in parliaments across the world, to be indemnified for circumstance in which legal costs are incurred. In this matter, a payment was made two months ago, prior to the Integrity Commission making its final report, a copy of which was received this week and tabled in this parliament this week.

Ms O'Byrne - A draft of which you had a month ago. When did you receive the draft of it?

Madam SPEAKER - Order, please.

Mr HODGMAN - As I advised the House yesterday, in addition to the advice we had received about such matters it was further my intention to review all of Mr Brooks' costs submitted to Government. That was my intention. As has been foreshadowed by the Leader of the Opposition in her question, Mr Brooks will pay all his legal costs incurred in relation to this matter. There will be no cost to the Tasmanian public. I would not have the Tasmanian public have anything other

than the best outcome for it. In this instance the best outcome is for Mr Brooks to pay his legal fees with respect to this matter.

Mr Adam Brooks MP - Integrity Commission Report - Legal Costs

Ms WHITE question to PREMIER, Mr HODGMAN

[10.06 a.m.]

You originally forced taxpayers to pay millionaire, Adam Brooks' bills. Yesterday, when you were asked about money paid to this deeply deceitful and dishonest man, you claimed you did not know and delayed giving an answer until a time when you hoped the media would not be watching. Do you expect us to believe that \$60 000 worth of taxpayer money was gifted to Mr Brooks two months ago and you did not know about it?

ANSWER

Madam Speaker, yesterday in response to the question from the Leader of the Opposition I said I would take advice on that matter, including how much had been paid. As is often the case, we want to put facts on the table and that is precisely what we did.

The Tasmanian taxpayer will not pay one single cent for Mr Brooks' fees.

Mr Adam Brooks MP - Integrity Commission Report - Legal Costs

Ms O'CONNOR question to PREMIER, Mr HODGMAN

[10.07 a.m.]

Can you explain who made the decision to pay the legal costs of a member who is a serial liar and who has brought disrepute on the institution of parliament? Who made the decision and on what basis was it decided that one of this place's wealthiest members, one of whose eight properties is currently on the market for \$2.7 million, should have his legal fees for being a serial liar covered by the taxpayer?

Mr HIDDING - Point of order, Madam Speaker. Can I ask you, Madam Speaker, to consider the unparliamentary use of the word 'liar'? Speakers have always ruled that it is unparliamentary unless it is in a substantive debate. Yesterday we had a substantive debate and the word was used a thousand times. The whole question has now been sent to a body of the House, the Privileges Committee, and we are now not on the substantive matter. I propose we go back to the standard position which is the use of the word 'liar' is unparliamentary in this circumstance.

Madam SPEAKER - I will uphold your point of order on the basis that the use of the word 'liar' is very unparliamentary. Whilst it has been bandied around a lot this week, I request a bit of temperance in the language and respect for the health of Mr Brooks. I will uphold it in this instance and we all need to be little more cautious about the language we use.

Ms O'CONNOR - Madam Speaker, on the point of order, I will restate in safer terms for the parliament: who made the decision, Premier, and on what basis, to pay Mr Brooks' legal fees?

ANSWER

Madam Speaker, I thank the member for the question. As I have advised the House, the decision made by Government was on the basis of a convention that where a minister acts in good faith, he or she may be entitled to seek indemnity for legal costs incurred. That decision was made prior to the release and tabling of the Integrity Commission report which occurred only this week. Mr Brooks will pay for all legal costs he incurred as a consequence of this investigation.

Mr Adam Brooks MP - Integrity Commission Report - Legal Costs

Ms WHITE question to PREMIER, Mr HODGMAN

[10.10 a.m.]

Tasmanians deserve answers as to how it is possible that a millionaire lied to parliament, lied to the people of Tasmania and lied to your face, and then received a \$60 000 payment from taxpayers. This goes to the warped priorities of your Government and your entitled 'born to rule' attitude. On what date was the decision made to indemnify Mr Brooks? Did it go to Cabinet and did you authorise the payment?

ANSWER

Madam Speaker, I repeat the answer I have previously given, which answers that question. The decision was made by Government. There will be no payment to Mr Brooks. He will pay for all his legal fees.

Plans for Tasmania

Mr HIDDING question to PREMIER, Mr HODGMAN

[10.12 a.m.]

Can the Premier update the House on how the Hodgman majority Liberal Government has delivered on our plans since the election earlier this year?

Ms O'Byrne - How could he possibly know? He doesn't know what happened in Cabinet. He doesn't know if he paid \$60 000. How could he possibly know anything? How can we believe a single word you say?

Madam SPEAKER - Order, Ms O'Byrne - warning number one.

ANSWER

Madam Speaker, what I do know is that Tasmania's economy has never been stronger. There are more Tasmanians employed than ever before. Business confidence in our state is at its highest level ever and the highest in the nation. There are many more opportunities for Tasmanians as a result not only of the enterprise and endeavour of Tasmania's business sector and our industry base but also the strong policies that have been implemented by this Government that we delivered in the last four years of a first-term majority Liberal government and are now delivering in the second term.

As we conclude this year, I reflect on the fact that we have been a productive government in getting legislation through this place. We have been working constructively with all those who want to see our state continue to head in the right direction. That does not include opposition parties who try to obstruct this progress. We have been delivering on the commitments we made and took to the election. We have detailed those and updated our progress with reports that are publicly released. We often release updates on our agenda and we are adding to our agenda.

In addition to the election commitments we are delivering, we are also doing more to invest in essential services such as in our hospital system that is under increased strain. Where we can, we will do more, and we have. We have an opposition party who, when they demand more of us and we do it, they complain about it.

We are also investing more into our education system. It is a fact there are more Tasmanian students now going through their schooling and being able to do so in regional communities to give them the best shot in life. That is a result of the policy we took into the last election and started implementing in our first-term agenda and it is delivering results.

Mr O'Byrne - Come on, Peter, help him out. That's right, help him out.

Madam SPEAKER - Order, Mr O'Byrne - warning number one.

Mr HODGMAN - It is a policy that has been opposed by the Labor Party every step of the way, but it means more Tasmanian students getting the education they need.

Opposition and Greens members interjecting.

Madam SPEAKER - Order, order! Come on! I will phone Mrs Broad and ask how she keeps discipline. They are such a well-behaved class. Please, we need to get through question time without me throwing anyone out. It is the last day of the year.

Mr HODGMAN - Thank you, Madam Speaker. I am sure he is better behaved at home but he has some appalling role models over there who are sending him astray.

Mr O'Byrne - We wouldn't get caught signing a cheque for 60 grand for Adam Brooks.

Madam SPEAKER - Order, Mr O'Byrne - warning number two.

Mr HODGMAN - Madam Speaker, we are investing in our greatest competitive strengths, whether it be our tourism industry, our energy sector, or our building and construction sector, which is fuelling the growth in our economy as we have made Tasmania a more competitive environment for our businesses. We have attracted more investment to our state. Our exporters are exporting more than any other state of what we do so well - our products, our people and our services, which are in demand. That is why our economy is so strong and it is also why our budget is in such strong shape. As has been affirmed by independent experts, this Government's financial management is well established and well understood and we are determined to ensure Tasmania's strong financial position remains so we can do more to invest in those essential services that Tasmanians need.

As the parliamentary year comes to a close, I can assure all Tasmanians our commitment and energy to this job has never been stronger. We see the real risk that is posed by members opposite and the cosyng-up again of Labor and Greens in what would be another minority government for

this state, heaven forbid, if we were approaching an election any time soon. Tasmanians want certainty and stability. They want to know that their government is focused on them and not on themselves. All we have had this year from opposition parties is questions and speeches and -

Opposition and Greens members interjecting.

Madam SPEAKER - Order. Obviously no one wants to pay attention today. We have some very serious things to get through today so I am just going to keep standing up and reminding you of how well you need to behave. It is wasting taxpayer dollars. If we go nice and calmly through to the end we can probably get in a lot more questions.

Mr FERGUSON - Point of order, Madam Speaker. I would like to draw your attention to the bellowing noise of the Deputy Leader shouting 'lies, lies, lies', and ask that you direct her to withdraw.

Ms O'BYRNE - On the point of order, Madam Speaker, calling someone a liar is unparliamentary but I think it is true that members on the opposite benches tell lies.

Madam SPEAKER - We all need to show a bit of leadership here and act our age. The word 'liar' is offensive to most people and 'lying' is implying that you are a liar. Let us all try to moderate that word and use something else. Thank you.

Mr Hidding - Mendacious.

Madam SPEAKER - You are all being truculent, that is for sure. I ask the Premier to resume.

Mr HODGMAN - Thank you, Madam Speaker. Tasmania is now in far better shape than when we first came into government. We recognise there is much more that needs to be done. Our economy is strong but there is no reason it cannot continue to lead the nation. There are more Tasmanians employed now than before, but we want more Tasmanians of all ages, including younger Tasmanians, to get through their education, be able to seize our opportunities and realise their potential here in this state that has never been more proud, strong or confident than it is today.

While members opposite have spent most of this year talking about themselves, talking about politicians, whether it be more politicians or politicians getting paid more, as the Opposition themselves have done by taking a pay rise, we have been focused on the Tasmanians who elected us to this place. We will not be distracted by the obstruction, infantile interjections or indeed the political playtime that those opposite turn this parliament into, because most Tasmanians who elected us to this place and pay our salaries want us focusing on them and their futures and a better, brighter future for Tasmania, which it now has as a result of the strong policies that have been delivered by this Government and that we look forward to delivering for the next three years and beyond.

Mr Adam Brooks MP - Integrity Commission Report - Offer of Resignation

Ms O'CONNOR question to PREMIER, Mr HODGMAN

[10.19 a.m.]

In the evidence presented by Mr Brooks to the Integrity Commission, are there any statements that you recognise as further false statements from a member who has a very loose commitment to

the truth? Mr Brooks told investigators following his spectacular fall that he did not offer his resignation to you. Is this true, or did Mr Brooks offer his resignation and you refused to accept it?

ANSWER

Madam Speaker, I thank the member for the question. No, that is not true. As Mr Brooks affirmed in his recent statement, it is his intention to continue to serve in this place as a hardworking member for Braddon.

Mr Adam Brooks MP - Integrity Commission Report - Legal Costs

Ms WHITE question to PREMIER, Mr HODGMAN

[10.20 a.m.]

Given your refusal to answer an earlier question, I will ask it again. On what date was the decision made to indemnify Mr Brooks? Did it go to Cabinet and did you authorise the payment?

ANSWER

Madam Speaker, I thank the member for Lyons for her question. As I said, the first payment, the only payment, which is conditional and is not to be paid, was determined two months ago. It was a decision made by Government. I endorse any decision by the Cabinet of this Government.

Mr Adam Brooks MP - Integrity Commission Report - Legal Costs

Ms WHITE question to PREMIER, Mr HODGMAN

[10.21 a.m.]

When were you planning on telling Tasmanians you had authorised a \$60 000 payment to a millionaire and someone who has proven to have repeatedly told untruths? If Labor did not ask the question, would you have ever have disclosed this scandalous detail or were you simply hoping no-one would find out?

ANSWER

Madam Speaker, I reject the suggestions by the Leader of the Opposition. We are accountable for all public expenditures. We will respond appropriately to the release of such information and to questions from Opposition parties and processes through this parliament. When we are asked questions about these matters, it is entirely appropriate for us to provide truthful and factual answers. If it requires us to gather that information and to report to the House, as I did in due course, that is the appropriate course of action. I repeat that, for the Tasmanian public interest, no legal fees incurred by Mr Brooks as a result of these proceedings will be paid for by the Tasmanian taxpayer.

Infrastructure Plans

Mr SHELTON question to MINISTER for INFRASTRUCTURE, Mr ROCKLIFF

[10.22 a.m.]

Can the minister update the House on how the Hodgman Liberal Government has delivered on our Infrastructure plan since the election?

ANSWER

As Minister for Education and Training, I acknowledge our students from Sacred Heart. I hope they are enjoying question time today.

Madam Speaker, I thank the member for his question. As the member for Lyons, he would see a lot of infrastructure projects as he travels around his electorate. In 2018, the Hodgman Liberal Government has focused on delivering our plan to address Tasmania's key Infrastructure priorities. We have hit the road running in delivering on our commitments and we are getting on with the job. The crux of this is our 10-year, \$13.9 billion infrastructure pipeline that maps out our planned infrastructure works, giving investors and industry certainty in their investment and employing thousands of Tasmanians into the future. Of that \$13.9 billion, \$8 billion is public funding over the course of the next 10 years.

Funding is now locked in from both federal and state governments for the \$576 million to replace the Bridgewater Bridge that is expected to be completed by 2024. We have the former minister for Infrastructure smiling away. I do not know why, because -

Members interjecting.

Mr ROCKLIFF - You should not be proud of that. He was minister for infrastructure for four years and did not put one dollar toward the Bridgewater Bridge. You have nothing to be proud of. I always enjoy it when Mr O'Byrne talks about the Bridgewater Bridge because it is one of his key failings; a number of many in Infrastructure.

The Government is now halfway through our \$500 million Midland Highway 10-Year Action Plan to upgrade the safety and the efficiency of an important highway, which was another failure by the member. We had previous Labor members talk about goat tracks. They admitted the Midland Highway was a goat track. It took our former minister, Mr Hidding, to map out and sign the deal for \$500 million worth of investment and it is going well. The member who asked the question will be very pleased to see and hear that.

This year, work has started on the largest single project in the action plan, \$92.3 million for the Perth Link Roads project, which will sustain hundreds of local jobs and provide a massive economic boost to northern Tasmania. This important project will deliver the final link in a dual carriageway along the Midland Highway from Launceston to the south of Perth. Contracts have also been awarded this year for the first projects in an important part of our plan, the \$72 million visitor economy roads program; the first ever dedicated investment in our most popular tourist roads to ensure they are safer for visitors and locals alike.

As part of our commitment to address congestion through the Hobart traffic solution, we have passed legislation to support the takeover of Macquarie and Davey Streets from the Hobart City Council. It has passed through both Houses of Parliament and we welcome the support from the Legislative Council. Work started this year on improvements to help reduce the traffic hold-ups at the Hobart Airport roundabout while further design and planning continues for the major new fly-over there. We have also ensured that significant planning is commenced on the broader south-east traffic solution to improve traffic flows to and from Hobart Airport and beyond, through Midway Point and the Sorell Southern Bypass.

Planning has also started to expand capacity of the Charles Street Bridge in Launceston, which would be welcomed by Ms O'Byrne. Designs for upgrades on the West Tamar Highway are also underway. We are also seeing construction start on a number of important new freight bridges across the state as well. In the very important area of road safety -

Mr Barnett - Very important.

Mr ROCKLIFF - It is very important, Mr Barnett. We have delivered on our commitment this year to increase funding to grow participation in road safety education programs. We have also delivered on our commitment to significantly increase funding to our Learner Driver Mentor Program, which is helping Tasmanians experiencing disadvantage to get their drivers' licence. This ensures they can drive to jobs and further education opportunities and access health facilities and important community services.

A budget in surplus and strong financial management makes all this possible. Strong budget and financial management make key infrastructure investments possible. We did not see infrastructure investment made by the Labor-Greens government because they wrecked the budget. You cannot pay for key infrastructure projects when you accumulate \$1.1 billion of deficits. It is impossible, but you can afford these investments once you balance budgets. You can afford investments in education, health and public safety. We took a strong infrastructure plan to the election and we are delivering.

Mr Adam Brooks MP - Integrity Commission Report - Legal Costs

Ms WHITE question to PREMIER, Mr HODGMAN

[10.28 a.m.]

You confirmed the Government agreed two months ago that taxpayers would fork out \$60 000 for millionaire Adam Brooks' legal bills. Was that Cabinet's call or a captain's call?

ANSWER

Madam Speaker, I thank the member for the question. No, it was not a captain's call. It should not come as a surprise because this is the fourth or fifth question I have answered on this matter. I have explained to you how it occurred. I have explained the circumstances and the background upon which a conditional decision was made. I have confirmed to this House and the Tasmanian public that which was said by Mr Brooks this morning: he will not have the Tasmanian taxpayer pay his legal fees in response to this matter. Those are the facts and it is the right course of action. We stand by that and I am sure Tasmanians will be pleased with that response.

Mr Adam Brooks MP - Integrity Commission Report - Demand for Resignation

Ms WHITE question to PREMIER, Mr HODGMAN

[10.30 a.m.]

You know Adam Brooks has failed Tasmanians, failed your Government, and failed the people of Braddon who put their trust in him. You know he has undertaken some of the most dishonest

and deliberately deceptive behaviour Tasmanians have ever witnessed. Will you now act like a leader, like a premier and demand that Adam Brooks resign?

ANSWER

Madam Speaker, I thank the member for the question. I will put on record some of the key findings of the Integrity Commission's report which did affirm that, despite what Labor claimed and they are in no position whatsoever to set any standard by which good behaviour or integrity can be judged, given the track record of numerous Labor ministers and members over recent years. These have been most serious but have not required the action the Leader of the Opposition demands from me, from them.

They did not demand Bryan Green resign when he was charged with criminal offences. They made him leader. I recall the Labor Party then saying he would take some time out and rebuild himself and rehabilitate, and he could front the next election and all will be well. That is exactly what happened. He was elevated to the position of leader of the Labor Party. Do not think for a minute you can come in here and set some sort of standard of behaviour.

I pointed to another case where a former Labor parliamentary secretary, Brenton Best, had lied to former Labor Premier, Jim Bacon. He was not asked to resign. He was not made to resign by Jim Bacon. He was able to continue to serve in this place as a member of the Labor team for many years to come.

We will not be lectured by Labor as to standards of behaviour.

Ms O'Byrne - Because you have no standards of behaviour. Your minister tells you things that are untrue every day.

Madam SPEAKER - Order. Ms O'Byrne, warning number two.

Mr HODGMAN - Nor will we will do what they demand of us when their track record shows they could not do that themselves.

There are a number of findings in this report that go to the principle charges laid by the Labor Party, who will use the Integrity Commission as a political plaything, and despite the Integrity Commission saying they should not, they will continue to do that.

With the matters of substance Labor asserted, as is so often the case, they were found to be without substance because Mr Brooks was found to have not had the conflict that was asserted. He was found not to have breached the code. He was found not to have used his position to advantage himself.

That does no excuse the fact there were behaviours and conduct by Mr Brooks which were unacceptable and I have made that very clear, including to him.

Members interjecting.

Madam SPEAKER - Order. This is being recorded and the public who might be interested in listening are going to be having as much difficulty understanding who is saying what as I am. I am

urging the front bench of the Opposition to please be quiet and respectful while the Premier finishes his address.

Mr HODGMAN - Thank you, Madam Speaker. There are other matters which were extremely unacceptable with regard to Mr Brooks' conduct which he has acknowledged. In addition, Mr Brooks has not been a minister of this Government for over two years as a result of his conduct. I have said I have no plans to return Mr Brooks to the Cabinet and he will also not continue to serve as the deputy chair or as government whip. Mr Brooks is currently on leave for medical reasons. It is totally unfair and untrue for anyone to say there have been no consequences for Mr Brooks' conduct.

Equality for Women

Mr HIDDING question to MINISTER for WOMEN, Mrs PETRUSMA

[10.34 a.m.]

Considering the Hodgman majority Liberal Government is determined there be a more inclusive Tasmania, can you outline to the House what some of the actions are that have been taken this year to support greater equality for women?

ANSWER

Madam Speaker, I thank the member for Lyons for his question. The Hodgman Liberal Government is very committed to women reaching their full potential. The Hodgman Government has led by example and delivered a number of firsts for women, including Tasmania's first female Speaker of the House of Assembly, our first female Governor, our first female Chief Magistrate and Tasmania's first nation-leading family violence action plan, Safe Home, Safe Families.

This year we have also launched our new Tasmanian Women's Strategy 2018-2021 to empower and support women and girls to reach their full potential, to participate in and contribute to the social, political, economic and cultural life of the community. This includes improving the evidence base in women and girls. In 2014 the Government published the first Women and Girls in Tasmania's snapshot of data across a range of areas with changes over time to be tracked by regular biennial reporting.

Today I am delighted to table the new 2018 Women and Girls in Tasmania fact sheets which report on the four priority areas of the Tasmanian Women's Strategy. There is an overall sheet and there are fact sheets on financial security, safety and justice, leadership and participation, and health and wellbeing as well as demographics. These fact sheets can be used by government, non-government and private sectors as an evidence base for the development of policies, programs and services and they will help to measure change over the coming years and assess progress in achieving gender equity for women and girls in Tasmania.

Action plans are also being developed for each of the four priority areas with the first one already released, the Financial Security for Women Action Plan which has been informed by submissions and survey responses as well as research findings and statistical data on women's financial security.

Ms O'Byrne - What is the waiting list for the Women's Shelter right now?

Madam SPEAKER - Order. Ms O'Byrne you are on warning three.

Mrs PETRUSMA - In regard to leadership, the Hodgman Liberal Government's Board Diversity Governance Scholarships Program aims to increase female representation on government boards and committees to 50 per cent by 2020. The strategy is delivering great outcomes with Tasmania since 2015 having the highest growth of women's representation on government boards across all states and territories, increasing from 33.8 per cent to 42.9 per cent as at August 2018 which is an increase of 9.1 percentage points or nearly 27 per cent in the ratio of women board members.

Women also held 52.9 per cent of director positions on our GBEs and 44.1 per cent of director positions in state-owned companies. The Government has also committed \$200 000 over four years for scholarships for women to undertake courses delivered by the Australian Institute of Company Directors. We are the first government to have a strategy, to have a target and to have dollars and it is working. Seventy-five scholarships have now been awarded. This year, applications were actively sought from women with disability, women from migrant and refugee backgrounds, Aboriginal women, and women working in STEM areas.

As part of our focus of increasing the number of women in STEM industries, the Hodgman Government is funding \$75 000 to develop a new workforce development plan for the industry with particular focus on encouraging women and diversity in the IT sector.

We are also providing Tasmanian women in agriculture with \$120 000 over the next four years to connect, support and celebrate rural women as part of our policy to take agriculture to the next level.

In regard to health and wellbeing, the Government is delivering on our extra \$7.2 million women's health package which will see around 900 additional procedures to be performed over two years for women who have waited the longest on the elective surgery list. Madam Speaker, I know you have been a champion for this initiative.

We are also funding \$900 million to the NDIS, and other disability support services as women with disability are some of our most vulnerable Tasmanians.

In regard to sport, we have led on the playing field with our \$10 million commitment for better sporting facilities for women and girls around Tasmania, the largest per capita investment in girls' and women's facilities by any state or territory government in Australia which is now in its second stage. Currently we are trialling the Ticket to Play with Little Athletics Tasmania, our \$3 million program to help alleviate the costs associated with playing sport for around 30 000 disadvantaged girls and boys around Tasmania.

We are also providing an extra \$240 000 in 2018-19 to Cricket Tasmania in support of the Women's High-Performance Program, and providing Netball Tasmania a \$250 000 funding per year for grassroots and elite development.

The Tasmanian Government has partnerships with the Collingwood Football Club's Magpies Netball Team for grassroots and development pathway opportunities for Tasmanian women and girls. We also have our \$2.5 million five-year deal with the North Melbourne Tasmanian Kangaroos which will deliver half the club's home games in Tasmania plus coaching and development programs to grow women's sport in this state.

Another key pillar of our women's strategy is safety -

Ms O'Connor - Oh, for goodness sake.

Mrs PETRUSMA - Don't you care about family violence? Obviously not.

Ms O'Connor - You have been waffling on.

Mrs PETRUSMA - Another key pillar is safety and the Hodgman Liberal Government has been eliminating family violence in this state -

Members interjecting.

Madam SPEAKER - Order, I would like to hear about the family violence strategy, please.

Mrs PETRUSMA - Family violence is a top priority, which is why we are investing an additional \$20.2 million dollars to address this scourge. This includes extending our \$26 million nation-leading Safe Home, Safe Families: Tasmanian's Family Violence Action Plan, with a further \$6 million per annum provided from 2019-20 to implement stage 2, along with \$1.5 million additional funding for the Safe at Home service system to address increased demand following the release of Safe Home, Safe Families. We are also investing \$200 000 to comprehensively research and develop a whole-of-government action plan against sexual violence, and \$450 000 over three years for Project O, a family violence primary prevention project to help drive generational and attitude change on the north-west coast. We have also already commenced a comprehensive cross-agency evaluation of the Family Violence Action Plan in order to inform the next stage, which includes public consultation and a survey which only takes up to 20 minutes to complete and is now open up until 2 December.

The Government has also just opened our new International Women's Day 2019 small grants program to recognise the important role of women -

Ms O'CONNOR - Point of order, Madam Speaker. I seek your guidance on standing order 48, answers terminated after sufficient time. The minister has been on her feet reading from many pages of a prepared script for a very long time. This is question time.

Madam SPEAKER - Minister, you have been speaking for seven minutes. I will give you another 30 seconds to wind up.

Mrs PETRUSMA - To conclude, we encourage organisations around Tasmania to apply for these International Women's Day grants. This Government is 100 per cent committed to making sure that women in Tasmania reach their full economic, social and political potential. This Government has put a raft of initiatives in place to assist women under our women's strategy, whether it is in leadership, health, safety, or health and wellbeing. There are many more initiatives and I encourage everyone to get a copy of the fact sheets so they can use those for their development.

Cost of Living - Government Plan

Mr SHELTON question to MINISTER for ENERGY, Mr BARNETT

[10.42 a.m.]

Can the minister update the House on how the Hodgman majority Liberal Government is delivering on our plan to tackle the cost of living since the election?

ANSWER

Madam Speaker, I thank the member for his question. I heard an interjection from the other side that they would like me to refer to the Tasmania First energy policy. I will say it is a top priority of our Hodgman Majority Liberal Government to focus on the cost of living and cost of doing business. Under the Tasmania First energy policy, we are delivering. We had a plan to have the lowest regulated electricity prices in Australia by 2022 and not only are we on track, we have already delivered - in July this year. I have not been hearing cheering from the other side on electricity prices being so low and in fact the lowest in Australia.

A member - Tell him he's doing a good job.

Mr BARNETT - Yes, why aren't you saying we are doing a good job?

I draw attention to the comments of the Greens member for Franklin and again ask the Greens to correct the record. She put on the record that we have the highest electricity prices in Australia and I drew this to her attention yesterday and asked to her to apologise and withdraw. She has not done that, so I ask the Greens to do so because -

Dr Woodruff - I stand by the evidence.

Mr BARNETT - Do not take my word for it in terms of the lowest energy prices in Australia; take the word of the Office of the Tasmanian Economic Regulator who delivered the report in July this year and said that Tasmania had the lowest regulated energy prices in all of Australia for residential customers and business customers. The Greens should withdraw that comment and apologise and say congratulations and well done to the Government on behalf of the Tasmanian people for delivering. It is not just the Tasmanian Economic Regulator but also Energy Consumers Australia, who said -

Tasmania's medium-sized businesses experience the lowest annual electricity prices in the nation.

The facts speak for themselves. We are protecting Tasmanians from the high cost of living and rising power prices on the mainland. We are protecting them from the actions of the former Labor government that put up power prices 65 per cent over a seven-year period. We will be delinking Tasmanian prices from Victorian prices because Tasmanians should be paying Tasmanian prices on Tasmanian energy. Part of our Tasmania First energy policy is to be 100 per cent fully self-sufficient, fully renewable, by 2022. That is the plan and we are on track - Cattle Hill, Granville Harbour - to achieve that very important target and objective for the sake of Tasmania because we are a renewable energy powerhouse and we are delivering.

In addition to that there is TasWater. TasWater, the local government chief representative and the state Government are reforming the water and sewerage sector, and those reforms are delivering. Let me confirm on the record that TasWater has committed to freeze prices in 2019-20 with future prices increased capped at 3.5 per cent or less. This is good news for Tasmanian residential customers and small and large businesses alike. Water costs have been capped.

We have plans to grow the value of agriculture. We have special plans for farmers to manage their energy costs which are critical costs of production, especially in relation to irrigation. We

have the On-Farm Energy and Irrigation Audit program and the farm energy advocate with Aurora Energy. We set this up because we know the cost of living is important. The cost of doing business is a top priority. We are delivering. This is part of our plan: we were elected on this mandate, we are delivering on the mandate and it is happening. We are delivering.

Madam Speaker, what is encouraging, and some may not be aware of this, is that Tasmanian Irrigation is in the process of developing a \$5.5 million Tasmanian irrigation renewal energy program to construct hydro-electric systems as part of the irrigation system network to generate power and help reduce irrigation energy costs.

Opposition members interjecting.

Madam SPEAKER - Order.

Mr BARNETT - Madam Speaker, they are not interested in the energy costs for farmers across Tasmania.

Madam SPEAKER - No, but I assure you that I am.

Mr BARNETT - I know you are, Madam Speaker, and I know the rest of us are apart from opposition members who keep interjecting. They should be listening to this important initiative because it is really good news for our farming sector and farm communities all around Tasmania. What about the regional communities? This will be a terrific boost. Have a listen - there is \$5.5 million to construct hydro-electric systems as part of the irrigation system network to generate power and help reduce irrigation energy costs.

We have listened to the people. We have obviously been elected. The Tasmanian people sent a message in March and elected the majority Hodgman Liberal Government. They want us to implement our promises and our policies. That is what we are doing, and we are delivering.

In conclusion, we have responded to the Tasmanian people. We believe it is in their best interests to have the lowest electricity prices in Australia. We are proud of that fact and will do everything we can to maintain that mantle. The cost of living and the cost of doing business is a top priority, and we are delivering.

Ms Sarah Courtney MP - Costs of Overseas Travel for Trade Mission

Ms WHITE question to PREMIER, Mr HODGMAN

[10.49 a.m.]

Tasmanians have now seen how blatantly secretive, dishonest and deceptive your Government is in paying a millionaire to lie and cheat. Now they want to know how deep this dishonesty goes. Your other disgraced colleague, Ms Courtney, claims that she cannot remember how much taxpayers were slugged for her personal expenses during her trip to China and Hong Kong when she was accompanied by her department secretary, Dr Whittington. Can you detail those expenses, and were they provided to the investigation into her confirmed breach of the ministerial code of conduct over her relationship and conflict of interest with Dr Whittington?

ANSWER

Madam Speaker, I thank the Leader for the question. The entire cost of the trade mission will be disclosed when costs are calculated. That information will be provided to the Tasmanian people, as is always the case. This Government is more active -

Members interjecting.

Mr HODGMAN - Are you saying I cannot remember how much was spent on the trade mission? That is ridiculous. I have outlined the budget and the estimated costs. When known, we will disclose those details to the Tasmanian taxpayer. This is a perfectly legitimate trip. It is part of our commitment to increase Tasmania's trade capacity and to make sure we continue to be the strongest performing export state in the country.

Ms Courtney's involvement and that of other participants in the trade mission was important, given that important agricultural events were taking place. There was a delegation of Tasmanian businesses across trade and industry sectors, including a strong focus on our agricultural sector and our primary producers. This is all about ensuring they were and will continue to be well supported by my Government. There has never been a better opportunity to promote what we do well. The quality of our high-value, premium products in such strong demand need to be aggressively promoted on the global stage. It comes at a cost but it is an important investment in Tasmania's future. I was able to participate in part of the agricultural sector's themes. I met with some of those who participated in the trade mission on our return to the state and heard directly from them how it has opened up new markets and cut back some of the impediments to entering those markets and selling their products. It was a powerful thing and a positive indication of this trade mission and the value these things have.

We will release our trade strategy in due course, which will further formalise our commitments. It has been thoroughly consulted and will allow us to target opportunities where they best lie, and in whichever countries they may be.

Ms O'Connor - When are you going to send a delegation to Taiwan? You are ignoring our second-largest trading partner.

Mr HODGMAN - The Leader of the Greens took exception to being called a 'racist' the other day but it was not me who said it. It was a member of her own party. A federal member of the Greens party claimed that she has been dog whistling in a racist way. We have had an elected member of the Hobart City Council, also a Green, express her disgust at what the -

Dr WOODRUFF - Point of order, Madam Speaker, to relevance. The Premier was to answer a question in relation to his stinky approach with a former minister. It stinks.

Madam SPEAKER - That is a new parliamentary term. Unfortunately, it is not a point of order. Premier, please resume.

Mr HODGMAN - I was responding to the usual interjections. This Government has been strongly criticised for endeavouring to support and increase trade links to China. When I said the other day that the Leader of the Greens had been described as a 'racist dog whistler', it was not by me. That was by a member of the Greens. A recently elected councillor of the Hobart City Council also publicly decried the racist undertones of what the Leader of the Greens, Cassy O'Connor, often

peddles, including in this place. Our trade missions will continue to include our strongest trading partner, China, because they are a great source of products, an important market for Tasmanian products and an important source of tourists and international students. It is these things that are supporting Tasmanian businesses and our economy to be the strongest-performing in the country.

Ms O'BYRNE - Point of order, Madam Speaker. While the Premier and Ms O'Connor are screaming at each other, we were trying to find out when the parliament or the people would be advised how much Ms Courtney spent on personal engagements while she was on her delegation.

Madam SPEAKER - Unfortunately, that is not a point of order.

Mr Adam Brooks MP - Integrity Commission Report - Offer of Resignation

Ms O'CONNOR question to PREMIER, Mr HODGMAN

[10.55 a.m.]

I will give you one more opportunity to make sure the public and *Hansard* records are correct. Did Mr Brooks offer his resignation to you following his performance at the Estimates table and subsequent public shaming? Did he offer it to you but you rejected it because, despite his appalling conduct, you calculated that you needed him in here and in Braddon?

ANSWER

Madam Speaker, for the second time, no, that is not true. As recently as this morning, Adam Brooks has confirmed it is his intention to continue to serve as a member for Braddon. He will take time to address medical concerns on the advice of his doctor. It is his intention not to go anywhere. I reject the suggestion made by the Leader of the Opposition.

Ms O'CONNOR - Point of order, Madam Speaker. This is a very serious question. The Premier needs to be very honest with this House. I raise standing order 45; relevance. Did Mr Brooks offer you his resignation following his misleading actions in 2016?

Madam SPEAKER - Unfortunately, that is not a point of order. I will have to ignore it.

Buy Local Policy - Update

Mr HIDDING question to TREASURER, Mr GUTWEIN

[10.56 a.m.]

Can the Treasurer update the House on the Government's Buy Local Policy, the Hodgman majority Liberal Government's desire to see more Tasmanian businesses winning more government tenders and what that means for the crucial employment numbers in our state?

ANSWER

Madam Speaker, this is an important matter and I thank the member for Lyons, Mr Hidding, for his interest. The Tasmanian economy is going from strength to strength. We are leading the country in economic growth. We have the highest international visitation growth rate in the country.

We are leading retail numbers month after month. It is a good time to be in business in Tasmania, whether you are in small or large business.

When we were first elected, we wanted to ensure Tasmanian businesses had a better look-in when tendering for government business contracts. The Tasmanian Government is one of the largest purchasers in the state. We have a record \$2.6 billion infrastructure spend across four years. We spend more than \$1 billion every year on supplies and consumables. It is important Tasmanian businesses are given every opportunity to purchase from the government, and to ensure they provide services and infrastructure when public money is being spent.

We introduced a local benefits test aimed at growing businesses and jobs by making sure local businesses have every chance of winning those government tenders and ensuring value for money for taxpayers. We worked hard with the business sector. State Growth ran a series of meetings across the state. Mr Jaensch was a part of that. He worked closely with small business to ensure they had the skills to tender and put themselves in a position to take on more government work. We introduced mandatory disaggregation of large or statewide contracts to open the market up to more small businesses that would otherwise not have a look-in.

The evidence shows our policies are working. Tasmanian businesses have been consistently winning a larger share of open procurements under this Government. We have not rested on our laurels. In August this year, we further strengthened our policy. Members would remember when we first came to Government, we introduced a 10 per cent local benefits test. We have increased that to a 20 per cent weighting. Tasmanian businesses that tender now have the benefit of a 20 per cent weighting provided to local small to medium enterprises in the local benefits test when we assess the strongest bid. This gives Tasmanian businesses an even better opportunity to secure contracts while ensuring healthy competition and value for money for taxpayers.

Under our plan the Government has set a target for 90 per cent of all government contracts to be awarded to Tasmanian-based businesses by 2022, and it is very pleasing to note that in the September quarter of this year - the quarter in which we further strengthened the local benefits test - we saw 90 per cent of open contracts, 35 of a total 39, awarded to Tasmanian businesses. Importantly, these 35 contracts -

Ms White - Wind it up.

Mr GUTWEIN - You do not want to hear a good news story about Tasmanian businesses. They do not care that 97 per cent of the total value of open procurements were awarded to Tasmanian businesses. To put the success of these results in perspective, in the last quarter of the Labor-Greens government back in 2014 - the last reporting period under that government - Tasmanian businesses only secured 63 per cent of open government procurements.

This means that the Buy Local policy is working. More of the state's money is staying in Tasmania, contributing to jobs for Tasmanians and further fuelling the local economy. When we first implemented the policy, we emphasised that it was up to Tasmanian businesses to make the most of this opportunity and for them to present competitive bids for government tenders. Tasmanian businesses have stepped up and have accepted this challenge. The latest figures prove this and confirm we are fully on track to meet our target of 90 per cent of all government contracts to be awarded to Tasmanian businesses by 2022.

This is feeding into the broader economy. The latest Sensis figures indicate that Tasmanian businesses are now the most confident in the country and Tasmanian businesses are the most supportive of this Government's policies out of any jurisdiction across the country. These things do not just happen by accident. The difference between us and those opposite could not be starker. Only 63 per cent of government contracts in the last reporting period were going to Tasmanian businesses. We are now at 90 per cent and our target for 90 per cent by 2022 is on track. Across the economy confidence levels have increased, investment levels have increased and as a result we are seeing more jobs being created; 15 000 new jobs have been created under this Government.

The policies we have outlined are working and delivering benefits, and on that side of the House they should hang their head in shame. It is only five years ago that under the policies they had we were in recession. As we got to the last election, two out of every three small businesses in this state felt that that side of the House's policies worked against them.

Members interjecting.

Madam SPEAKER - Order. Listen, this is completely out of control. It is a very long speech, Treasurer, and there are some frustrated members who have missed out on some questions. I know you are spreading good news, so you have 30 seconds.

Mr GUTWEIN - Thank you, Madam Speaker. I can understand why they whinge and wail on that side of the House. This is a very good story for Tasmania. Since coming to government our economy has gone from strength to strength. Our policies that underpin that such as Buy Local are working. More Tasmanian businesses are getting more government work. That is ensuring they can continue to invest and, importantly, continue to employ more Tasmanians.

ROADS AND JETTIES AMENDMENT (MANAGEMENT OF STATE HIGHWAYS IN CITIES) BILL 2018 (No. 54)

LOCAL GOVERNMENT AMENDMENT (MISCELLANEOUS) BILL 2018 (No. 49)

Bills returned from the Legislative Council without amendment.

SHORT STAY ACCOMMODATION BILL 2018 (No. 66)

First Reading

Bill presented by Mr Jaensch and read the first time.

SITTING DATES

[11.10 a.m.]

Mr FERGUSON (Bass - Leader of Government Business) - Madam Speaker, I move -

That the House at its rising adjourn until Tuesday 12 March next at 10.00 a.m.

Motion agreed to.

MOTION
Select Committee on Firearms Legislation and Policy - Amendment -
Motion Negatived

[11.11 a.m.]

Mr FERGUSON (Bass - Leader of Government Business) - Madam Speaker, I move -

That the resolution of the House dated 29 August last appointing the Select Committee on Firearms Legislation and Policy be amended as follows:

In section (2) paragraph (a), after 'Mr Brooks' by inserting 'or a proxy Member nominated by the Leader of the House, such proxy Member shall exercise all the rights of an appointed Member including voting rights at any meeting of the Committee'.

Sensing as I do that there is a bit of a problem I will now address the motion.

Ms O'Connor - Why is Mr Brooks even on the committee?

Mr FERGUSON - Mr Brooks is on medical leave at the present time. I hope that is not challenged or contested.

At times when we establish committees of the House it is customary but not always the case that there are provisions for proxy members, particularly where they are standing committees. That was not thought of at the time when the committee was established. It is necessary - given that Mr Brooks is on leave - that the committee to be chaired by Mr Shelton ought to be able to continue to do its work with the correct composition of numbers as directed by the House. It is only reasonable that the Government be able to have a proxy member.

It is a courtesy that I would support and extend if a different member of that committee needed the same provisions. If any member would like to move an amendment to my motion to provide that any one of the four members of that committee could be provided the same courtesy I would support that. I have approached this in good faith. I have asked of others, and I was not requested to do that, but it is important in relation to this isolated matter with Mr Brooks' illness to allow the committee to continue with its current composition as agreed and directed by this House.

I will express in advance my disappointment if this is going to be politicised today. This is only about allowing the committee to continue on its current terms and the expectation that the Government would continue to have two members on that committee.

Mr O'BYRNE (Franklin) - Madam Speaker, we want to ensure that the Opposition is constructive in terms of ensuring that the business of the House and the committees are effectively run.

I received a call slightly before question time from the Leader of Government Business. I understand it has been a very busy morning over there trying to work themselves out. Our concern would be that, and I will reflect on two things: first, the Premier has made it very clear that Mr Brooks is coming back to work and is taking up his role as the member for Braddon, so with the reporting time of March 2019 there should be ample time for the committee and Mr Brooks if he is continuing as the member for Braddon to do that work. We would support that.

The other concern that we would have is by offering the proxy member and not actually identifying who the person will be, the only other backbencher on the other side who is capable of doing it is Mr Rene Hidding, the minister who was the architect of the disaster, who is the architect of the policy that has created the problem for the Government around firearms. He is the minister who privately did the deal, secretly away from the view of the Tasmanian community that caused the grief and the drama around firearms policy in Tasmania which necessitated the attempt to save the political skin of the Government by creating a committee to deal with these things.

This is a problem of their own making. They have a disgraced former minister who has lied to the parliament, who has misled the Premier and he has misled the Solicitor-General. He has a \$60 000 cheque. He is not -

Mr Ferguson - This is about illness and nothing else.

Mr O'BYRNE - This is about the workings of the parliament.

Mr Brooks today has said that he is willing to take his seat in Braddon and come back to this parliament. This committee will report in March of next year. There is plenty of time in the new year to sort out the work. This rabble, pretending to be a government, now want to move an extraordinary motion to change the make-up of a committee by adding a proxy. They know the problem they have is the person who created the problem is the only person they want to put on it. We do not agree with this. This is completely inappropriate. Either Mr Brooks is the ongoing member for Braddon and he can continue to do his work in the new year, or you put someone else on the committee.

Mr Hidding - He is on leave.

Mr O'BYRNE - We are not going to open end it.

Mr Hidding - Are you seriously going to make him come into work?

Members interjecting.

Ms O'Connor - Madam Speaker, by interjection have we just confirmed, Mr Hidding, that you will not be the proxy member on the firearms committee? Okay, thank you. The parliament needed to hear that, given that Mr Hidding created this enormous problem on gun laws in the first place.

Madam SPEAKER - Order. There is a lot of disrespect going on here. There are some questions still to be answered and I would like to hear what the Leader of the Greens has to say.

[11.16 a.m.]

Ms O'CONNOR (Clark - Leader of the Greens) - Madam Speaker, the House can accept that Mr Brooks is unwell. As I said yesterday, I hope he is not watching parliament this week because it will not help with his equanimity.

We argued strongly that Mr Brooks is not a fit person to have on this committee any more. The question here is one of having a proxy provision but you now have on the committee of the parliament looking into firearm laws in Tasmania, a member who was the subject of a damning Integrity Commission Report, who was found to have serially misled the parliament, the Premier and the Crown Solicitor. Mr Brooks should not be on this constituted parliamentary committee.

It depends on what standards the House is prepared to accept. People who sit on parliamentary committees should be people of the highest ethical conduct.

Mr Ferguson - That is a different motion and it is about illness.

Ms O'CONNOR - Mr Ferguson, you can pull out the sympathy card and, at human level, I certainly feel some sympathy for Mr Brooks.

Mr Hidding - No you do not.

Ms O'CONNOR - Yes, I do, having that sort of problem with dealing with the truth. I feel for people who have that looser commitment to the truth when it comes home to bite them. Ultimately, Mr Brooks should not be on the committee: full stop, end of story. Mr Brooks should not be on a parliamentary committee looking at gun law changes in Tasmania. He has proven himself not to be a fit person.

[11.17 a.m.]

Ms WHITE (Lyons - Leader of the Opposition) - Madam Speaker, if we are to take on face value the arguments the Government has put for the replacement of Mr Brooks on this committee with a proxy, then we would support it if you named who the replacement would be.

Mr Ferguson - What, you think you get to choose the Government member?

Ms WHITE - We will not be supporting a proxy because the only backbencher who would be available is the member for Lyons, Mr Hidding, who was the architect of the gun policy the Liberals took to the last election. That is the whole reason we have the committee in the first place. He is horribly conflicted and he cannot sit on that committee. What is standard practice, and was the case when the motion came to this place, is that members were named as to who would be on that committee.

If the Government now decides to replace Mr Brooks on this committee for whatever reason, either because he is not coming back because he is about to resign, as he should because his place here is untenable, or because he is unwell as you claim, then you should name a replacement. If we are to take you on face value, name a replacement. We will support that. We will not support an open-ended motion where you argue there should be a proxy given there is only -

Mr JAENSCH - Point of order, Madam Speaker. The Leader of the Opposition has questioned Mr Brooks' claim and his doctor's certificate reasons for requiring medical leave. I ask her to either confirm that is what she intended to say or to withdraw it. How disrespectful can you be to a person's health? Madam Speaker, would you ask her to withdraw it.

Ms WHITE - What do you want me to withdraw? We have provided a pair for Mr Brooks this week. We have accepted he has a medical reason for not being here.

Mr Jaensch - Why do you question his claim of ill-health?

Ms WHITE - I did not do that. I questioned the Government's argument for why he could not sit on the committee. That is what I questioned. You should listen carefully.

We would like to know who the replacement will be on this committee. The only backbencher the Government has is Mr Hidding. He is too conflicted to sit and listen to evidence given on this matter. If it is going to be a minister of the Government, name who it is. We will not support you replacing Mr Brooks with a proxy on this committee; either he comes back and he does his job or you name who is going to replace him.

The House divided -

AYES 11

Ms Archer
Mr Barnett
Ms Courtney
Mr Ferguson
Mr Gutwein
Mr Hidding (Teller)
Mr Hodgman
Mr Jaensch
Mrs Petrusma
Mr Rockliff
Mr Shelton

NOES 11

Mr Bacon
Dr Broad
Ms Butler (Teller)
Ms Dow
Ms Haddad
Mr O'Byrne
Ms O'Byrne
Ms O'Connor
Ms Standen
Ms White
Dr Woodruff

PAIR

Mr Brooks

Ms Houston

Madam SPEAKER - The result of the Division is 11 Ayes and 11 Noes. Whilst I fully understand the difficulties the Government is facing, in the interests of good governance I cannot support an unnamed proxy for this important work. I will be casting my vote with the Noes.

Motion negatived.

MOTION

Government Businesses Scrutiny Committee - Appointment

[11.24 a.m.]

Mr FERGUSON (Bass - Leader of Government Business) - Madam Speaker, I move -

That the House of Assembly appoint a Government Businesses Scrutiny Committee, with leave to sit on 6 and 7 December 2018 to inquire into Government Businesses (GBs) in accordance with the following schedule and rules.

For 2018 the following Government Businesses are allocated to the Committee as detailed below -

Thursday 6 December 2018	Public Trustee: 0900-1000 (1 hour)
	Hydro Tasmania: 1000-1300 (3 hours)
	Sustainable Timber Tasmania: 1400-1700 (3 hours)

Friday 7 December 2018 TT-Line Corporation Pty Ltd: 0900-1100 (2 hours)
Tasmanian Ports Corporation Pty Ltd: 1100-1300
(2 hours)
Tasmanian Networks Pty Ltd: 1400-1700 (3 hours)

MEMBERSHIP OF THE COMMITTEE -

- (1) The Committee shall consist of four (4) Members appointed by the House as follows -

The Chair of Committees (Chair);
Mr Hidding (Deputy Chair);
One Member nominated by the Leader of the Opposition; and
Ms O'Connor, the Leader of the Greens.

- (2) During sittings, substitute Members may be allowed.
- (3) If a vacancy occurs in the membership of a Committee, the Speaker may nominate a Member in substitution, but in so doing has regard to the composition of the Committee appointed by the House.
- (4) A Committee may proceed with business despite a vacancy in its membership.
- (5) The Chair of a Committee has a deliberative and a casting vote.
- (6) The quorum of a Committee is three, of whom one is the Chair of the Committee or Deputy Chair.
- (7) If at any time a quorum is not present, the Chair will suspend proceedings of the Committee until a quorum is present or adjourn the Committee.
- (8) Any time lost for lack of a quorum shall be added to the time allocated to that session.
- (9) Members of the House who have not been appointed as Members of the Committee, may participate in proceedings by asking questions, but may not vote, move any motion or be counted for the purposes of a quorum.
- (10) The responsible Minister and Chairperson of the Board of a GB shall be examined before a Committee for a maximum period of 4 hours.

SITTING TIMES

- (1) The Committee meets only in accordance with the time-table adopted by the House or as varied by the Chair.
- (2) The Committee may sit only when the House is not sitting.

HEARINGS

All hearings of the Committee are open to the public except that any evidence stated by a witness to be of a commercially sensitive or confidential nature shall, if requested by at least one Member of the Committee, be heard in camera. Any such evidence shall not be published or in any way

divulged by any Member of a Committee or any other person unless the Committee recommends it to the House and the House resolves that the information be made public.

PROCEEDINGS OF A GOVERNMENT BUSINESS SCRUTINY COMMITTEE

- (1) When the activities of a GB are to be examined at a Committee hearing it shall be represented by the responsible Minister and the Chairperson of the Board.
- (2) Questions may be put directly to the responsible Minister and the Chairperson of the Board.
- (3) A Committee may ask for explanations relating to the activities, performance, practices and economic management of the GB.
- (4) The witnesses who are asked for explanations may be assisted where necessary by other officers of the GB in the provision of factual information.
- (5) Officers may answer questions at the request of the responsible Minister but shall not be required to comment on policy matters.
- (6) Time limits of one minute for a question and three minutes for an answer shall apply in a Committee.
- (7) Questions may be asked on a ratio of two Opposition, one Government and one other Member or in such form as the Committee determines.
- (8) A witness may advise a Committee that an answer to a question, or part of a question, will be given later to that Committee, and where possible that Committee sitting day.
- (9) Additional information may be provided to a Committee about an answer given.
- (10) Additional information -
 - (a) is to be written;
 - (b) given by a time decided by a Committee; and
 - (c) may be included in a volume of additional information laid on the Table of the House by the Committee.
- (11) If any Member persistently disrupts the business of a Committee, the Chair
 - (a) names the Member;
 - (b) if the Member named is a Member of the Committee, suspends the sittings of the Committee until he or she has reported the offence to the Speaker; and
 - (c) if the Member named is not a Member of the Committee, orders that Member's withdrawal from the sittings of the Committee until he or she has reported the offence to the Speaker;as soon as practicable, the Chair advises the Speaker who then gives notice that the Member of the Committee be replaced.
- (12) If any objection is taken to a ruling or decision of the Chair,
 - (a) the objection must be taken at once and stated in writing;
 - (b) the Chair, as soon as practicable, advises the Speaker who makes a ruling on the matter; and

- (c) the Committee may continue to meet but may not further examine the matter then under consideration.
- (13) Television coverage will be allowed, subject -
 - (a) to the foregoing provisions contained under 'Hearings'; and
 - (b) to the same guidelines that apply to televising of the House of Assembly itself.

TRANSCRIPT

An unedited transcript of Committee proceedings is to be circulated, in a manner similar to that used for other Committee transcripts, as soon as practicable after the Committee's proceedings.

Evidence taken *in camera* shall be printed on coloured paper and shall only be circulated to the Committee Members and shall not be divulged in any way to any other person.

REPORTS OF COMMITTEES

A Report of the Committee is to be brought up by the Chair or the Deputy Chair to the House and shall be the transcript of the public hearings and the minutes of the meetings of the Committee.

LEAVE FOR MINISTERS TO ATTEND L.C. COMMITTEE

And that the House of Assembly give leave to Ministers of the Crown who have relevant portfolio responsibilities to attend any similar Committee established by the Legislative Council if requested by that Committee as follows -

Tuesday, 4 December 2018 & Wednesday, 5 December 2018	The Premier and Minister for Heritage The Treasurer and Minister for Local Government The Attorney-General and Minister for Justice The Minister for Energy The Minister for Infrastructure The Minister for Primary Industries and Water The Minister for Racing
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[11.25 a.m.]

Mr O'BYRNE (Bass) - Madam Speaker, I will be moving an amendment, which I will now forward.

We received the original motion from the Leader of Government Business earlier this week. In terms of the GBEs that are listed and the times and all the other matters, apart from the membership of the committee itself, we were quite supportive. I informed the Government that that would be the case.

The original motion had the membership of the committee -

The committee shall consist of six members appointed by the House as follows -
Chair of Committees, Mr Brooks; Deputy Chair, Mr Hidding; two members

nominated by the Leader of the Opposition and one member nominated by the Leader of the Greens.

Last night we received a new proposal from the Government effectively removing Mr Brooks from the membership of the committee. It is a matter for the Government who they choose to nominate to go onto the committee, but they then chose to remove a member of the Opposition from the Committee. Instead of offering the Opposition 10 members in the House, two members nominated by the Leader of the Opposition, because of the problems they find themselves in, in a so-called 'majority government', over there, they are seeking to reduce the membership from the Labor Party from two members to one member. This is a disgrace.

Government business enterprise scrutiny hearings are an important part of the parliamentary process to ensure that those business enterprises are scrutinised so there are questions that are asked of the management and the leadership of those organisations so the people of Tasmania have confidence those businesses are being run appropriately and key and significant questions can be asked.

Because the Government has found themselves in such a mess, in such a pickle, they are now seeking to pervert the ways of the committees to try to paste over the appalling shabby condition they have found themselves in. We do not think this is an appropriate way. Just because they are in a mess, it does not mean that we have to sacrifice fair and consistent representation at the table to those committees.

Madam Speaker, this is a problem of their making. It is their problem, not ours. We will have two members. My amendment is -

Section 1 -

Leave out 'one member nominated by the Leader of the Opposition;'

Insert instead 'two members nominated by the Leader of the Opposition;'

[11.28 a.m.]

Ms O'CONNOR (Clark - Leader of the Greens) - Madam Speaker, regrettably this was not flagged with us by the Leader of the Opposition Business this morning but I am rising to say that we do not support the amendment. You have not argued your case. It is difficult to understand why the Leader of Opposition Business thinks the House should support the makeup of a committee that would give the Opposition the numbers on the committee.

We do not support the amendment. We ask the Leader of Opposition Business, if you are going to move an amendment like this, to maybe have a chat with us beforehand; do not take us for granted.

Members laughing.

Ms O'CONNOR - Is that cue faux laughter because when we offered you multiple briefings on the pill testing bill you did not take it?

Madam Speaker, we will not be supporting the amendment. We think it is a bit rich. We are prepared to live with the cards that have been dealt, regrettably, for GBE hearings this year.

Mr O'Byrne - So much for the accountability from the Greens; they are holding the Government to account, and looking at the numbers.

Ms O'CONNOR - We will; you only need one of us on there to do that.

The House divided -

AYES 9

Mr Bacon
Dr Broad
Ms Butler (Teller)
Ms Dow
Ms Haddad
Mr O'Byrne
Ms O'Byrne
Ms Standen
Ms White

NOES 13

Ms Archer
Mr Barnett
Ms Courtney
Mr Ferguson
Mr Gutwein
Mr Hidding (Teller)
Mr Hodgman
Mr Jaensch
Ms O'Connor
Mrs Petrusma
Mr Rockliff
Mr Shelton
Dr Woodruff

PAIR

Ms Houston

Mr Brooks

Amendment negatived.

Motion agreed to.

MOTION

Leave to Suspend Standing Orders

[11.34 a.m.]

Ms WHITE (Lyons - Leader of the Opposition) - Madam Speaker, I seek leave to move a motion without notice for the purposes of moving a suspension of standing orders to debate the following motion -

That this House -

- (1) Has no confidence in the Premier, Hon. Will Hodgman MP, for the following reasons -
 - (a) The Premier has failed to demand the highest standards of conduct from his members.

- (b) The Premier has refused to ask the Honourable Member for Braddon, Mr Brooks, to resign, despite a damning Integrity Commission report which found he repeatedly lied about his involvement in his private company while the Mining Minister and attempted to delete crucial evidence.
- (c) The Premier authorised a payment of almost \$60 000 to cover Mr Brooks' legal bills, which was only revealed through questioning from Labor.
- (d) The Honourable Member for Bass, Ms Courtney, was rewarded with a new Ministry, despite findings that she breached the Ministerial Code of Conduct by failing to declare a conflict of interest created by her relationship with her Head of Department.
- (e) While the Premier deals with chaos and dysfunction within his Government, he has taken his eye off the issues that are important to Tasmanians, including health and education.
- (f) Under the arrogant and incompetent Health Minister, the Hon Michael Ferguson MP, the health system has gone from bad to worse, with health professionals describing conditions in our hospitals as the worst they have ever been.
- (g) The Premier has allowed his divisive and aggressive Treasurer, the Hon Peter Gutwein MP, to go to war with public sector workers instead of negotiating in good faith. This has caused workers to take state-wide industrial action simply to get a payrise that keeps up with the cost of living.

This is a motion to seek leave. It is so we can bring this motion on and debate it without delay. There is a litany of concern about the failures of the Premier and in his ability to conduct his affairs as the leader of this state. I have listed those we would like to debate today but other members are also likely to bring further issues to the attention of the House. This is a matter that needs dealing with. This is the most serious motion this parliament can move in any member and it should not be delayed before it can be debated.

In seeking leave to suspend Standing Orders, we ask that the Government allow appropriate time for the debate to occur, given that this is a want of confidence motion in the Premier, the most senior member of the Government.

[11.37 a.m.]

Mr FERGUSON (Bass - Leader of Government Business) - Madam Speaker, the Government will not be opposing the seeking of leave to consider the subsequent motion Ms White would like to move and have her moment in the sun, if I can put it that way; a stunt on the last day of parliament. It is not as if we did not see it coming. It has been transparent that the Labor Party need and want to finish the year with a bit of colour.

Members interjecting.

Mr FERGUSON - I listened to the Leader of the Opposition in silence and I do not need to speak for seven minutes demonstrating that this is a stunt. Given the gravity of the Leader of the Opposition's foreshadowed motion, the Government will not be opposing the seeking of leave. The Leader of the Opposition has been mysteriously cryptic as to what she declares is an appropriate time. We will not have the whole day taken up with this. We have important legislation and it is the last day of the parliament to consider it. We will give some thought to an appropriate length of time. How much time do you think, Leader of the Opposition, you need to prosecute your argument?

Ms White - Four o'clock.

Mr FERGUSON - The Government would be prepared to allow this to run until 3.30 p.m., not 4.00 p.m. If that is acceptable, we are willing to suspend Standing Orders in accordance with that.

[11.38 a.m.]

Ms O'CONNOR (Clark - Leader of the Greens) - Madam Speaker, we support the seeking of leave -

Mr O'Byrne - Sorry for not raising it with your earlier.

Ms O'CONNOR - We knew this was coming and had our own confidence motion drafted. Ours was that, on tomorrow, I move that the House has no confidence in the Premier for the following reasons.

- (1) The Premier took no action when former minister, Matthew Groom misled parliament.
- (2) The Premier took no action when previous primary industries minister, Sarah Courtney, breached the ministerial code of conduct in not declaring her personal, conflicted relationship with her department secretary. Instead, he rewarded her breach and poor judgment with an alternative ministry.
- (3) The Premier appointed and oversaw former minister, Adam Brooks, who -
 - (a) misled the parliament three times.
 - (b) lied to the Premier.
 - (c) lied to the Crown Solicitor and;
 - (d) took steps to remove evidence from any investigation into a ministerial code of conduct breach.
- (4) The Premier supported Mr Brooks' pre-selection despite Mr Brooks being under the cloud of an Integrity Commission investigation.
- (5) When the truth was finally made public, the Premier offered no response or rebuke other than to strip Mr Brooks of his title as Chair of Committees and Whip.

- (6) The Premier has failed to establish an honest and transparent government and has demonstrated no expectations of integrity in his Cabinet. He has sent a clear message that failure to act with integrity will not receive any meaningful reprimand under his watch.

Mr Deputy Speaker, we understand that this debate will go to 3.30 p.m. It would be untrue to say we look forward to participating in this debate, but we are here and will listen with great interest.

[11.41 a.m.]

Mr O'BYRNE (Franklin) - Madam Speaker, I indicate that we fully agree with those words.

Leave granted.

SUSPENSION OF STANDING ORDERS

Move Motion Forthwith - Want of Confidence in Premier

[11.41 a.m.]

Ms WHITE (Lyons - Leader of the Opposition) - Mr Deputy Speaker, I move -

That so much of Standing Orders be suspended as would prevent such motion from being dealt with forthwith -

That this House -

- (1) Has no confidence in the Premier, Hon Will Hodgman MP, for the following reasons -
 - (a) The Premier has failed to demand the highest standards of conduct from his members.
 - (b) The Premier has refused to ask the Honourable Member for Braddon, Mr Brooks, to resign, despite a damning Integrity Commission report which found he repeatedly lied about his involvement in his private company while the Mining Minister and attempted to delete crucial evidence.
 - (c) The Premier authorised a payment of almost \$60 000 to cover Mr Brooks' legal bills, which was only revealed through questioning from Labor.
 - (d) The Honourable Member for Bass, Ms Courtney, was rewarded with a new Ministry, despite findings that she breached the Ministerial Code of Conduct by failing to declare a conflict of interest created by her relationship with her Head of Department.
 - (e) While the Premier deals with chaos and dysfunction within his Government, he has taken his eye off the issues that are important to Tasmanians, including health and education.

- (f) Under the arrogant and incompetent Health Minister, the Hon Michael Ferguson MP, the health system has gone from bad to worse, with health professionals describing conditions in our hospitals as the worst they have ever been.
- (g) The Premier has allowed his divisive and aggressive Treasurer, the Hon Peter Gutwein MP, to go to war with public sector workers instead of negotiating in good faith. This has caused workers to take state-wide industrial action simply to get a payrise that keeps up with the cost of living.

I understand the Government will be seeking to move an amendment to the motion which is to provide a time limit to 3.30 p.m. I can indicate the Labor Party will support that. Given the limited time we have to debate this, even with that time limit to 3.30 p.m., I will not speak further now but will speak on the substantive motion.

[11.42 a.m.]

Mr FERGUSON (Bass - Leader of Government Business) - Mr Deputy Speaker, this is a bit ho-hum on the part of the Labor Party on the last day, predictably, to move this procedural motion to try to upend the entire business of the House. It is a very colourless display by the Leader of the Opposition even to articulate why this motion must be heard now and why it was not done yesterday, for example, when the Labor Party had private members' time and also took the opportunity yesterday to move a different motion under suspension. Is that not a point that needs to be made?

Frankly, this has been an exceptional government working for Tasmanians with an exceptional head of government, our Premier, leading our Government, leading our state - an exceptional individual leading a capable team of Tasmanian Liberal members who are so committed to the welfare of the people of our state. The runs are on the board in employment, with the growing economy, with our population, with Tasmanian education on the improve, record investment in Health, a unified team working for Tasmanians - what a difference an election has made. The history of the Labor-Greens government before that was a shameful and dark time for many Tasmanians.

Such was the case that many of them had to flee the state looking for work because the O'Byrnes were putting people out of work. Ms Giddings was putting people out of work. The Labor Party was an appalling government. Scandal after scandal: given that this motion to suspend standing orders deals with allegations around this, I have to remind members opposite what a scandalous and appallingly incompetent government they were. That is exactly what they were.

Ms White - This is a debate on suspending Standing Orders. You do not even know the forms of the House.

Mr DEPUTY SPEAKER - Order, Ms White.

Mr FERGUSON - I know and I appreciate that in 2018 - in a year - where the Leader of the Opposition and the Labor Party got the third lowest vote in their history, I understand why they want to finish the year like this with a stunt.

Mr O'BYRNE - Point of order, Mr Deputy Speaker. This is a debate about suspension of Standing Orders. Mr Ferguson is now debating the substantive motion, which will be a cracker of debate, I can tell you that. Please, could you bring him back to order in keeping focused on what we are debating.

Mr DEPUTY SPEAKER - If you could please respond to the matter.

Mr FERGUSON - Thank you, Mr Deputy Speaker. I am happy to comply. I get a bit passionate when I see an incompetent group of people who ruined our state and who are trying to tarnish the reputation of, if not the state's most successful premier, one of the state's most successful premiers. I will go ahead and say it - the state's most successful premier. The turnaround has been phenomenal. The turnaround has incredible.

On the Notice Paper today, we have a reform that has been called for by the Labor Party for a long time. They did not get around to it in government but we are doing it, and that is the code of conduct for members of parliament.

Ms White - You ignored it for five years.

Mr FERGUSON - It is on our Order of Business today. Surprise, surprise. If we had agreed to the original motion to push everything off the blue, there is your first casualty. There is also important and time-critical legislation for the building industry, residential tenancy, and important legislation around the Supreme Court and land acquisition.

We will manage our time, but we will ensure that this important question of confidence is resolved today because the Leader of the Opposition ought to test her numbers. She has brought this motion forward and I look forward to what Mr O'Byrne has promised us will be a cracker of a debate. On this side of the House we will seek to resolve this question with arguments that speak to the competence, integrity and teamwork that sits on this side of the House.

Mr Deputy Speaker, I move the following amendment -

After 'forthwith' insert the following -

'and that debate on the motion be completed by 3.30 p.m., and that the Premier and the Leader of the Opposition shall speak for no longer than 40 minutes each and all other Members speak for no longer than 20 minutes each in speaking to the motion, and that immediately following a vote on the motion the House proceeds to Government Business.'

We support the suspension motion and the amendment I have put so that we can allow the House to get back to its important business from 3.30 p.m.

Amendment agreed to.

Motion, as amended, agreed to.

MOTION

Want of Confidence in Premier - Motion Negatived

[11.46 a.m.]

Ms WHITE (Lyons - Leader of the Opposition) - Mr Deputy Speaker, I move -

That this House -

- (1) Has no confidence in the Premier, Hon Will Hodgman MP, for the following reasons -
 - (a) The Premier has failed to demand the highest standards of conduct from his members.
 - (b) The Premier has refused to ask the Honourable Member for Braddon, Mr Brooks, to resign, despite a damning Integrity Commission report which found he repeatedly lied about his involvement in his private company while the Mining Minister and attempted to delete crucial evidence.
 - (c) The Premier authorised a payment of almost \$60 000 to cover Mr Brooks' legal bills, which was only revealed through questioning from Labor.
 - (d) The Honourable Member for Bass, Sarah Courtney, was rewarded with a new Ministry, despite findings that she breached the Ministerial Code of Conduct by failing to declare a conflict of interest created by her relationship with her Head of Department.
 - (e) While the Premier deals with chaos and dysfunction within his Government, he has taken his eye off the issues that are important to Tasmanians, including health and education.
 - (f) Under the arrogant and incompetent Health Minister, the Hon Michael Ferguson MP, the health system has gone from bad to worse, with health professionals describing conditions in our hospitals as the worst they have ever been.
 - (g) The Premier has allowed his divisive and aggressive Treasurer, the Hon Peter Gutwein MP, to go to war with public sector workers instead of negotiating in good faith. This has caused workers to take state-wide industrial action simply to get a payrise that keeps up with the cost of living.

Madam Speaker, the Labor Party has moved this motion of want of confidence in the Premier today particularly given the failures we have seen over last couple of weeks, but over the last few months as well.

This is the most serious motion that can be moved in any member of this House. This is about making sure this House upholds the highest possible standards. Unfortunately, what we have seen from the Premier is that he has been unable to do that, enforcing no consequence on his minister who has been found by an independent report from the Integrity Commission to have lied multiple times to him, the Crown Solicitor, the people of Tasmania and the people of Braddon, who elected him. There has been no consequence.

This motion has been brought forward because as the state's leader, Premier Will Hodgman has to exemplify everything a role model should be. He should be honest and should demand honesty from those who sit in government with him, and he has failed to do that. He needs to demonstrate integrity and he should demand that people act with integrity in his Government beside him, and he has failed to ensure they do that.

These are fundamental principles that the Tasmanian public demand of us as politicians, as their representatives duly elected to this place by our communities, to make sure we act with integrity and uphold the code of ethics that we each swear to in this House each time we are elected, and if we fail to do that, to be held accountable and for there to be consequences.

The fact that the Premier has allowed not only one minister but multiple ministers during his time as Premier to either lie to him, deceive him, mislead the parliament and then impose no consequence, sets an extraordinarily bad example to the people of Tasmania and the students watching this debate that you can lie and cover up and get away with it. There is no consequence. You can do bad things and there will be no way you are ever held to account for those things, because this weak Premier will not say it is not good enough and that person is no longer a member of his Government. This is the Government of Tasmania.

The Minister for Health said that he endorsed the Premier. I have to say that if I was endorsed by the Minister for Health I would be running the other way. That is not a strong endorsement; he is a failed Health minister. We have a crisis in our health system. We have ambulances ramped - 11 on Monday, 14 at one stage and no ambulance to respond in the south of the state unless it was coming from Nubeena or the east coast. There are workers in the system who have performed 12-hour and up to 14-hour shifts with no break. Seven of them did that on Monday. This is the Health minister who told us he was the happiest Health minister in Australia at a time when we have workers who are exhausted, patients sleeping on the floor, and coroners' reports linking the lack of mental health beds directly to deaths of patients. Yet he is the happiest Health minister in Australia and has just endorsed the Premier and said he is doing a good job.

It is not a ringing endorsement at all. You just have to look at the cartoon in today's paper to see what a joke this Government has become. It summed it up perfectly and it was not just the Premier, it was the Health minister, it was Ms Courtney up the back there for her complete breach of the ministerial code of conduct - and what was the consequence of that? Another ministry. She stays in the Cabinet, just shuffled sideways. Did that deal with the conflict of interest issue? No. Do we see the protocol that has been put in place to make sure that conflict of interest is managed properly? No. Do we even know how it will be enforced, given there was a protocol for the member for Braddon, Mr Brooks, to manage his conflict of interest as mining minister and it was completely disregarded by him?

It does not matter if the Premier puts the protocol in place to manage the conflicts of interest that his ministers have because it is not enforced. In fact, when it is found to have been breached - and in the case of Mr Brooks, multiple times - there is no consequence. He remains a member of

the Government. Worse than that, two months ago the Premier confirmed to this House that his Cabinet agreed to cover the legal costs for Mr Brooks, \$60 000 of taxpayer money, when Mr Brooks has been found by the Integrity Commission to not only be a deceitful liar but devious. He went under the cover of darkness and double-deleted emails that he knew would implicate him. He removed evidence.

The good people of Braddon elected Mr Brooks in March this year without knowing these things. Had Mr Brooks not refused to show up to an interview last year when the Integrity Commission asked him to, maybe they would have known these things and made a different decision about who they cast their vote for in March. Now \$60 000 is not a small amount of money; in fact it is more than the average wage for a worker in Braddon. For Mr Brooks it might be chickenfeed. He is a millionaire, so why on Earth did he not pay his legal costs in the first place? The only reason we even know that the taxpayer picked up Mr Brooks' bill is because the Labor Party asked a question about it in this place. Had the matter not been referred to the Integrity Commission, would we even know the level of deceit and deception from this Government in relation to this matter? I argue we would not know those things, because this is not a transparent or honest government.

This is a government that covers up its failures, protects its ministers when they have done the wrong thing, and all in the name of self-interest and saving their own political skin. You did not do those things because you thought it was in the best interest of the people of Tasmania, or because the voters of Braddon were going to benefit by having Mr Brooks there, who has now been found to have lied multiple times and to be a deceitful and dishonest person in the report handed down by the independent Integrity Commission report. You did those things to save your own political skin and the taxpayers footed the bill.

The Leader of Government Business came in today and said there is a lot of important stuff we have to do so we will have to limit this debate to 3.30 p.m. One of the items he identified was the code of conduct for members of parliament, which he said took a Liberal Government to do. I know members have real difficulty remembering what happened eight weeks ago; Ms Courtney cannot remember whether she spent taxpayers' money on her personal escapades with Dr Whittington while they were on a trade mission together overseas. I remind members that just last year this House voted on whether a code of conduct for members of parliament be established, a motion brought in by the Labor Party, and guess who voted against it? The Liberal Party. What a surprise.

The only reason we are even discussing a code of conduct today is because the good member for Clark, Sue Hickey, the Speaker of this House, put pressure on them and demanded accountability. The numbers in this parliament have evened up and that is a good thing for democracy. The fact we are in this position is the Premier's own fault. He has lost control of his party, he has lost control of the parliament, and he has lost control of the Government.

We need to have this debate of want of confidence in the Premier of this state for all of those reasons and, unfortunately, more. We have questions regarding the way he has handled not just the Adam Brooks affair and the Sarah Courtney affair, but matters that occurred in the last parliament as well when you give regard to what happened with former minister, Mr Groom, the energy crisis, TasTAFE, and asset sales that were promised never to occur under the Liberal Government but they are flogging off public assets without any consultation whatsoever, and a Health minister who chose to return to that portfolio in March this year having witnessed how destructive he was in that role for the previous four years.

We have seen this Premier fail to show leadership on issues regarding women's health. Matters such as access to surgical terminations in this state should and could have been dealt with by this Premier if he had shown the inclination to step in and override the ideological view of his Minister for Health. Has he ever shown that he is more interested in promoting the rights of women than promoting this Minister for Health? Not once. We still do not know when that service will operate and women will be able to access that service in Tasmania because the Minister for Health continues to stand in the way of women's reproductive rights that are legal in Tasmania.

The matter before the House - and this goes to a point the Leader of Government Business made in his rant before he sat down - was that we could have moved a motion yesterday but we chose to move a different motion. It was a motion to refer Mr Brooks to the Privileges Committee that the entire parliament supported because anybody can see that what he did was wrong. The way he lied was wrong. That matter had to be dealt with because again the Premier was not going to deal with it. This is the point of this motion: the Premier fails to show leadership at times when it is required, including times when you think it would be damn well obvious. He has been lied to three times in writing by a minister. It has been demonstrated by the Integrity Commission report that this particular individual lied on multiple occasions to this parliament, to the Estimates Committee, and to the Crown Solicitor, yet there is still no repercussion that is warranted in their view.

Mr Brooks should be asked to resign. He is not fit to be in this place. The fact that he cannot show up to work for the committee examining gun legislation is just another problem for the Government. He is going to continue to provide multiple headaches for this Premier. You have Joan Rylah wanting to come back to represent the good people of Braddon. At least she seems like an honest and trustworthy character and would be a far greater asset to the Premier's team than Mr Brooks, who can surely never show his face again without enormous shame. The Premier now understands the depth of deceit Mr Brooks has undertaken in trying to cover his tracks for what he did - breaching the protocol the Premier put in place.

We still have unresolved issues with Ms Courtney. We have issues relating to how much money the taxpayer has forked out for her travel with Dr Whittington when they went overseas together as part of the trade mission. The Premier in his response to the parliament today indicated that that would be forthcoming - a bit like in the 'foreseeable future' Mr Brooks might return to the ministry, which is extraordinary. To have any credibility, this Premier must rule out Mr Brooks returning to the ministry ever again, not just saying that in the foreseeable future that might happen.

He indicated that in the foreseeable future we could also expect to see the details of how much money the taxpayer provided for the trade mission, including a breakdown - because there can be no way around it now - of how much was used to fund any personal entertainment or expenses enjoyed by the member for Bass, Ms Courtney. This is a very serious question. The Premier went to the Great Wall of China on the taxpayer's dime when he travelled to China as part of the trade mission.

What we want to understand is what Ms Courtney used the taxpayer money to do. The relationship began apparently the day she returned from China which is curious timing indeed. We also know that for at least one month, she failed to disclose that she had breached the ministerial code of conduct; for at least one month but it could be a much greater time than that.

We have a number of questions that still remain unresolved and hanging over that minister like a big, black, dirty cloud and it will not be resolved until there is appropriate transparency. This

Premier is not the kind of person who signs up to transparency and honesty. He has to be forced to that position, either through Right to Information requests, questions in this place from other members or through reports from the Integrity Commission. That is the only way to drag out the truth about what this Government is truly up to. In some cases, it can drag on for years, as we have seen with Mr Brooks. Two and a half years; what a sorry saga that has been.

For Ms Courtney, who has joined as again in the Chamber, who might be able to shed some light now on what she did nine weeks ago. Where did she go and how much did she charge the taxpayer for the pleasure? To date, she seems to be unable to remember, which is pretty extraordinary. How could you be so forgetful? This would be the kindest way of describing her ailment.

We have questions with regard to whether her WhatsApp messages were provided as part of the investigation that took place, looking at whether she had breached the code of conduct. It found that she did breach the code of conduct. There is still no confirmation from the Government, from the Premier, whether there has been full and proper scrutiny of the conversations had, using that encrypted messenger service and whether the secretary of the Department of Premier and Cabinet investigated that as part of the inquiry into the breach of the code of conduct.

What does it all matter anyway when you can breach the code of conduct and get away with it under this Premier. You can breach the code of conduct, but that does not matter; we will give you a nice new portfolio. You still have the same conflict of interest matters in place because she still has to deal with the same person, Dr Whittington.

There are other questions that have now risen as a consequence of the Integrity Commission report into Mr Brooks and the subsequent finding through questioning in this place yesterday that the taxpayer footed the bill. That goes to an earlier Integrity Commission report handed down in this place and that is Report of the Integrity Commission No. 4 of 2018 - the Report of an investigation into allegations of misconduct by the (then) Minister for Human Services and her Chief of Staff. There are serious questions that should be asked today about whether the taxpayer also funded any of the legal costs associated with that investigation, either legal costs incurred at that time by the then minister for Human Services, Jacquie Petrusma, or her chief of staff.

Given the revelations that Mr Brooks was handed \$60 000 by Cabinet - you all endorsed that payment to cover his legal fees - there are now serious questions to ask as to whether the Premier and his Cabinet have also funded the legal bills for the former Human Services minister and her chief of staff when they were investigated by the Integrity Commission.

I ask the Premier to consider coming into this House today, as he did yesterday, and informing the parliament whether the taxpayer has also footed the bill for any of his other ministers or staff who have had matters before the Integrity Commission. We know that they have form on this. We know that they are happy to provide taxpayer money to cover the legal bills of their ministers. We know that they do that and we know that they do not disclose those things unless they are directly asked, so I am asking that question now.

Mr Deputy Speaker, this Premier has also failed to maintain our confidence because of the fact he has retained the Minister for Health in that portfolio. This is one of the most fundamental portfolios for any government to make sure that you have somebody competent, somebody who listens, somebody who cares in that role, who can work in collaboration with all of the key stakeholders to deliver good outcomes for the people of Tasmania. We are talking about some of

the most vulnerable people in our community who need to be able to access care in the health system and to understand that there is a minister for Health who is on their side.

This Minister for Health is anything but that. This Minister for Health is an absolute disgrace. He is unworthy of sitting in this place in that role. He has proven himself to be wilfully ignorant of the concerns of the workforce. He is arrogant, he will not listen and he refuses to meet with patients. I have had many constituents who have contacted me who have been refused appointments with the Minister for Health. He grandstands in this place in a condescending manner, sanctimonious to the extreme, and claims he is the happiest health minister in Australia.

The fact that the Premier can continue to keep him on in this role, when you have rolling industrial action taking place, you have had protests outside the Launceston General Hospital for over 150 days straight now and that the Health minister has not once been down to speak with those nurses, it should be enough for you to say, 'Hey, we should have a chat about this, what are you actually doing. I think we should go'. He should have spoken with those workers in the first week. But, no, he continued to ignore them, just like he ignored Dr O'Keeffe when he interrupted the press conference given at the Royal Hobart Hospital. He arrogantly dismissed him with a wave of the hand and said, 'Fix that Marcus; attend to that, Marcus.'

Poor Dr Skinner, having to pick up the pieces from the Minister for Health, Michael Ferguson, who then brushed past Dr O'Keeffe. He did not even stop and say, 'I understand what your concerns are, let us speak about this.' He walked straight out of the room. What kind of person does that? Apparently, the Minister for Health in a Liberal Government.

Premier, where were you on that? This is the kind of behaviour that he condones. Not only can they be deceitful and dishonest; they can be obstructive. They can also be ignorant and arrogant and that is okay by the Premier.

Most Tasmanians who I speak with, and the Tasmanians who elect us to this place, would demand a different behaviour from ministers in any government. It would not matter what colour it was, they expect us to be able to listen and to work cooperatively with those stakeholders at the front line, particularly when they raise serious questions; not dismiss them and rudely walk past them.

We have had not just concerns raised by individual doctors about the Minister for Health but the entire workforce has been raising concerns, as demonstrated by the union activity undertaken by the ANMF, HACSU and the AMA, which earlier this week put out a damning press release about this Government's lack of action in addressing the health crisis. What do we see? One hundred and five million dollars apparently just fell out of the air to plug the black hole. They have not spoken much about that this week, and it made me wonder: why would the Government announce \$105 million extra for health this week? It is curious timing to drop it to the papers the way you did, knowing full well that the Adam Brooks Integrity Commission report was to be tabled on Tuesday in this place.

I have never seen less interest from anybody in that \$105 million extra into health than I have seen this week. It is extraordinary, an extra \$105 million for health, and it has barely been reported. You did not even ask a DD about it on that Tuesday in the parliament on the day you announced it. You did not even take the opportunity to explain it, but when you look more closely at what the \$105 million will do you can understand their shame. Not just their shame in trying to cover up for the failures of the member for Braddon, but their shame because they know they have chronically

underfunded the Health budget and that this is money to go to pay the wages of staff who have already done the job.

This is not going to pay for more staff, this is not going to pay for more procedures - this is just keeping the wheels turning. This is plugging the black hole, and if they would release the secret KPMG report then all Tasmanians could see that, but just like the Deloitte and RDME reports, it is unlikely we will ever see those things.

It is a characteristic and a hallmark of the Premier of Tasmania that he is not honest or transparent and that information only comes to light if it is requested as a right to information through the appropriate channels, or if the Integrity Commission does a report, or if we ask questions in this place. They do not disclose that information willingly and that is not good government. This is not a Premier who shows good leadership. This is a Premier who claims to be many things which he is not, as demonstrated through the actions that are taken. Words are shallow when your actions defy everything you say. Rhetoric is shallow.

Then we have the behaviour taken by the Treasurer that is condoned by this Premier. We have industrial action at a scale in the education workforce that I have never seen before. We saw workers yesterday and the day before walk off the job in their thousands - 3200 principals, teachers, and support workers in our schools walked off the job on Tuesday and yesterday there were thousands more in the south of the state. My understanding is that close to 6000 principals, teachers and support workers in our schools walked off the job over the last two days. The Premier is happy to let them continue to do that, and this is the Premier's fault. It is because of his belligerent attitude towards maintaining an austerity wages policy that does not keep up with the cost of living, while at the same time saying we are living in a golden age that has seen teachers, nurses and child safety officers walk off the job. A number of our public sector workers have taken industrial action because this Government is too belligerent to negotiate in good faith.

It would not take much for the Premier to show some leadership here and recognise that what he is offering does not keep up with the cost of living, what he has on the table is effectively a real wage cut, and to solve the concerns that have been quite clearly demonstrated to him by the public sector unions, just scrap the wages cap. All the public sector unions are asking for is the most reasonable thing I have ever heard, and that is to negotiate in good faith. There is nothing about that that is unreasonable, but this Government continues to maintain their wages policy which sets a predetermined outcome of a cap at 2 per cent per annum for any wage increases. The Government's own budget papers show that the cost of living is going up faster than that, yet this Premier condones the behaviour of his Treasurer and his bullying antics in the way he is operating with public sector workers.

The Treasurer yesterday misled the House when he said that politicians do not negotiate with unions about industrial matters. That is not true at all. This Treasurer does not know what he is talking about. The Treasurer was informed that he had misled the House. I did not hear him retract what he said, but he was educated about the way negotiations had taken place in the past between politicians, between leaders in the Labor Party and between union members to get good outcomes for workers in Tasmania. This is a Treasurer who does not know his own history, who maintains a wages policy at a time when Tasmanian workers on average earn \$10 000 less than their mainland counterparts, and this Premier allows that to be the case. He wants to continue with the status quo that Tasmanian workers should continue to be the lowest paid, \$10 000 less than their mainland counterparts for equivalent jobs. He is happy for Tasmania's most experienced teachers to be the worst paid in the country. He is happy for nurses to be the worst paid in the country. He is happy

for those things, apparently. You have to ask yourself why. Is it because he cannot stand up to the Treasurer?

This is going to lead to widespread industrial action if the Premier does not show some leadership here. It already is, with 6000 teachers walking off the job this week. There are thousands of staff right across the state, public servants working in our hospitals who are under enormous pressure being asked to work overtime, double shifts, no breaks, caring for patients to the best of their ability, on floors, being told they can look after them in alcoves with handbells because there are no beds, but they cannot have a pay rise that keeps up with the cost of living. This Government expects them keep working like that because they are not going to fund the black hole in Health. What kind of leadership is that?

That is not what the people thought they were voting for in March this year but they also got the wool pulled over their eyes on that occasion, because this Premier was happy to condone the tricky tactics of the Treasurer, the Health minister and even the Education minister, who made promises that went over six years, with most of that money loaded in years five and six, which will not make any impact on the lives of those Tasmanians who are delivering care in our hospitals and providing education in our schools for many years to come. The Premier condoned that kind of tactic.

There is no doubt that the Premier has been unable to stand up to his Treasurer when it comes to the wages issue. The Treasurer this week has demonstrated again his complete lack of regard for workers in the public sector. These are people who every day go to work because they care about the future of this state, but the Premier has failed to say to the Treasurer, 'We've got to negotiate in good faith here'. In 2011 in response to the global financial crisis, that wages policy was a response taken by the government for a point in time, but times have changed. You cannot maintain an austerity wages policy for a decade, Premier. You will find that the industrial action taken by these public servants across every agency in your Government will continue until you scrap the cap. You cannot say it is a golden age at the same time you are making public servants take a real wage cut. You just cannot run those arguments together.

The Premier tries to do those things. He is either beholden to the Treasurer, who has more power than the Premier, and that is completely dysfunctional, or he is just asleep at the wheel. It is one or the other. He has either completely checked out and does not really care because he is not hanging around to see the consequences of this anyway, or he does not have the power, the will or the strength of character to stand up to the Treasurer and say we can do better than this. That is what it comes down to. Either he has checked out, he does not care, or he does not have the guts to stand up to the Treasurer.

This Premier has lost control. He has lost control of his caucus, he cannot hold members of his own Government to account when they are dishonest and deceitful and he does not apply consequences. He has lost control of this Parliament, he has lost control of the committee process, he has lost control of government. Either he needs to step up and show some leadership or he just needs to check out properly, because he is halfway there. He has one foot halfway out the door. He needs to make a decision about his future because it is not just him and his caucus colleagues he is leading into limbo, it is the whole state while he is failing to be decisive and make decisions about our future, whether that be about funding the black hole in Health or negotiating in good faith with public sector workers or holding ministers to account so that there are consequences when they are found to have breached the ministerial code of conduct and not for them to be shuffled sideways into another ministry. When a member of your own Government is found to have breached the

very protocols you put in place to manage their conflict of interest, when that same member has been found to have lied to you, three times in writing, when that very member claims \$60 000 from the Tasmanian taxpayer to pay his legal bills and the Cabinet endorses that decision, the Premier needs to show some leadership and say that this person needs to resign.

What kind of behaviour is he condoning if he does not do these things? What does it take for this Premier to finally show some guts, take action and demonstrate the leadership the people expect of a premier of this state? Where is that line, Premier? Surely, you are creeping close to it now, or is it the case that because you have one foot out of the door you cannot be bothered to deal with these matters, it is too hard, and they will be somebody else's problem in the new year?

We move this motion of no confidence in the Premier for all these reasons and for many more other members will raise, primarily because he has proved himself to be too weak to lead this Government and he does not deserve the honour of being the Premier of Tasmania.

[12.21 p.m.]

Mr HODGMAN (Franklin - Premier) - Mr Deputy Speaker, we were promised a cracker. It was all the cheese and no cracker. The member for Franklin was talking about himself, as usual, pumping up his tyres. There was not a lot of support for the insipid performance of the Leader of the Opposition, who can only wish I would be going away. That will not be happening any time soon, nor while that lot present themselves as a vacuous, shallow alternative government incapable of performing to an adequate standard or presenting anything credible.

I assure the Leader of the Opposition that I am not going anywhere. Do not worry about me, worry about the bloke sitting two seats to your left because that is where your biggest challenge is. My biggest focus will remain on delivering what we promised and continuing to see our state move forward, which it is.

The Leader of the Opposition says that our state is in limbo. It is so far from the truth but typical of an opposition leader who is so out of touch. Just this week, we had another business survey sentiment result that has Tasmania as the most confident state in the nation for business conditions, for support of its government and for confidence in Tasmania's economic outlook. That is the state of Tasmania's business community; the most confident in the country and confident in what we are doing to support them, which is what people outside this place are saying about us.

It was only eight months or so ago that the people of Tasmania had their opportunity to express their confidence in all of what we do in this place and our communities as a government or an opposition party. It was at that election the people of Tasmania delivered another majority government for this state.

Mr Bacon - Are you sure about that?

Mr HODGMAN - Yes, we did lose seats but our vote was the same. It was only the second time in Tasmania's history a Liberal government has achieved a result of that scale.

They also expressed a view about the Labor Party: they lacked confidence in their ability to take on the important role of governing; they lacked the ability to present a credible policy alternative; they were seen to be out of touch with the views of ordinary Tasmanians; and their policy agenda did not have merit. It lacked substance and it lacked the support of the broader Tasmanian community.

Only eight months on, that is still very much the case. If you look at the performance of our economy, the levels of confidence in our economic performance and more broadly, you can sense the buzz happening around our state. Tasmanians believe our best days are ahead of us, notwithstanding the negativity, obstructionism and political game-playing that characterises these opposition parties and will mark the end of this parliamentary session with the latest in a long list of stunts. That is what this Opposition can offer. They have not produced any substantive policy platform. The policy platform they took to the election was discredited by the people of Tasmania. By any reasonable analysis that showed they could not develop a credible, cohesive health policy. It changed seven times over the course of the election process, regardless of the importance and value they claim to place on the health system. Over one month, seven different policies, none of them added up and none of them made sense. Thankfully, none of them are being delivered, nor can they produce any substantive policies.

Mr O'Byrne - You had policy and you couldn't remember that. Remember that, the journo on the boat to Port Arthur asked you, 'Can you explain your pokie policy?', and you said, 'Oh, no, it is this', and then you had a staffer clean it up afterward.

Mr DEPUTY SPEAKER - Order, Mr O'Byrne.

Mr HODGMAN - I am interested to understand what the Labor Party's policy platform is at the end of this first parliamentary term. What policies do they have? They have been criticised by their closest allies for lacking any policy conviction and being weak and dishonest on the things they say they stand for. We have seen them change their positions on policies on a weekly basis.

Mr Bacon - No free money for millionaires, how about that?

Mr DEPUTY SPEAKER - Order, Mr Bacon, you are officially warned.

Mr HODGMAN - They will defy the will of their party in this place because they do not stand by their convictions on policy matters.

It is a shallow Opposition and lacking substance that the Leader of the Opposition would quote cartoons, would resort to cardboard cut-outs out the front of Parliament House in her speech on this motion. You do not have a health policy but you can spend your weekends sticking 3000 cardboard cut-outs of a minister to show how serious you are about the health system. People see that as lacking in substance and a shallow stunt. That is what it is.

While they are focused on stunts, we are focused on delivering. If you look at the significant investments and progress we are making in key areas of policy implementation, the strong performance of our economy and the very strong performance and condition of our state's Budget, it is clear we are delivering on what we promised. As we always say, there is a lot more to do.

I point to the state of Tasmania today. Notwithstanding what oppositions members say, we have come a long way as a state in a matter of years. To have turned the state's economy from recession into the fastest growing economy in the country, the strongest levels of performance -

Ms O'Connor - Can you point to a single policy of yours that delivered that, anything that you did?

Mr HODGMAN - Yes, I can point to dozens. Most, if not all, were opposed by the opposition parties but each of those policies is helping to deliver the most confident business community in the nation, who are supportive of our policies. You should take the time to inform yourself of the facts. I point you to the latest Sensis Business Index. Tasmanian businesses have said they support our policies and what we are doing.

All sensible Tasmanians would appreciate that the times under a Labor-Greens minority government are very different from our current experience. This has come about because of the policy initiatives we have implemented, the strength we have delivered as a majority government and the certainty and stability that comes with that. It is an important consequence of substance over spin, style, stunts and stupidity.

Members interjecting.

Mr DEPUTY SPEAKER - Order.

Mr HODGMAN - This is the level of contribution from the member for Franklin. It is puerile, pointless and it is not anything people outside this place care about. If nothing else, you can tell from the national sentiment about politicians. Yes, it has been referred to in this place this week. That sort of contribution and more focus on yourselves and less on the Tasmanians who elected us is one reason you failed at the election eight months ago. It is one reason why you are still called out appropriately for lacking any capacity to develop policies, an alternative budget, or even stand by what you say you believe in. That is why you are seen as a vacuous and shallow opposition.

I go to the points raised by the Leader of the Opposition and refute the claims that this Government and I do not stand by the highest standards that should be appropriately applied to members of government and this parliament, nor indeed the claim that there are no consequences where there are breaches of those standards. In each of the circumstances to which the Leader of the Opposition has referred, there have been consequences and appropriate responses. It is not simply so because you say it, but the Opposition, lacking substance and any intellectual rigour to their argument, will assert it to be so, notwithstanding on each of those matters that have been raised in this debate there were consequences and action.

There is no doubt that this team, which is stably, sensibly and systematically delivering, is focused on the interests of Tasmanians in providing the best possible standard of government that we can. Of course we will make our mistakes and there will be errors in a range of ways that will inevitably occur, but when that occurs and when there is a breach of the standards we set, there are consequences to those actions and there are matters that we will always seek to improve upon and to remedy.

If you look at what Labor has done in the past when circumstances have similarly arisen that have caused them some difficulty, they have in many instances not responded at all and have set for us a standard that they are simply unwilling to abide by when they were given the opportunity. It goes to the point of the Leader of the Opposition. Yes, talk is cheap and actions are what matters. Why was it, then, that members of this Opposition were prepared to sit alongside a disgraced former deputy premier and then leader of the Labor Party, Bryan Green, who behaved in such a way he was charged by the Director of Public Prosecutions for a breach of Tasmania's Criminal Code and was required to submit to two criminal trials, neither of which were able to deliver a verdict. He was not exonerated, he was not cleared, he was not asked to resign by the Labor Party, but was

elevated and promoted to be their leader, yet they come in here and demand standards of us that they are simply unwilling to even follow.

When Mr Green stood down from his ministry, then premier Paul Lennon said he would expect Bryan Green to spend the next two years in the lead-up to the 2010 election re-establishing himself in the electorate, saying:

I do not anticipate there being a vacancy in Cabinet between now and the next election in 2010 ...

... I do not expect that Mr Green or anybody should be retried on the Floor of this Parliament.

That was the standard that Labor set back then when they had one of their own charged with criminal offences. Their leader also said:

Mr Green has paid a hefty price for what he has acknowledged himself was an error of judgment. All of us face the people ultimately and we will all face the people in 2010. They will pass their judgment on all of us, not just Bryan Green.

That is what Paul Lennon said back then, but now they are expecting an entirely different standard of us.

Mr O'Byrne - He didn't lie.

Mr HODGMAN - No, he was charged with behaving in such a way that it constituted a criminal offence. It was corrupt behaviour that was appallingly handled -

Mr O'Byrne - Clutching at straws.

Mr HODGMAN - They think this is irrelevant. They claim it is irrelevant because it occurred back in 2010. It is the same set of standards that should have applied then that apply now, and it points to the hypocrisy of the Labor Party that they would allow themselves to stand by or walk past the behaviour of Bryan Green back then and ultimately reward him with the party's leadership. If there is ever anything to demonstrate a party's principles, that is what occurred with respect to Mr Green.

Over seven years in office, from 2004 to 2011, there were 18 separate Auditor-General investigations into unprincipled actions by Labor. The only reason they did not go before the Integrity Commission is because there was not one established at that time. In 2010, under the watch of Labor minister Lin Thorp there was a scandalous report by the children's commissioner into a child in state care. Did she resign when that occurred? No. Did she get pushed out of this parliament by her colleagues? No, they were quite happy to stand by and defend her. In 2011 the same minister was the subject of an Auditor-General investigation for revealing private and confidential details of a selection process for the commissioner for children, no less. Just last week Labor wanted us to do the same thing they did. We would not and nor should she. She did not resign but was ultimately kicked out of this place by the people when she next faced them and they exercised their judgment and they decided to relieve her of this place and this place of her. Did Labor kick her out? No, they were quite happy for that behaviour to occur.

Under Nick McKim's watch as minister in 2013 there was the Greenberry affair, the former and now late Director of Prisons at the time. He complained about corruption and mismanagement in the system and three weeks later he suddenly resigned for personal reasons just nine months into a five-year contract and was paid \$260 000 to settle that matter on his departure. Did he resign? No. Did Mr McKim, now Senator, resign and accept that he had handled that matter poorly? No, he went to the Senate.

Ms O'CONNOR - Point of order, Mr Deputy Speaker. I understand we are in a no confidence debate but the Premier is reflecting on a person who is not here who did not misled parliament three times, who did not lie to the Premier of the day's face numerous times, and did not lie to the Crown Solicitor. I ask him to withdraw the imputation in his statement towards Senator McKim.

Mr DEPUTY SPEAKER - Ms O'Connor, this is a wide-ranging debate and there have been allegations made and I expect the Premier to defend himself however he sees fit.

Ms O'CONNOR - On the point of order, the Premier implied and used the word 'corrupt' in relation to a minister of the Crown against whom findings were never made by the Integrity Commission, who did not lie to the Crown Solicitor or to then premier Giddings' face numerous times.

Mr DEPUTY SPEAKER - It is not a point of order and it is not an opportunity to defend an individual.

Mr HODGMAN - Thank you, Mr Deputy Speaker. It goes to hypocrisy and double standards and they are not standards by which we should be judged, nor would Tasmanians expect it to be so.

I have referred to the lying to former premier Jim Bacon by then parliamentary secretary, Brenton Best, about the use of an office card, a misuse of government resources. Then premier Jim Bacon informed the House that he was far from happy that Brenton Best would never be considered for a Cabinet position and he was true to his word on that, but he was endorsed time and time again by the Labor Party and fronted up for elections and was re-elected by the people of Braddon, as is their wont. That is the standard they set for themselves back then and they expect us to stand by different standards.

There is a long list of appalling behaviour by Labor ministers and members in years past. It is not ancient history; it is very recent. It is entirely relevant not only to this debate but also to pointing out the hypocrisy of the Labor Party in bringing on this motion today when we have responded appropriately to matters that have arisen in a way that in some respects might be seen as not inconsistent with what Labor did back then. That is not to say that their behaviour was anything other than a classic case of failing to live by the standard you set. They have done it time and time again.

I take the opportunity while we are on that note of hypocrisy to point to the fact that the Tasmanian people have expressed their view in our performance. Only 270-odd days ago they voted for a majority Liberal government to continue delivering on the policies, programs and initiatives we took to the election that were endorsed, and we respect that fact. We respect the fact that Tasmanians want stability in their political environment. They want consistency in policy objective; they want a common sense of purpose and that is what we are delivering. The last thing Tasmanians want to see is political games being played, more focused on ourselves. We have an Opposition party that will not do the work but will give themselves a pay rise. Again, the hypocrisy.

They will give themselves a pay rise but will not do the work. They cannot produce an alternative budget. They are not producing any policies, they are not doing the leg work that you would expect from an alternative government, but then they say 'We will take a pay rise, if you do not mind'. They certainly argued very strongly for a public sector pay rise, noting of course their fiscal recklessness which again would drive the state back into the deficits that we inherited and the parlous financial position that was left: state net debt, superannuation provision account blown, \$1.5 billion dollars, and we had deficits as far as the eye could see. It was an appalling financial position when we came into government.

By strong, sensible, fiscal management - and I again point to the recent comments of the state chair of the Chartered Accountants Society of Australia and New Zealand, who said that without doubt the Liberal majority state Government has been one of the most disciplined financial managers in our state's history. That is so important because it allows us to invest in those things that are important for Tasmanians and to keep our economy strong.

Members interjecting.

Madam SPEAKER - Order, please.

Mr HODGMAN - That is what Tasmanians will consider when they consider the performance of this Government. They will not look to political playtime that consumes the Opposition week in, week out in this place. They hardly ask a question on matters of policy. I do not think the Treasurer has received any - or very few - on the state of our budget. They ask me and they ask the Opposition -

Mr BACON - Point of order, Madam Speaker. I have a question for the Treasurer: did you back the \$60 000 for the millionaire, Adam Brooks? Did you back it?

Madam SPEAKER - That is not a point of order, Mr Bacon.

Mr HODGMAN - They made the point in the Leader's contribution that we should have been asking ourselves questions about our latest injection of additional funding into our health system and that shows how unimportant it is to members opposite.

Mr Bacon - Did you back it? Just say yes.

Madam SPEAKER - Order, Mr Bacon, I would like to keep you in the room.

Ms White - You do DDs and all kinds of weird things. Why not health? Is health not a priority for you?

Mr HODGMAN - It certainly is. It is not for you - you chucked the shadow portfolio for health. We put more money into health. You can clearly see that it is a significant priority for this Government, as are the important investments that we are making in other areas that are critical to Tasmanians. The investment we are making into our education system and skills and training of Tasmanians, the investment we are making into our schools, into our training facilities to give Tasmanians better opportunities at a shot at a good job. The investments we are making into our infrastructure, building Tasmania's future literally and supporting not only the strength in our economy but improving the state's productivity and its liveability and creating jobs in the process. There has never been an infrastructure investment in our state like the one that is now underway

and a plan for the next 10 years. I know we have been criticised by the Opposition for having election policies that look beyond the electoral cycle and have the vision to go six years or even 10 years into the future. That is what Tasmanians expect - a bit of leadership, some targets, a commitment, a plan to deliver those things and importantly, to look across the horizon and not just to electoral cycles. That is clearly where the Opposition is at and that is all they care about - electoral cycles.

We have a policy agenda that is forward-looking and that does go beyond the horizon but also with respect to other opportunities that we are seizing with both hands. When you look at what we have done to support the growth in our tourism industry, you criticise us for that. By your own admission you are acknowledging the things we are doing to support the growth in our tourism industry, to invest in our events, to increase the growth in our business events and conferences, all of which are leading the nation. This has resulted in Tasmania having the strongest growth in international visitation and a very strong growth in domestic travel. More activity in our visitor economy means more jobs across the state in regional communities and that is a good thing.

Our vision in energy, and I point to another vision as they demand of us, what we are doing to invest in more renewable energy. We are now seeing two major wind farms being developed and more planned. We are working very closely with the Commonwealth on pumped hydro opportunities, again capitalising on our great asset and making Tasmania the nation's renewable energy state, and also 100 per cent renewable energy self-sufficient within a matter of years. These are policy objectives of this Government that we are delivering upon and will position Tasmania, not only economically, but socially for many years to come.

There are many things we have done on public and community safety, putting more coppers on the beat, investing more into our police service, better empowering them with the laws and the equipment they need to better protect our communities. That is really important to this Government. We had to deal with an arrangement left to us by the former government where they had actually reduced the number of police in our community. That is a disgraceful underinvestment in the strength of Tasmania's communities and our safety, so we put more police back into our communities.

We are passing tough laws and we have shown that one policy where we clearly have a big difference when it comes to law and order, is about supporting Tasmanians in our communities, in their homes, and the places they love. We will stand by them and we will stand by the victims of crime. We will not stand by those who perpetrate them. We will not stop passing laws through this place that are all about strengthening the safety of our communities.

Reducing cost of living pressures, and these are facts again. As the minister has pointed out, power prices are the lowest in the nation and that is because of the direct action taken by this Government to cap power prices. Business power costs have also been capped to ensure that Tasmanian businesses can have fewer input costs, fewer costs into their operations and more ability to invest. This is a government that will back them by pulling that lever and taking direct action to do so.

We have made direct investments into our building and construction sector which has seen rapid growth. The tradies who work within it, thousands of whom left our state under a Labor-Greens government because they saw few opportunities here and they left Tasmania to go and take up jobs elsewhere, are now coming back. We have seen a massive increase in that sector which is great because it is good for our housing industry. It is great for people who want to buy a new home

or for senior Tasmanians to downgrade, or to provide more affordable housing for Tasmanians, which is now happening under our plan.

Madam Speaker, I raise these points to highlight the priorities of this Government: delivering on policies that are supporting our communities and improving the lives of Tasmanians. That is what we were elected to do; that is the trust that Tasmanians put in us to deliver, and that is what we are focused on.

Yes, we will make difficult decisions as a government, and the wages policy is one of those where it does require discipline, strength of conviction, and also some policy common sense. We had a profligate Opposition party which, in government, took our state not only into recession, but into debt and deficit. That was what they did. Tasmania was living beyond its means. It is not just me saying it: we had the Department of Treasury and Finance independently assess the risks that we were taking on as a new government, and we had other independent agencies point to the persistence of the former Labor-Greens government to spend more than the state could afford. We have stopped that and shown immense fiscal discipline to ensure that our state now has modest surpluses that will not only allow us to make the necessary investments and do more when we can, but also to buffer any unintended or unexpected events as they arise, whether they be natural disasters or other important priorities that present to government that we are able to invest in.

We will not do as Opposition members suggest and blow our budget and spend, spend, spend, as if it does not matter. That will lead our state back into fiscal disrepair. That affects business confidence, the confidence of the community and that affects the ability for government to work more effectively in delivering essential services.

We are negotiating in good faith with public sector unions and we will continue to do so. The latest commitment we demonstrated in Education, to put more specialist teachers into our schools, showed we are serious about improving working conditions for current teachers and to support more teachers educating young Tasmanians in our schools. That is a clear demonstration of good faith and a number of other things we will happily negotiate with the unions to improve conditions, continue to support our workforce and provide them with a pay increase of 6 per cent over the next three years. We will support them and continue to negotiate in good faith with the unions. We ask them to do the same thing and not encourage a disruption to essential public services, to put these matters to their members openly, transparently and ascertain the views of their members. We have not seen that occur as often as it should. In the run to a federal election and the current climate of political disruption, we have seen a concerted effort by union leaders to disrupt our schools, hospitals and ambulance service as part of what they would say are good faith negotiations. They are not. It will continue to be our focus to negotiate with the public sector unions and the people they represent, to better support them in their workplaces and to do more for Tasmanians in delivering essential services.

In conclusion, while we respect it is the Opposition's right to use their time as they see fit, it is entirely predictable that they would bring on a motion of want of confidence today. It was set in stone from the first sittings earlier this year. It is a political party that has proven itself incapable of doing the hard work necessary to develop policies, an alternative budget or even to scrutinise ours.

More concerningly, it is an opposition party unable to fulfil its responsibilities to the people it serves by undertaking the work necessary to present an alternative. They are not doing the hard work and have become so complacent in their own jobs they think they can slide back into

government in three years' time by doing nothing. Tasmanians will not be fooled and we will hold you to account for your failure to do that. Our focus will be on what we are doing to deliver.

With respect to the points made in the motion of no confidence, they do not stand and do not warrant the support of this House. It is not possible for the Opposition to simply demand a standard of us they were not prepared to stand by. It is not sufficient for the Opposition to preach integrity and then to distort the truth or selectively quote to suit their own argument. That is intellectually deficient and puts lie to their motion.

To that point, the Opposition have said, with respect to Mr Brooks, there are no consequences at all and he got away with this. It is patently untrue -

Members interjecting.

Madam SPEAKER - Order. This is a conversation between two people. The rest of us are involved and I need a bit of courtesy for the Premier.

Mr HODGMAN - It is patently untrue for them to say there were no consequences whatsoever with Mr Brooks' actions. He has been part of an inquiry process that has taken over two years and concluded there was no breach in the substantive matters put by the Labor Party -

Mr O'Byrne - You are still holding this line. You lie.

Mr HODGMAN - They are the facts. There are other matters I have conceded: we have acknowledged, and Mr Brooks himself has accepted as to his conduct, which has resulted in him not being a minister of the Crown for two-and-a-half years and with no signs of that changing. He was relieved of other responsibilities. There is a clear understanding that where there is inappropriate action, there will be consequences and responses, including him committing to pay every cent of the legal fees for which he may have been able to request indemnity from government. He will not be expecting the Tasmanian taxpayer to pay one cent of that. To say there are no consequences at all is entirely untrue. It does not stack up. Mr Brooks has paid a price, as has been said by Richard Herr. He paid a heavy political price for his conduct.

It is also untrue to say that there were no consequences with respect to Ms Courtney. They will say it but it does not make it true. That matter was also appropriately handled and independently assessed. The Labor Party will call into question senior public servants; they will quite happily to do that, and they will call into question the Integrity Commission and claim that the process doesn't work or it is not right. They will make claims of us and what we do that completely compromise process and, in so doing, undermine confidence in our public institutions. For Opposition parties to say in this place and outside it that we should be interfering with the Integrity Commission and its processes, with some suggesting we have done that, undermines public confidence. As often as they say that and it is reported, Tasmanians will have a declining view of trust, integrity and good process.

The Integrity Commission went to the extraordinary length of saying in their annual report that they wish politicians would desist from making use of the commission as a political football. David Bartlett forewarned when the Integrity Commission was established that he worried there would be such a time. Sadly, the Integrity Commission has confirmed it. Political parties, Labor and Greens, are using the Integrity Commission for their own ends and it will diminish trust in our public institutions.

That is the truth of it and it is the sign of a reckless, irresponsible opposition party with no regard for people's reputations, the reputations of our public institutions or those given the responsibility of investigating matters when they arise. Pity any respected member of our community with an established reputation who might assist the government, the opposition or a future government when they inquire into a matter in the public interest; and they always arise. They have arisen under Labor governments as they will under mine and they need to be dealt with appropriately. When you have a respected member of our community not able to defend him or herself in this place but is subjected to vile character assassinations - which has happened - why would you ever put your hand up to assist a government and independently inquire into matters of public interest when you would be subjected to that sort of thing? That is the level this Opposition have stooped to. No person is immune from criticism and attack by the Opposition in this place.

We are used to it, we expect it and we plan for it. Each and every week, we are unlikely to take any questions or any scrutiny on matters of policy and we are not likely to see any policies from the Opposition party. If you look at the track record and the line of questioning from the opposition parties, it is often the same thing. It lacks substance and it lacks scrutiny. This Government is 100 per cent committed, as am I. There is no way I am leaving any time soon or while our state is going so well and has such a bright future ahead of it. It is at risk of the Labor-Greens minority, which continues to act in opposition as it did in government. That lead to this state becoming a very sad place. Our focus is entirely on being a good Government, the very best we can be. Where we are not able to deliver the highest possible standards, there will be actions and there will be consequences. We will always look at a way to positively progress our policy agenda. Tasmanians elected us to deliver it. They wanted a majority Liberal Government; not every single Tasmanian, but that is what the election result delivered. Our focus is on continuing what we started, continuing that work in providing the stability Tasmanians need.

Government members - Hear, hear.

Sitting suspended from 1 p.m. to 2.30 p.m.

MOTION

Want of Confidence in Premier - Motion Negatived

Resumed from above.

[2.30 p.m.]

Ms O'CONNOR (Clark - Leader of the Greens) - Madam Speaker, while we were in here earlier before the lunch break arguing this want of confidence motion in the Premier, something incredible was happening on the lawns of parliament. Thousands of young Tasmanians, students from schools across the state, walked out of school and came to the front of the building that we are standing in here, working in today, to demand action on climate. They want to have hope for the future. They want to know that the people who are in this building have them at the front of their minds. Regrettably, I did not see any Liberal member out there. I believe there may have been Labor members out there joining with those students, but -

Mr Hidding - I was watching them from the car park.

Ms O'CONNOR - I have to say, I am just about to drop Mr Hidding right in it because before the break, when we could hear this incredible sound of young people - the sound of hope, the sound of demanding action, the sound and music and dancing also - it was Mr Hidding who said, 'Have you seen the young people out there?' He took me over to the window and we talked about how gutsy those young Tasmanians are.

I make this point because we do spend a lot of time in this place talking about things which are not relevant to young people's lives. We spend a lot of time talking about ourselves as a collective and I feel sad for those young people, those young Tasmanians, that we are not talking about action on climate today.

Madam Speaker, I have here a letter for the Premier from Arthur Wessing, Prep at South Hobart Primary School, and he wanted me to give this letter to you. He wrote it out on the lawn today, Premier. It says:

Dear Premier, please protect our environment now! From Arthur.

I make the point because everything we do should be through the lens of looking out for young people. Everything.

Dr Woodruff and I will be supporting this motion of want of confidence in the Premier and we will be supporting it because we cannot have confidence in this Premier, given his administration of the ministerial code of conduct, the fact that it is apparently not worth the paper that it is written on.

I flagged with the Leader of Opposition Business before lunch that we would like to make an amendment to the motion. This highlights under point (e) of the notice of motion that this chaotic and dysfunctional Liberal Government is not only taking its eyes off issues that are of primary importance to the people of Tasmania, such as health and education, but they are also taking their eye off the need for affordable housing, a healthy environment and action on global warming.

I move that the primary motion be amended to delete 'and education' at 1(e) and insert 'education, affordable housing, a healthy environment and action on global warming'.

There is 55 minutes left of this debate and I know that Labor members will want to speak to it but what a disastrous two weeks in parliament it has been for the Government. Last week, not supporting the transgender and intersex communities and so caught up in its internal ideological culture wars, the never-ending -

Madam SPEAKER - I am sorry, Ms O'Connor you have an amendment. Would you like to table it?

Ms O'CONNOR - Yes, Madam Speaker. So caught up in its internal ideological warfare, the never-ending culture wars that are being never endingly fought by the likes of Senator Abetz. So caught up in that, could not come to some sort of cooperative, collaborative arrangement in this place to make sure that we are looking out for transgender and intersex Tasmanians. That we are making sure people are not forced to undergo invasive surgery before they are allowed to change their gender on their birth certificate. Absolutely comprehensively rolled in this House, over and over again on the votes.

While it was very bad for the Liberals in Government, that day we pass that legislation, which I hope will pass the House today, but I hope it was a turning point for this Parliament. You have a government party that for four years treated this place like a rubber stamp, disrespected the forms of the House, did not accept amendments from any member of either the Labor Party or the Greens, no matter how sound they were, how well argued they were, how obvious the need was to make the amendments. They were never accepted. There was a level of arrogance that was quite breathtaking at the Estimates table and question time.

We still see it. We had the Treasurer on his feet for nearly seven minutes on a Dorothy Dixier again today. This parliament is now quite finely balanced. We were elected to do the right thing by the people of Tasmania. There will be legislation that comes from the Government. There will be legislation that comes from Labor. There will be legislation that comes from Greens.

The people of Tasmania expect us to look at each piece of legislation on its merits, to vote with our conscience every time and to vote, to respect what is in the best interests of the people of Tasmania. We did see a shift in the Government's attitude in the last week of parliament where for the first time in five years there were conversations with the Greens members in relation to amending legislation, to strengthen and improve it. That is the way parliament should work. Every time.

No-one in here has a monopoly on good policy or good ideas. No-one in here has a monopoly on compassion. At the end of the day we are all Tasmanians and we should be working together every day that we can. There will be differences, but we are only passing through this place and let us make our mark and make sure it is a positive one.

Premier, it is not too late for you to turn this ship around, to stop talking about money all the time. Every time you get up to talk about the state of Tasmania all we hear about is money. All we hear about is the economy, business confidence, retail trade figures. That is an important aspect of Tasmanian life, but it is not all there is. Premier, one of the reasons your federal colleagues are on the nose and suffering at a state level is because you do not put enough time into talking about, and to, people. The world is about much more than money.

Speaking of money - \$60 000 to cover Mr Brooks' legal bills and only belatedly acknowledged and confirmed by the Premier in response to a question from the Labor Opposition. You do wonder, Premier, if it would have become a matter of public record had that question not been asked. Had that question not been asked, would Mr Brooks have been forced to state that he will repay the money?

It is true, Premier, that you have failed to demand of your members the highest standards of conduct.

It goes back to the last term of the parliament. We witnessed the most emblematic examples during the first budget Estimates. Having been a minister in the previous term and sat across the Estimates table believing it was my job to tell the truth, to answer questions to the best of my capacity, not to shut down questions or deny information, I would never have gotten away with the sort of behaviour that ministers in this Hodgman Government have over the Estimates table and the four years of the previous term of the parliament. Who will forget that short and epic walk the former minister for State Growth took between his chair, a ministerial chair, and the lectern knowing the answer to the question was, yes, we are considering privatising, selling off the TasTAFE building and part of the art school, and then saying the answer was 'no'. It is a cultural issue.

If you are elected to this place, have a crack at telling the truth. This is particularly so if you are a minister of the Crown because the words on the letters patent, signed by and with the seal of the Governor, say, for example, 'Jeremy Rockliff MP, Minister for Education and Training, trusty and well beloved.'. They are the words; that marvellous term on the letters patent. If you are a minister of the Crown and you have those letters on a document that assigns you these enormous responsibilities to make decisions about people's lives and set in place policy that improves the lives of Tasmanians, you should have at the front of your mind an understanding that you are trusty and well beloved in order for you to be a minister of the Crown.

When Mr Groom was the minister for State Growth, he was not trusty and well beloved in this place. He was dishonest and there was no sanction for that, none whatsoever. There was not even a dressing down. Instead, when those issues were raised in Question Time and that Mr Groom had lied to the parliament, there was a semantic debate about whether we could use the words lied, liar or lie. If members want to understand how commonly-used the word lie is and how it is simply a statement of fact of someone not telling the truth, it is a legal term and people should look at the Manafort indictments from Special Counsel Robert Mueller's office in the United States. I was reading those documents a couple of nights ago and they are laced with the terms lied and lying. It relates to Donald Trump's former campaign manager who, having struck a plea deal with and then lied to the Special Counsel, lied to the FBI and was feeding information to the current President of the United States. The word lie is a legal term and it should be said when it needs to be.

Point (b) in the motion expressing want of confidence is a point I have spoken about with the Leader of Opposition Business. We are uncertain about that language because, whether Mr Brooks resigns from parliament, it is a contract between him and the people of Braddon. That is why he is in this place. There is also a contract between Mr Brooks and the Liberal Party because he is a Liberal Party member. In reality, although the Premier can say, you can resign, it is time you left, Adam, I am not sure what weight that would carry.

If the Liberal Party had any integrity, it would have rescinded Adam Brooks' Liberal Party membership. That is too much to expect from a party that took millions of dollars from the gambling lobby in the lead-up to the state election and which pocketed money from a group of companies owned by a Huang Xiangmo, who ASIO specifically and explicitly warned the Labor and Liberal Parties not to accept money from because of the close, demonstrable connections to Xi Jinping's totalitarian regime. However, the Tasmanian Liberal Party took that money from the Yuhu Group of companies and Jade Fisheries, both of which are owned by Huang Xiangmo. Huang Xiangmo was also the Australian president to the Council for the Promotion of Peaceful Unification of China, which is a United Front group that does not support Taiwan's aspirations to be an independent and democratic island nation. I do not expect the Tasmanian Liberal Party to rescind Mr Brooks' membership because the state Liberal Party is rotten at its core, took filthy money from the gambling industry and accepted in-kind donations, the nod and wink money, to buy an election.

I note the presence in the House today of Federal Group CEO, Greg Farrell, who was in the dining room having lunch with the President of the upper House. Call me old-fashioned, call me squiggly, but -

Ms White - Squiggly?

Ms O'CONNOR - Squiggly in the guts, Ms White. To have a person come into -

Mr O'Byrne - Squeamish.

Ms O'CONNOR - Thank you, Mr O'Byrne. To have a person who has so comprehensively corrupted democracy in Tasmania over so many decades coming into this place, which is the heart of democracy in Tasmania, for a nice little lunch - on behalf of every gambling addict in Tasmania, I feel it is shameful.

Mr Jaensch - You will select which citizens are to come into their Parliament House. You are in charge of that now. You are the gatekeeper.

Ms O'CONNOR - Did I say that? I simply said it was shameful.

Mr Jaensch - Yes, you suggested it. You probably have a list of people who should not be allowed into Parliament House.

Madam SPEAKER - Order. Through the Chair, please.

Ms O'CONNOR - The term came to mind, Mr Jaensch, and it is good to hear you defending Mr Farrell. It is good to hear you defending the top end of town again. As I walked past Mr Farrell in the dining room I thought to myself, what a hide to have you here in our House, which is the heart of democracy in Tasmania. No, I am not the gatekeeper, Mr Jaensch. This is not my House and it is not your House. This House belongs to the people of Tasmania. The people of Tasmania were comprehensively shafted at the last state election, in part because Greg Farrell gave so much money to the Tasmanian Liberal Party.

Mr O'Byrne - I wouldn't quote John Howard and Tampa. Think of your historical reference list -

Madam SPEAKER - Order, Mr O'Byrne.

Mr Jaensch - I am applying it to the gatekeeper.

Madam SPEAKER - Order, Mr Jaensch.

Ms O'CONNOR - We also discovered in question time today, it was the Premier who authorised a payment of almost \$60 000 to cover Mr Brooks' legal bills. It begs the question, given that the authorisation only happened, if I recall what you are saying correctly, Premier, a short number of months ago, more than two years after Mr Brooks demonstrated himself to be a serial liar in this place, of why we still have the Premier thinking it is appropriate for taxpayers to pay the legal costs of someone who lied to the parliament, lied to the Premier, lied to the people of Braddon, and lied to the Crown Solicitor. I have still not discovered whether Mr Brooks offered his resignation following that notorious June 2016 incident across the Estimates table. I am sure it is a matter the Privileges Committee will explore. If, as premier, you were upholding the highest standards and a member of your parliamentary Liberal party room team who had lied to parliament three times offered their resignation, you would think you might consider accepting it. It was for political expedience, as I understand it, that it was not accepted.

Ms Courtney, she suffered, didn't she?

Ms Standen - She looked shabby for a few days.

Ms O'CONNOR - She did look shabby for a few days. Thank you for that, Ms Standen, that is a good way of putting it.

Madam SPEAKER - We have to be careful we are not a bit sexist here.

Ms O'CONNOR - Shabby, okay, I do not believe that is what Ms Standen was referring to.

Madam SPEAKER - She might have looked a bit sad.

Ms Standen - Sad is what I meant, Madam Speaker.

Ms O'CONNOR - Sad. I would not go so far as to say she looked ashamed or humble, but she definitely looked sad and was quite quiet, which was good. Of course there was no sanction for Ms Courtney choosing to withhold very pertinent information about a conflict of interest - not a perceived conflict of interest - from the Premier for, as I understand it, the best part of the month. Oh, here is Ms Courtney. The only sanction for breaching the ministerial code of conduct and choosing not to tell the truth about a conflict of interest to the head of the Cabinet, the Premier, was to be moved sideways into another ministry in which she would have regular contact on matters of public policy and legislation with the secretary of the Department of Primary Industries, Parks, Water and the Environment. A tangled web has been woven as a result of the poor standards that are upheld by the Premier of the day.

I hope the Leader of the Opposition will accept our amendment. It is critical that we talk about the triple bottom line in this place, and when we should all be able to debate matters of economic, social and environmental significance in this place. The diversity of this place is such that you will often get Liberal members talking about the economy, Labor members talking about people and Greens members talking about the environment. The environment does not get talked about enough in here. There is not enough focus from this Premier's point of view in protecting Tasmania's environment. One of the reasons we do not have confidence in Will Hodgman is because of the incredible damage his policies are doing to the Tasmanian Wilderness World Heritage Area, national parks and other public lands in Tasmania. This Premier's legacy will be the degradation of wilderness by a globally acknowledged mathematical metric to assess the impact on wilderness values of the proposal to build luxury huts and fly helicopters in and out of Lake Malbena.

It is a fact that this Premier's policies will degrade Tasmania's wilderness. It is a fact that when this Premier came into government he sought to remove the word 'wilderness' from the Tasmanian Wilderness World Heritage Area Management Plan. It is a fact that this Premier allowed the process that determines whether or not there can be a commercial activity in a protected area to be so corrupted that he has alienated anglers, bushwalkers and ordinary Tasmanians from all walks of life because he is degrading wilderness but also entering into secret deals with developers. For example, the Government has given the proponent of the Lake Malbena proposal not just a long-term lease over Reg Hall's hut, it has given the proponent an island. A second lease was signed in secret just after the state election by the director of Parks on 18 March this year, which gives the proponent of the Halls Island proposal an entire island in the Tasmanian Wilderness World Heritage Area. There was no consultation, they did not talk to the owners of that island, did not engage with the Aboriginal community or talk to people who had been using that island for fly-fishing, bushwalking, soul searching or for sanctuary for decades. No, they handed over an island to one proponent.

This Premier is responsible for the theft of the commons - massively, madly privatising public assets in Tasmania. There are many reasons not to have confidence in this Premier. I have only

outlined a few. Many of them are detailed in the original motion, but we do not have confidence in this Premier on the basis of his conduct over the past five years.

[2.54 p.m.]

Mr O'BYRNE (Franklin) - Madam Speaker, I rise to contribute to this debate of extreme importance. It is one of the most serious motions that this parliament can debate, no confidence in the Premier of the day. We do not do this lightly or as a stunt. We do this as a clear expression of what we have seen played out and writ large in the public domain across a number of portfolio areas, but also in terms of the behaviour of this Premier leading a team that has plunged Tasmania into not only a health crisis and a housing crisis, but a crisis in the very nature of the trust in the parliament.

The Leader of Government Business, Mr Ferguson, will say he knew this was coming and it is a stunt that has nothing to do with reality. The collective dissociative disorders of that side of the House in terms of the reality of the situation they find themselves in show they are being mugged by reality. This is not just about policy difference or where we think money should be spent compared to where they think money should be spent. That is the natural and normal order of business of a parliament and public debate, but this goes to the very heart of conduct, integrity, leadership and providing the basic services that the people of Tasmania have elected us to deliver for them, with confidence and trust that if you get sick you will be looked after in our hospitals.

The Premier and other members of the front bench have stood up in this House over the last week or so saying the Labor Party is just running stunts and this is just another run-of-the-mill parliamentary game. It is not a parliamentary game when we discover under questioning that the Premier of the day has provided, with the discretion of the Premier, a \$60 000 payment to a disgraced minister who has had an Integrity Commission report which reflects more than poorly on his conduct and behaviour but outlines a pattern of behaviour that, in any terms of integrity in any workplace, be it in the public or private sector, would be unacceptable in the extreme.

We see self-interest play out time and time again. Mr Brooks misled that committee not once, not twice, not three times. He knew he had done it. He feebly tried to get back on the record to try and correct the record but could not do it because he knew the problem he was in. Later that night, under cover of darkness, he double-deleted a large amount of emails in a feeble, pathetic attempt to cover his deceit to the committee and the people of Tasmania. He then repeatedly lied to the Crown Solicitor and the Premier, misled the Premier, and then used all he could in terms of a legal strategy to delay justice being delivered to him and this Government to push it over to the next election.

There are serious questions that still remain and will no doubt be investigated by the Privileges Committee in terms of who knew what, when, where and how. That is appropriate, but it is pretty clear from Mr Brooks' statements over the last couple of days that he is saying it is his intent that he will not be seeking a Cabinet role from the Premier, completely dismissing the Premier's views. We know this is a Premier who has walked past so many standards and has allowed so many things in terms of a minimum requirement of integrity and honesty in the executive arm of governing Cabinet. We have seen it time and time again.

We have seen it with Ms Courtney. For at least a month she misled her Premier about a key conflict of interest in having a personal relationship with a head of a department she had to take frank and fearless advice from, for over a month. This is not a matter of days or hours, but over a month. The consequence of that? We will give you another ministry. No consequences, no standards. What message does that send to the rest of the Cabinet? It is probably the same message,

the calculated message, that was sent to the rest of the Cabinet and the Government about the misleading of the Estimates committees by Mr Brooks; the misleading of Mr Brooks, which is writ large in the Integrity Commission report; the misleading of his fellow members of the Liberal Party, the people of Tasmania, the parliament, everyone. He misled everyone. The message the Premier has sent, as leader of this Government, as the upholder of standards of integrity in the Cabinet and the executive arm of government and in this Parliament, he said, 'We will just find a way through because survival is valued over integrity.'

Survival is valued over integrity. This is the heart of the debate that we debating here today. This is not a stunt. This is a Premier who clearly does not seek the hard road, does not seek to challenge and take on the hard issues confronting Tasmania. In this dissociation from reality, he really enjoys giving the CEDA speeches about the economic data and that we are in this great, brand new golden age for Tasmania, completely distancing himself from the challenges facing Tasmania today. Not only in service delivery or in health, it is nowhere near the \$100 million announcement by the Premier and Health minister.

It was not a surprise when the \$100 million was dropped but it was a surprise that the Premier of the day, the person that the people of Tasmania look to lead us through the difficult times, was nowhere to be seen. He is completely disconnected from the realities of day-to-day Tasmanians in terms of service delivery and he is completely disconnected from the level of trust and integrity that is required to lead this state and lead this Government.

This motion is more just about Mr Brooks, it is more than just about Ms Courtney, although those two things alone should indicate that there is a rotten stench emanating from the Liberal Party. We have seen it federally, writ large federally. We have seen it federally and now we are seeing it down here. What concerns us most is that the only time that they seem to want to do even partially the right thing, is when they are caught out.

Ms White - The only reason Adam paid his money back.

Mr O'BYRNE - It is like when we found out about one of his senior staffers, who was allowed to troll under false names during an election. Through a whole range of evidence, we discovered who that person was, a senior staff member, a trusted member of the Premier's team. The Premier said, 'Oh well, I have taken decisive action, that person has lost her job'. Then we found out, not from the Premier's mouth or the Premier's openness and transparency, to say 'This is how we managed the circumstance'. We find out, through questioning and tenacity that the person received a golden handshake, a \$40 000 handshake. The only way we find these things out is through questioning, not because the Premier feels, 'I need to be open and transparent with the people of Tasmania'.

This is a pattern of behaviour; this is not an exception. We find out after, we find out when it is so obvious that something has happened, then the Premier comes clean and says, 'Oh yes, that is actually right, we have made that decision. It has nothing to do with you, and this is a stunt, this is a game'. This is not a game, this is not a stunt. The only reason we found out about Mr Brooks is that we asked the question; we asked the question at question time. You cannot tell me that yesterday when we asked that question, the answer from the Premier was, 'I will seek advice'. There is a strong argument to be put that he misled Parliament in that answer. If there is a payment that has been made and he said today that it has gone through Cabinet, so you have all made the decision, and if Cabinet has not made the decision, he needs to set the record straight. Cabinet has made the decision for this payout at the discretion of the Cabinet. Yes, from advice but at the discretion of the Government and the Cabinet. He would have known that when we asked the question at

question time. He had the obligation to say yes, a payment has been made and I will update the House as to the circumstances of that payment. But, no, to save his own political skin and to buy him some time, to think about how he might spin out of it he told the parliament 'I am not aware, I will seek advice'. That is simply not plausible.

This is a crisis for the Government of its own making. This has been a scandal for two years. It is not plausible to say that the Premier of the day would not have laser-like focus on how we resolve these matters of integrity: how we resolve these matters of corruption; how we resolve these matters which are before the Integrity Commission and which go to the very heart of the integrity of the Government. It is not plausible that he did not know that a payment was made. On *Hansard* at question time he chose to squib it. He chose to buy himself some more time to see if he could spin it. When, late at night, after the commercial news had hit the deck he came into this parliament, scuttled in and said, yes, there was a payment. Yes, we have made a payment but I am seeking more advice on it.

Then this morning Mr Brooks releases a statement saying it is in the best interests that he pays it back. Whose best interest? Oh, it is in everyone's interest is it? All of a sudden - the road to Damascus is a varied one, I understand that - but all of a sudden he feels now is the moment, when you get caught red-handed, to repay that. At any stage in the last six months or however long that the payment was being considered or asked for or reimbursed, do you think at any stage that the interests of the people of Tasmania's were taken into account? Clearly not. This is disgraceful and we find out now that apparently Mrs Petrusma's costs have been paid as well. Now we are finding out.

The level of distrust, the lack of transparency, the lack of honesty goes to the heart of this Government and the leadership of this Government. It sits with you, Premier. It is an obligation on all of us. This pantomime and cardboard cut-out of a Health minister gets up and says, 'You are the best Premier the state has ever seen'. What kind of boast, what kind of garbage is that? What rubbish is that? You have plunged the state into multiple moments of crisis and dishonesty. You have health professionals who are saying openly that this is the worst the health system has been in Tasmania's history - the worst. These are respected people. You have the AMA taking the unprecedented step of releasing a statement saying the Government is ill-equipped. They are not listening. There is no plan. Are these the words of a minister, a Health minister, who is in touch with his portfolio and delivering for the people of Tasmania? Is this the result of actions of a government led by the best Premier in the state's history? Give it a break. Those kinds of boasts, that kind of arrogance, that kind of disrespect, may have worked in the previous parliament where you had the absolute numbers but it does not wash anymore.

The Health minister got up and said they knew this was coming because it is last day of parliament. If he has read a paper or watched a news article in the last couple of weeks he has known that there is editorial after editorial, story after story, letter after letter to the editor, showing that the people of Tasmania no longer have confidence in the Premier, and that is why we are moving this motion. This is not a stunt.

What worries me about the conduct of the Premier is that when he is under the pump and when he is under pressure he will say or do anything to relieve that pressure, to flag it off. It is like when we had the debate at the Liberal Party national conference around the sale of the ABC. When asked, on the record, the Premier said, 'I was not in the room', but we saw the footage of him in the room. Is it the case, Premier, that you will say or do anything to not take responsibility, to avoid telling the truth?

This is the matter we are debating here. This is fundamental to good governance and the trust of the Tasmanian people and the political body delivering for them. You say on your feet that you have standards, but every time you set a standard it gets knocked down - Mr Brooks, Ms Courtney. There are no standards in your Government. Accept that, take responsibility for it.

We heard before in debate that it is not up for us to tell people who to be elected. That is right. The people will elect who they want, but as parties and as leaders, we have an obligation to make decisions about whether people are worthy to represent our party in this place. There are many precedents in this. Back in 2006 when Greg Barns was seeking preselection for the Liberal Party in Denison he raised an issue that was contrary to the federal policy around Tampa. Very quickly Senator Abetz said, 'Sorry, we don't want you in our party. We'll bounce you out because you don't reflect our values and our views'. To say as a party you have no control or responsibility about who the people elect, that is true, but you do have control over the people who represent your party and the values, integrity and good name you think it stands for.

Mr Hidding - No, you don't, the party does. Just like your party - the party decides.

Mr O'BYRNE - Exactly, we take responsibility. In the earlier debate the view was very clearly that the people of Braddon make the decision, but he was elected on a Liberal ticket and what that stands for in Braddon is pretty grim. A \$60 000 payout. The average wage of a person in Braddon is \$56 000. The average wage of a teacher aide, who is now taking industrial action against your Government, is \$25 000. That is the average take-home pay. You say that this Government is investing in all these things and is delivering good services, so why are thousands of your employees walking in the streets and walking off the job in protest?

Mr Hidding - Because you're telling them to.

Mr O'BYRNE - By interjection, Mr Hidding says because I am telling them to, and then he walks out. What a disgrace.

In an attempt to try to manipulate a whole range of parliamentary processes, the Treasurer moved an amendment on a debate yesterday around public sector wages, basically saying, 'We want to negotiate with people, we want to do the right thing. We want the unions back at the table', something that should have happened months ago and could have avoided this sorry state. Then he listed all the matters he thinks need to be agreed to - not negotiated - by the unions representing thousands of public sector workers across the state. He started to listen. I asked him by interjection, 'When you are saying you are calling for negotiations, will you sit at the table and negotiate in good faith? Will you negotiate off that list of commitments or list of offers?'. He put his head down and refused to make eye contact. He was manipulating and misleading the House to say he would genuinely negotiate. He had no interest in negotiating with thousands of public sector workers, and this Government and this Premier dismisses that as union thugs, union bosses, pulling the strings.

Get out of your office, walk in the streets and have a chat to people, Premier. Talk to your workforce about the things that they desire for their workplaces, about the kind of life they want in Tasmania, about the respect they deserve for doing the work you ask them to do in your name, Premier. They do this work for the people of Tasmania. It is a disgrace.

Time expired.

[3.14 p.m.]

Mr ROCKLIFF (Braddon - Minister for Education and Training) - Mr Deputy Speaker, I do not support the motion before us today. It is clearly evident from the Premier's contribution today that he is a Premier who is 100 per cent committed to his job.

Ms O'Byrne - A want of confidence motion and there are three of you in the House. Just saying.

Mr DEPUTY SPEAKER - Order. Mr O'Byrne has just been listened to in relative silence and I expect the same from you.

Mr ROCKLIFF - It is very clear and his team is 100 per cent in support of our Premier, the leader of our party since March 2006 and our Premier since March 2014. There are very sound reasons why we continue to support our Premier -

Mr O'Byrne - There are some sound reasons - maybe self-interest is one.

Mr DEPUTY SPEAKER - Order, Mr O'Byrne. You have just made your contribution.

Mr ROCKLIFF - and reject the politics from the other side. That is because Tasmania is a very different place than it was four and a half years ago. The people of Tasmania were given a choice in March 2018, like they were given in March 2014, of who they want to govern this state and who they want to lead this state. They chose in 2014 -

Ms O'Connor - Did you catch up with Greg Farrell while he was in the building?

Mr ROCKLIFF - I listened to you.

Ms O'Connor - No, you didn't.

Mr ROCKLIFF - I did, intently.

Ms O'Connor - You were quiet. I'm not sure you were listening.

Dr Woodruff - Did you chat to the schoolkids outside?

Mr DEPUTY SPEAKER - Order, the Deputy Premier has the call.

Mr ROCKLIFF - Mr Deputy Speaker, they chose and endorsed the majority Liberal Government in 2014 led by Will Hodgman, because what we saw between 2010 and 2014 was compromise after compromise, deal after deal, and job loss after job loss as the Labor and Greens government together chose their self-interest of staying in government and keeping their ministerial salaries and chose to sell workers down the river.

Ms O'Connor - Have you thought about your new circumstances at all? Have you thought about the fact that you're actually a minority?

Mr DEPUTY SPEAKER - Order, Ms O'Connor.

Mr ROCKLIFF - They chose to sell workers down the river by shutting down industry in this state that had been the backbone of rural and regional Tasmania for generations, and the community

in 2014 had had enough. They rejected it, because not only did the economy shrink and jobs were lost in those four dark years of the Labor-Greens government, but budgets were wrecked and deficits increased - \$1.1 billion of accumulated deficit. When we talk about essential services such as health, education and public safety, they were ripping money out of those services, and that had an effect in 2014 and the people decisively said they wanted Will Hodgman to lead this state in a majority Liberal Government.

They said the same thing again in March 2018. During that campaign we had a leader and Premier in Will Hodgman who went to every single corner of this state campaigning for another majority to maintain the momentum this state had seen over the course of the last four and a half years, with budgets balanced and reinvestment in essential community services. He fronted up to every community around this state - in the Huon, Circular Head, West Coast, Flinders Island, King Island, the east coast, the midlands- every single corner of this state, which I cannot say for the Opposition Leader.

Mr Bacon - Why not?

Mr ROCKLIFF - I cannot say that because I am not sure the Leader of the Opposition went to every corner of the state. She is not committed to Tasmania like our Premier is. People voted for the type of leadership, conviction and belief in our long-term plan for Tasmania, the same type of leadership that Tasmanians were looking for in 2014 after the disastrous years of the Labor-Greens government. They wanted that leadership to continue in March 2018.

Mr O'Byrne - Are you going to be the Julie Bishop of this party?

Mr DEPUTY SPEAKER - Mr O'Byrne, order. You are constantly interjecting.

Mr ROCKLIFF - Let us see how far we have come as a state under the leadership of Will Hodgman in contrast to where we were. Those opposite left a mess. Under Will Hodgman's leadership, we have and we are taking Tasmania to the next level. Business conditions now rank the highest in the nation. Business confidence is now the strongest of any state. I read a report in the newspaper online today, stating that unemployment has fallen in every single region of Tasmania; more people are employed and contributing to our community. Confidence is higher than all other states, export growth has skyrocketed at three times the national average and our economy is -

Ms O'Connor interjecting.

Mr DEPUTY SPEAKER - Ms O'Connor, I officially warn you for constantly interjecting.

Ms O'Connor - Thank you, Mr Deputy Speaker.

Mr ROCKLIFF - growing at the fastest rate in a decade. This is a big contrast to the four years previous. We now have growth and investment in machinery and equipment of over 49 per cent as local businesses gear up for the continued growth. Growth in retail trade has occurred for 47 consecutive months, we have the highest growth in international visitors, the highest number on record, and the most Tasmanians ever employed. That takes leadership and Will Hodgman has leadership in spades. There are 15 000 more people in work than there were in 2014.

Mr O'Byrne - Has he paid for any of your legal fees?

Mr DEPUTY SPEAKER - Order, Mr O'Byrne.

Mr O'Byrne - It is a legitimate question, Mr Deputy Speaker.

Mr ROCKLIFF - We have a good record in providing essential services, education, health and public safety of areas around Tasmania, despite the challenges -

Mr O'Byrne - He has not answered. He has paid your legal fees. How much are they?

Mr DEPUTY SPEAKER - Mr O'Byrne, I warn you for the second time.

Mr O'Byrne - I missed the first one, my apologies, Mr Deputy Speaker.

Mr ROCKLIFF - We recognise the challenges we have in our health system. This Government has never denied those challenges and we have fronted up to them. There is a clear contrast between 2010 and 2014 and 2014 to 2018, and I will tell you about it. You were ripping money out of the health system. You were closing wards, shutting down beds and sacking nurses. We lost a nurse a day for nine months under the so-called leadership of the now deputy opposition leader. We have employed more front-line staff in accordance with our plan. We have opened those wards Ms O'Byrne closed. We have opened those beds you put in storage -

Ms O'Byrne - There are unstaffed beds in those wards.

Mr DEPUTY SPEAKER - Order, Ms O'Byrne.

Mr ROCKLIFF - and we have re-employed more front-line staff, those people you fired. Tasmanians remember that. We have a strong commitment to deliver our \$125 million plan to boost ambulance services, as an example. There are more paramedics in rural and regional areas, with a dedicated aero-medical service and improved demand-diversion initiatives; all key initiatives of this majority Liberal Government led by Will Hodgman.

I spoke about Infrastructure this morning. We had no plan whatsoever for infrastructure under the former minister for infrastructure, Mr O'Byrne. We have a plan, \$14 billion worth of infrastructure investment over the next 10-year pipeline of works, and \$8 billion of that is public investment into roads, bridges, schools and hospitals, all those things Tasmanians care about. We are delivering on a 30-year infrastructure plan.

There has been discussion about Education this week, but we have employed more teachers in our schools over the last four years than you employed. The number of teachers dropped by 100 over your four years in government. You failed in your attempt to close 20 schools in 2011, in the worst budget ever delivered in Tasmania's history. You tried to close schools, and you ripped \$100 million from the health system. We have put all that back and more, with 142 more teachers in our schools. We are also employing another 250 teachers and including 80 teacher assistants. You want to interject but you cannot deny the truth; to try deny the truth but you cannot.

Over the next four years, we will have 197 more teachers in our schools and we will have more teacher assistants. I met with the union on regular occasions prior to the last election and they talked to me about workload. This Government listened and we responded with 250 more teachers over the next six years, and 80 teacher assistants over the next four. There are more support staff in our schools, on top of 63 more support workers in our schools; speech pathologists, school

psychologists and social workers. There are 63 more now than under the Labor-Greens government.

Mr Bacon - Mr Deputy Speaker, he has had a good go.

Mr ROCKLIFF - I have not finished because there is more to come. I still recognise workload and I still continue to listen to teachers and those in the Australian Education Union. It is why I have on the table, in good faith, an additional 95 specialist teachers to address those workload issues. When you combine that over one year, and the 250 teachers, that does reduce workload. It adds to our very good record in Education. Kids are staying at school longer and there has been a 10 per cent jump in our TCE.

Mr Bacon interjecting.

Mr ROCKLIFF - I think I have 20 minutes.

Mr Bacon - I thought you said it was time.

Mr DEPUTY SPEAKER - No.

Mr Bacon - I misheard, sorry.

Mr ROCKLIFF - You did mishear and my time has been cut short. I am making my points. I know you do not like it.

Members interjecting.

Mr DEPUTY SPEAKER - Order. The Deputy Premier has the call.

Mr ROCKLIFF - You want to stop me speaking because I am making some very good points about your appalling record over the last 10 years and our very good record over this last four years, led by Will Hodgman. I am very proud to call him our Premier and our leader. He has been our leader since 2006 and Premier since March 2014, and doing a fine job. Tasmania is a very different place under the leadership of Will Hodgman. We have more essential services at our front line. There are more teachers in our schools. There are more nurses in our hospitals. There are more police on the beat and that is in contrast to the four years previous during which police were sacked, there were fewer teachers in our schools, nurses were sacked -

Ms O'Byrne - No, they weren't. That is a lie.

Mr ROCKLIFF - Yes, they were, a nurse a day for nine months, Deputy Leader of the Opposition. It is important to remind people -

Members interjecting.

Mr DEPUTY SPEAKER - Order.

Mr ROCKLIFF - It is important to remind people.

Mr O'Byrne - You took the money, you took the \$20 000, the illegal gift.

Mr ROCKLIFF - It is important to realise the importance of good, strong, economic management, balancing budgets so we can afford these essential services, and that has been the good stewardship of this Liberal Government, led by our Premier. When you do have good financial stewardship and you balance budgets, you have funding for essential services, such as health, education, public safety and essential infrastructure, and we are delivering on all of it.

Time expired.

The House divided -

AYES 11

Mr Bacon
Dr Broad
Ms Butler (Teller)
Ms Dow
Ms Haddad
Mr O'Byrne
Ms O'Byrne
Ms O'Connor
Ms Standen
Ms White
Dr Woodruff

NOES 11

Ms Archer
Mr Barnett
Ms Courtney
Mr Ferguson
Mr Gutwein
Ms Hickey
Mr Hidding (Teller)
Mr Hodgman
Mr Jaensch
Mrs Petrusma
Mr Rockliff

PAIR

Ms Houston

Mr Brooks

Mr DEPUTY SPEAKER - The result of the division is 11 Ayes and 11 Noes. I therefore have to use a casting vote. In accordance with standing order 167 I cast my vote with the Noes.

Amendment negatived.

Mr DEPUTY SPEAKER - The question is that the motion be agreed to -

The House divided -

AYES 11

Mr Bacon
Dr Broad
Ms Butler (Teller)
Ms Dow
Ms Haddad
Mr O'Byrne
Ms O'Byrne
Ms O'Connor
Ms Standen
Ms White
Dr Woodruff

NOES 11

Ms Archer
Mr Barnett
Ms Courtney
Mr Ferguson
Mr Gutwein
Ms Hickey
Mr Hidding (Teller)
Mr Hodgman
Mr Jaensch
Mrs Petrusma
Mr Rockliff

PAIR

Ms Houston

Mr Brooks

Mr DEPUTY SPEAKER - As per Standing Order 167 my casting vote goes with the Noes, therefore the noes have it.

Motion negatived.

BUILDING LEGISLATION (MISCELLANEOUS AMENDMENTS) BILL 2018 (No. 27)

In Committee

Council amendments to clause 59 and new clause A -

Mr DEPUTY CHAIRMAN - Could the committee indicate whether it is happy to take both amendments as one, because it is the removal of one and insertion of another? Thank you, minister.

Ms COURTNEY - Mr Deputy Chair, I move -

That the Council amendments to clause 59 and new clause A be agreed to.

I will give a brief overview to remind members where we are up to. There is an amendment to clause 59. During the second reading speech and debate on the Building Legislation (Miscellaneous Amendments) Bill 2018 the Honourable Guy Barnett foreshadowed that further minor amendments were required in order to clarify the amendments concerning the licensing of entities.

The insertion of the new clause will serve to exempt an organisation from the requirement to hold a building services licence where each person carrying out work, managing work, or entering a contract for building services work on behalf of an organisation, holds a licence in a relevant occupation and class. This addresses HIA's concerns by clarifying that each person who is responsible for building work on behalf of the organisation must have a licence that is appropriate for the type and complexity of the work performed, and if this is not the case, the organisation does not require an entity licence.

I can advise that the Housing Industry Association was integrally involved in the drafting of this amendment in order to address their concerns and has provided support for the changes. The Government supports this amendment and thanks the members of the other place for their input into this bill.

Ms HADDAD - The Opposition will be supporting the amendments, as we did in the upper House.

Ms O'CONNOR - We also support the amended bill. I note for the record that the order of business for today has changed. We were to be debating the introduction of a code of conduct for members. Obviously that has been delayed until later in the day either so we can get through some amended bills or the Government can have a bit of quiet time and a rest and come back with their

equanimity somewhat restored. With those few words, we are happy to support the amendments. It looks like they are an improvement on the bill.

Council amendments agreed to.

Reported the Committee had resolved to agree to the Council amendments.

Resolution agreed to.

MACQUARIE POINT DEVELOPMENT CORPORATION AMENDMENT BILL 2018 (No. 50)

Bill returned from the Legislative Council without amendment.

BURIAL AND CREMATION AMENDMENT BILL 2018 (No. 56)

Bill returned from the Legislative Council with amendments.

Motion by **Ms Archer** agreed to -

That the amendments be taken into consideration forthwith.

Ms ARCHER - Mr Deputy Chairman, as a result of further information provided during a briefing on this bill, advice was sought with respect to the need to clarify the intent of the bill as it relates to the sale of cemeteries without approval of the purchaser.

In clause 16, proposed new section 27H(2) introduces an offence to sell a cemetery unless the vendor is satisfied that the proposed purchaser has been approved as a cemetery manager. The definition of 'sell' in the bill includes 'deal in or agree to sell' and 'offer for sale', which is in clause 4, section 3 of the act. Advice received from the Office of Parliamentary Counsel was that an unintentional consequence of this is that a vendor would be in breach for entering into a contract to sell a cemetery with a person who had not yet been approved. As this is not the intent, an amendment was prepared to address this anomaly and the Leader for Government Business was happy to move that in the other place.

I move -

That proposed new Part 2B, Division 1, section 27H be amended by inserting new subsection -

- (3) For the purposes of subsection (2), sell does not include to offer for sale or to agree to sell.

Changing the definition of 'sell' is not the preferred approach as this definition is required for the start of the sale process where the current cemetery manager must first seek a certificate of compliance before proceeding to sell. In other words, the current cemetery manager cannot offer the cemetery for sale unless they have the certificate of compliance. Once they do that, the amendment will allow them to offer for sale but not complete the sale until the prospective

purchaser has been approved to be a cemetery manager. In summary, the ordinary definition in the definition section of the word 'sell' will not apply to this particular clause. It is making that clear.

I thank members for their hard work on this bill. I also thank departmental staff because I may have forgotten to do that before so I am glad it was amended and I can now take this opportunity to thank those staff. As all members can appreciate, there has been an enormous amount of work to get to this point in this first part of the review. As I said in the original debate, we have an ongoing review in relation to the whole of the Burial and Cremation Act and this just deals with the urgent matters we need to deal with in relation to the proposed sale of some properties. I thank members for their hard work both in place and the other place.

Mr O'BYRNE - This side of the House will support the amendment. It makes common sense and is a good addition from the other place. We reiterate our thanks to all departmental staff as well. We know this has been a massive issue for Tasmanians.

Ms O'CONNOR - We also support the amendment. I listened to the Attorney-General's explanation. I did not hear the debate upstairs but it is clearly a commonsense amendment that removes any doubt about the disposal of cemeteries.

Council amendments agreed to.

Reported the Committee had resolved to agree to the Council amendments.

Resolution agreed to.

RESIDENTIAL TENANCY AMENDMENT BILL 2018 (No. 32)

In Committee

Council amendments to clause 11 and New Clause A

Ms COURTNEY - Mr Deputy Chairman, I move:

That the Council amendments to clause 11 and new clause A be agreed to.

An explanation that members ought to be aware of is, following clause 10 a new clause is to be inserted which replaces clause 11. This clause relates to the orders that a court may make in relation to residential tenancy agreements.

The amendment in this clause we are considering today was initiated by the Tenants' Union of Tasmania and this gives the court more flexibility to be able to get the best outcome for victims of family violence. The amendment broadens the options available to the court to terminate the original tenancy agreement and establish a new agreement in the name of the person to which the family violence order is made against and any other person who was party to the original agreement. This will allow the court greater flexibility in determining the most appropriate outcome for the particular circumstances in each case. For example, there may be situations where it is the best outcome for the person who the family violence order is made against to remain in the rental premises, such as for financial, family support, or work-related reasons.

Landlords are also supported by the additional option as it will mean they will not have to enter into a new agreement outside of the court order process.

I can advise the House that there is widespread support for this amendment from key stakeholders including the Women's Legal Service, Shelter Tasmania, TasCOSS and the Real Estate Institute of Tasmania.

I thank the honourable members from the other place for their input into this bill, and the Government supports this amendment.

Ms HADDAD - The Opposition will be supporting the amendments as moved in the upper House. As the minister has outlined, the amendment was initiated by the Tenants' Union and, I believe, by the member for Mersey, Mike Gaffney.

This amendment is a positive change to the legislation that we are happy to support in both Chambers in allowing the court some flexibility in amending leases and protecting victims of family violence and their families.

The Tenants' Union, which initiated the amendment, and all of us as members of parliament and our constituencies sadly are often faced in our offices by people affected by family violence and who find themselves either homeless or in precarious housing situations as a result of breakdowns of relationships. Giving this extra flexibility to the court is a positive thing and the Opposition is happy to support the amendment.

Ms O'CONNOR - I will be very brief. We are happy to support the amendment. It provides more flexibility to courts and it has been put forward by the Tenants' Union of Tasmania which has been advocating for reforms to the Residential Tenancy Act for an extended period of time now to give tenants stronger rights and that work is ongoing. I am encouraged by the fact that the minister is saying positive words about the work of the Tenants' Union of Tasmania, and I would further encourage the minister to have a meaningful conversation with the Tenants' Union about deficiencies in the principal act that make the lives of tenants often very uncertain and do nothing to cap escalating rents. Today in the media we learned that Hobart has become the most unaffordable capital city in the country. More reform to the Residential Tenancy Act that must be undertaken if we are to look after Tasmanians, particularly Tasmanians on low incomes who are in the rental market. The Government must consider some provision that restricts the capacity of landlords to bring in rents that are unaffordable and unjustifiable.

I point the minister to the policy we took to the election where you cap rent increases at CPI. It is the same policy, in large part, that is being enacted by the ACT. While the amendments in this bill which we debated in this place last week provide better protection for victims of family violence and their children, there are multiple layers of vulnerability of people who are covered by the Residential Tenancy Act. Minister, I suggest that while the Government is feeling a bit more cooperative and maybe a little more humble, you get the Residential Tenants' Union in for a deeper conversation about the mark you might leave as minister on this legislation to make life somewhat less stressful for people who are renting in the private rental market in Tasmania.

Council amendments agreed to.

Reported the Committee had resolved to agree to the Council amendments.

Resolution agreed to.

MOTION

Code of Conduct for Members of Parliament - Adoption

[3.57 p.m.]

Mr FERGUSON (Bass - Leader of Government Business) - Mr Deputy Speaker, my role right now is more from the housekeeping point of view to adopt the message from the Legislative Council. In a moment we will move the formal adoption of the code of conduct into our Standing Orders and for the purpose of that I will be throwing to my colleague, Mr Hidding, the member for Lyons.

Mr Deputy Speaker, I move -

That the Resolution of the Legislative Council be agreed to and that the blank be filled in with the words 'House of Assembly and the'.

Motion agreed.

MOTION

Standing Orders - Amendments

Mr FERGUSON (Bass - Leader of Government Business - Motion) - Mr Deputy Speaker, I move -

Notice of motion 135 and reserve my right to speak, allowing me to hand over to Mr Hidding as the Chair of the committee.

[3.58 p.m.]

Mr HIDDING (Lyons - Motion) - Mr Deputy Speaker, I move -

That the Standing Orders and Rules of the House be amended as follows -

First Amendment: - Standing Order 2, paragraph (d), leave out all the words after 'following' and insert instead: - 'Code of Conduct'

PREAMBLE

Members of Parliament recognise that their actions have an impact on the lives of all Tasmanian people. Fulfilling their obligations and discharging their duties responsibly requires a commitment to the highest ethical standards to maintain and strengthen the democratic traditions of the state and the integrity of its institutions.

Compliance with the law may not always be enough to guarantee an acceptable standard of conduct. Members must not only act lawfully, but also in a manner that will withstand close public scrutiny.

This code sets out ethical standards and principles to assist members in observing expected standards of conduct in public office and to act as a benchmark against which their conduct can be measured.

Neither the law nor this code is designed to be exhaustive, and there may be instances where members find it necessary to adopt more stringent forms of conduct in order to protect the public interest, and to enhance public confidence and trust. In making choices about conduct, members should have regard to community values and standards.

Members should also, where possible, avoid giving unnecessary offence to groups in the community whose beliefs and views differ from those held by the members or by groups the member represents.

Members are expected to promote and support this code by leadership and example.

STATEMENT OF VALUES

This code is derived from the fundamental values of the institution of the Parliament in this state. By adopting and upholding this code, all members of parliament share in and support these values.

As members of parliament, we value:

- the public interest and the fundamental objective of public office to act solely in terms of the public interest;
- the improvement of the economic and social conditions of all Tasmanian people, and our service to our fellow citizens to achieve this;
- the promotion of human, social and environmental welfare through the responsible execution of our official duties;
- integrity, honesty, accessibility, accountability, fairness, transparency, courtesy, respect and understanding, without harassment, victimisation or discrimination;
- respect for differences, equity and fairness in political dealings, with fellow members of parliament; and
- ethical political practices that support the democratic traditions of our state and its institutions, and the rejection of political corruption.

ETHICAL STANDARDS

Conflict of interest

A member protects and upholds the public interest by taking all reasonable steps to avoid, disclose and manage any conflict of interest that arises, or is likely to arise, between their personal interests and their official duties.

A conflict of interest may be financial or non-financial and may be potential, actual or perceived. Conflict of interest does not exist where the member, their spouse or domestic partner, relative or associate is affected only as a member of the public or of a broad class of persons.

Each member is individually responsible for avoiding and managing conflicts of interest.

Declaration of personal interests

A member is personally responsible for full and accurate disclosure of their financial and other interests, in accordance with their obligations under the Parliamentary (Disclosure of Interests) Act 1996.

Use of public office

A member makes proper use of their office to represent and serve the community, conducting themselves in ways that maintains the trust and confidence of the public.

A member must not use their influence as a member to improperly obtain appointment, promotion, advancement, transfer or any other advantage or benefit on behalf of themselves or other persons.

A member must not appoint their spouse, domestic partner or relative to a position in their own office.

A member must not receive or seek to receive any fee, payment, retainer or reward, nor permit any compensation to accrue to their beneficial interest, for or on account of, or as a result of, their position as a member, other than compensation to which they are entitled as a member of parliament.

Use of official information

A member makes appropriate use of official information strictly for the purpose of performing their role as a member of parliament in the best interests of the public.

A member must take care to protect confidential and official information in their possession or knowledge.

A member must not use official information which is not in the public domain, or information obtained in confidence in the course of their official duties or position, for the advantage or benefit of themselves or another person.

Use of public resources

A member uses public resources and assets strictly for the purpose of performing their role as a member of parliament, and in accordance with any rules and guidelines regarding the use of those resources and assets.

A member must not use public resources, or allow such resources to be used by others, for personal advantage or benefit.

A member must be scrupulous in ensuring the legitimacy and accuracy of any claim they make on the public account.

Gifts and benefits

A member must adhere to standards of transparency and accountability in relation to gifts or benefits, and carry out their duties as a member of parliament without being influenced by gifts or benefits.

A member must not solicit, encourage or accept gifts, benefits or favours which may improperly influence the member in the exercise of their duties, or may give the appearance of improper influence. Exceptions to this are incidental gifts or customary hospitality of nominal value.

A member must declare gifts and benefits received, as required by the Parliamentary (Disclosure of Interests) Act 1996.

Accuracy of statements

A member must only make statements in Parliament and in public that are, to the best of their knowledge, accurate and honest.

A member must not mislead Parliament or the public in statements that they may make.

Whether any misleading was intentional or unintentional a member is obliged to correct the Parliamentary record or the public record, at the earliest opportunity in a manner that is appropriate to the circumstances.

Outside employment

A member must manage employment outside of Parliament to ensure that any such employment does not interfere with their duties as a member of parliament.

A member must not engage in any employment outside Parliament that involves a substantial commitment of time and effort to the extent that it interferes with their duties as a member.

Upholding the principles of respect, justice and inclusion for all Tasmanians

Members agree to respect the religious and cultural beliefs of others, in accordance with the Universal Declaration of Human Rights.

Members agree to uphold the principles of justice and inclusion among our multicultural society, making efforts to generate understanding of all groups.

Members agree to recognise and value diversity as an integral part of Australia's social and economic future.

Members should promote reconciliation with Indigenous Australians.

Parliamentary conduct

A member conducts themselves in Parliament in ways that will protect the public interest, and enhance public confidence and trust in Parliament.

A member must observe proper standards of parliamentary conduct by complying with Standing Orders, and directions of the Presiding Officer.

A member must take particular care to consider the rights and reputations of others before making use of the unique protection available under parliamentary privilege. This privilege should never be used recklessly or without due regard to accuracy.

Second Amendment: - Standing Order 2, repeal paragraph (e).

Third Amendment: - Standing Order 325, after 'Privileges' insert 'and Conduct'.

Fourth Amendment: - Standing Order 325, after 'Privilege' insert 'or the provisions of the Code of Conduct'.

It is my pleasure to propose motion 135 to the House. This will be familiar to all members of the House. There are four amendment here. We have just noted the message from the upper House that they have adopted the precise text of the motion before us which means that we will have achieved, at the end of this process, the same code of conduct for 40 members of the Tasmanian Parliament. That was always the aspiration. For one reason or another, without going into that, for the last eight or so years, we have not managed to land it.

That is nothing to do with the lack of effort and the encouragement from the Parliamentary Standards Commission, whom I acknowledge in the House today, the honourable Father Michael Tate AO, who is our Parliamentary Standards Commissioner and well known to all members of this House and of the parliament. He does a great job. It was my honour to nominate him for the post when that post was first established.

It is a little different in this House than the other House because they have never had a code of conduct and they do now. In this House we are removing two codes, the code of conduct and the code of race ethics, for a combined code of conduct which is expressed in contemporary terms. It contains essentially all of the previous but with contemporary language and the correct gender expression through the document. Also following on from the action yesterday - this is for amendments 2, 3 and 4 - it will set in place the change of the name of the Privileges Committee to the Privileges and Conduct Committee. That just means we do not have to set up another body. After all, they are related issues, so that was the right thing to do yesterday. We supported that and we propose now in amendments 2, 3 and 4 to bring that into being.

I do not intend to speak long on this because, as I say, it has been eight years. I thank everyone on the committee and all the groups and individuals who provided proposals for change. We were

not able to adopt all of them but many of them we were. This will bring about the first time that all 40 members of parliament have committed to a single code of conduct.

I must make the point that under the principle of exclusive cognisance, each House will be the master of its own destiny and how it deals with breaches of conduct. If somebody has a complaint against somebody else for a breach of conduct there will be a process to refer something, which is precisely what happened yesterday. Something was sent off to that committee by the agreement of the House and that committee will not have any particular instructions. It is the same as the Privileges Committee; it will determine the matter and report back to the House whatever it decides to propose.

There are no changes and nothing new in that for us, but I will make the point that the upper House are not having this structure, whereas we are actually putting this in our Standing Orders. I have no concerns about that; they will work out for themselves the process of how they might deal with a reference under that.

With those words I point out to the House that it was only a few months ago that the Premier spoke in this House to a motion and I committed my very best endeavours to get it done by the end of this calendar year and I will make it by about 120 minutes. I thank everyone for the ride. There was a lot of pressure on that committee but they did a great job and I thank them all very much.

[4.03 p.m.]

Ms WHITE (Lyons - Leader of the Opposition) - Mr Deputy Speaker, the Labor Party will be supporting all four amendments moved by the member for Lyons, Mr Hidding, and the motion as amended once that is before the House.

This has been ongoing for quite a while. The Integrity Committee has been looking at this issue, made a number of recommendations and written numerous letters to leaders of both parties and asked for them to respond, indeed the Presiding Officers of both Houses as well, over a number of years and it has never progressed very far. It was a motion in this place a couple of months ago that compelled the Government to progress this before the end of the year. That was supported by the Government and has led to what we see in the Chamber today. I congratulate Mr Hidding for the work he has done to bring this matter to the House - and the other place - so that we have a consistent code of conduct for all elected members of the Tasmanian Parliament. That is a good thing.

There are matters that I still feel will need to be examined, but having read the debate that occurred in the Legislative Council on this and understanding where they think they need to now go, I think we could probably reflect on that. I am not going to repeat all of the arguments that were made in the other place but I ask members here to please read that exchange because it illustrates that this is not where it finishes and there are other aspects that will still need to be considered so that the code of conduct can be given full effect.

I will briefly outline what those things are from our perspective. We believe there should be explanatory notes developed by the Integrity Commission, perhaps in consultation with the Integrity Committee, to help educate members about their obligations in upholding the code of conduct. There is no point in having a code of conduct if members are not educated about what it means for them and their individual responsibility and how they uphold that code. We would like to see that work pursued by the Integrity Committee with the Integrity Commission and the Parliamentary Standards Commissioner as well to ensure that members are fully across all of their obligations,

especially given the other place has not had a code of conduct. This is the first time they will be operating under this sort of mechanism and we do not want to see somebody fall foul of their obligations with the new code because of their lack of understanding of what was meant. That would be an important piece of work for the committee to do.

The other point I raise in keeping with the amendments moved yesterday and today as well is that the Privileges Committee expand its scope to be about conduct as well as matters of privilege. We probably need to re-examine the sanctions that can be applied by that committee given it is currently a \$40 fine. Going so far as the Supreme Court would be an extraordinary step, nonetheless a \$40 fine does not pose much of a deterrent in 2019 when this code will take full effect. That is a legislative change that would be required to the Privileges Act, so again another piece of work that the committee or the Government may wish to examine to ensure that there are appropriate sanctions and enforcement mechanisms which each House will determine - the Privileges and Conduct Committee for this House - to ensure that if there is a breach or an alleged breach and it is found to be substantiated that the committee has options. They may not all be monetary. There may be other options they would seek to pursue instead, but I suggest that is something that needs to happen as a next step.

Most of the multiple letters we received were from the then chair, Mr Dean, in the Legislative Council to the Presiding Officers and leaders of parties about our view on a code of conduct, what it should entail, what we thought about the draft wording that had been proposed by the Integrity Commission, and we responded on each occasion and hoped this matter could be progressed sooner. Last year a motion on this brought by the Labor Party was voted against by the Liberal Party. They could have amended it if they felt it wasn't proper, but given that effectively our motion would have sought to adopt the draft code penned by the Integrity Commission, and that is effectively what we are adopting now, it is frustrating it has taken such a long time to get to this point. We could have been here some time ago.

In the correspondence exchanged the most recent one is probably the most relevant with the current chair, Mr Hidding, regarding the draft code of conduct for members. The Labor Party proposed some amendments and one of them was adopted by the committee. I thank them for picking that up, and that is to include a clause requiring members to treat everyone with respect, courtesy and in a fair and equitable manner without harassment, victimisation or discrimination. The draft code has been amended to include a similar requirement for members, which is pleasing to see.

We also proposed in that letter to Mr Hidding that the Integrity Committee could look at breaches of code of conduct and play a role having matters referred to them. Given the Privileges Committee has been expanded now to include conduct, that has been dealt with. The alternative would have been to set up a select committee each time, which would be cumbersome. That is no issue for us, either.

The other was for the Parliamentary Standards Commissioner to conduct oversight of the code of conduct. Mr Hidding has written back indicating that the committee has not agreed to that. He also stated that the role of the Parliamentary Standards Commissioner is to provide advice to members of parliament including advice in relation to members' adherence to a code of conduct, should it be introduced, and it would be a conflict of interest for the commissioner to play a role overseeing or advising the penalties to be imposed in relation to the code. This is why I suggest we need to look at those tasks separately and it is probably the work of a committee.

I flag, by way of caution, how the Privileges Committee is used. It is predominantly comprised of members of the Government and the Government has the numbers in this place. It would be very disappointing to see the Government use its numbers in such a way that members of the Opposition or minor parties are referred to the Privileges and Conduct Committee for alleged breaches of the code of conduct and judged by that committee, which is predominantly comprised of Government members who would have the numbers. I place on the record my caution as to how the code of conduct is used or how a government of any colour uses its power to refer members of minor parties or the Opposition to the Privileges and Conduct Committee for examination, and that they do not abuse the power they have with the numbers they hold.

With that, thank goodness we are here. We finally have a code of conduct for all members of the Tasmanian Parliament that is consistent and provides clear guidance about how we are to behave and to uphold the standards the Tasmanian people expect of us.

[4.12 p.m.]

Ms O'CONNOR (Clark - Leader of the Greens) - Madam Speaker, the long-awaited Code of Conduct for Members of Parliament is a written expression of our best selves. It outlines how we must conduct ourselves if we are to maintain public faith in the institution of parliament. Not everyone of us in here are parliamentary, and I am the first to confess to that.

I thank Mr Hidding for accelerating this work, acknowledging we tried to bring on a code of conduct late last year but it did not happen. It was a little too close to the heat of an election campaign but we are at a point I was not sure we would reach at the end of this year. It is a week in which matters of conduct have been the primary point of discussion in this place. The conduct of Mr Brooks has been brought into question and laid bare in the Integrity Commission's report.

I hope the events of the past week in this place and the introduction of a code of conduct for members will help to focus all members' minds on the responsibility we owe to the people of Tasmania. This code of conduct is well-worded, clear and not open to interpretation. There are some points in this code that, if they were adhered to and abided by on a personal level as members of parliament as well as applied by all parties in this place, particularly the government of the day, would go a long way to restoring public trust in the institution of parliament. For example -

Accuracy of statements

A Member must only make statements in Parliament and in public that are, to the best of their knowledge, accurate and honest.

There is no other way to interpret that than you must tell the truth in this place. You are obliged to tell the truth in this place. It has not been a feature of Question Time over the past four years.

I will be moving two amendments to this motion. With your indulgence, Madam Speaker, may I briefly wander over to the Clerk?

Mr Hidding - If this was successful, we would not have an identical code of conduct. If you want to change the wording -

Ms O'CONNOR - No, no. I was not going to change the wording of the code of conduct because you negotiated that with other parties in this place in good faith. No.

Thank you to the Clerk. I want to move an amendment to the motion that establishes this committee. I will move them as concurrent amendments. This seeks to ensure that the committee for privileges and conduct is balanced to the greatest extent possible to make sure members of minor parties in this place are treated fairly in any Privileges and Conduct committee matter. It is also to make sure we do not end up with a situation Ms White highlighted, which is that you are effectively setting up a kangaroo court if the government of the day has the numbers on the committee for privileges and conduct.

Madam Speaker, I move -

Standing Order 325 be amended by leaving out 'five Members', and instead inserting, 'seven Members'.

and

The honourable member for Clark, Ms O'Connor, and the honourable member for Lyons, Mr Hidding, be appointed to serve on the Committee of Privileges.

I floated this yesterday, in the referral of Mr Brooks to the Privileges Committee. I believe all parties in this place should be represented on the Privileges Committee. I hope the Greens in this place are understood to be quite fair-minded people, other than when you press our green buttons and conduct yourselves in this place in a way that lets down the people who voted you in. I would like to think Government and Opposition members would recognise this strengthens the capacity of the committee on privileges and conduct as it will be constituted after we pass the code of conduct for members.

It would be instructive to each of us, every now and again, to have this sitting at our desk and to read it to remind ourselves why we are here. We are here to act on behalf of the people of Tasmania. We are here to affirm we value the public interest and the fundamental objective of public office and to act solely in terms of the public interest, which is one of the most important statements in this code of conduct for members. If we applied that prism to every matter before the House, every question and all legislation, we would be the best parliament in the world. We would act every day, for and on behalf of the people of Tasmania, solely in terms of their public interest. That would mean making good decisions about the provision of health, education and housing. That would mean making sure there is not rampant inequality in our community, that we are not setting up barriers to people living in rural and regional areas.

As elected members, every day in this place we must act on behalf of the human, social and environmental welfare of all living things through the responsible execution of our official duties. We should all come into this place valuing integrity, honesty, accessibility, accountability, fairness, transparency, courtesy, respect and understanding without harassment, victimisation or discrimination.

One of the provisions in the code of conduct - and I thank Mr Hidding for accepting our suggestion - that instead of talking about, as the code of ethics does, that we tolerate, that we are a tolerant community, that we assert ourselves as an inclusive community. If you tolerate something, you can just barely put up with it. If we cannot use the word 'tolerance' in relation to multicultural affairs, to difference of any sort in our community, and if we can start talking about inclusion, and if we can start thinking in a truly inclusive way, Tasmania will be a better place for the time that we, those of us who are here, elected right now, in this term of parliament. It will be a better place

because of the way that we conduct ourselves and that we embrace a more inclusive community, where every Tasmanian, no matter what their age, race, religion, gender, cultural background, feels included and represented in the Tasmanian Parliament, that they feel that they are equal members of the Tasmanian community, protected by Tasmanian laws such as the Anti-Discrimination Act of 1998.

We are here every day to serve all Tasmanians, no matter what their politics, their age, their gender, their race, colour, creed or beliefs. It is our job in this place to stand for all of them, no matter what our party affiliations are. I do hope, that the House supports our amendment and that we can make sure the Privileges Committee of parliament in future represents minor parties and that it does not dissolve into a kangaroo court. That would not strengthen public faith in the institution of Parliament.

[4.23 p.m.]

Mr HIDDING (Lyons) - Mr Deputy Speaker, I am speaking on the amendment now. I will speak on that and take the opportunity to also sum up. On the amendments, I have some sympathy for that in a general sense, but in terms of consideration of that, there are matters that need to go to our party room and be discussed and thought through rather than being considered on the fly in this place.

Ms O'Connor - I flagged it yesterday. You know it is reasonable. If you do not vote for it today, you will have to come back in three months and have another identical fight. By then the privileges hearing on Mr Brooks will be done and dusted.

Mr HIDDING - With a motion on the notice paper we can consider it and work those matters through.

On the general debate, I thank both members for their input and appreciation to the committee - as I say there has been a bit of pressure to get that done. I point out that the sticking point for the Government before the last election was that the proposal included the Integrity Commission to have some role to consider a finding of this House on a code of conduct matter. In the Parliamentary Standards Commissioner's presence, with him there, we asked in the Commissioner and the CEO of the Integrity Commission, Richard Bingham. We explored that with them. They were explicit and straight to the point. They said no integrity commission anywhere in jurisdictions like ours have anything to do with the standing orders of a house of parliament because of the principle of exclusive cognisance where each house manages its own affairs.

If it was a change of legislation it would have to comply with the legislation but their strong advice to the committee on integrity was that there was no role for us. However, from an inquiry, if new information became available and was reported to this House, any member of this House could make a separate reference to the Integrity Commission on those two matters that may have been raised there. They were strong in their view that there should be no articulated process between the Integrity Commission and the House because it would be a highly unusual and regrettable outcome from their point of view.

I broadly support the comments of the Leader of the Opposition, and that is that all members should have some more general information on their responsibilities in these matters. I am going to read into *Hansard* some words from the committee that were at the tail end of this called 'general information'. It was felt that general information did not belong in a code in the standing orders and so I am going to read them into *Hansard* so it is there for any member to look at.

Induction of new members into a House such as this is important but it not just necessary to the role of the Clerks - although I think the Clerks have a role - it is also the role of the political parties who have endorsed people because -

Ms O'Connor - That worked well for your people.

Mr HIDDING - In a very serious case I have had it said to me by a member of parliament who had no idea that that legislation existed and I had to agree that perhaps no-one told them. I want to read in the advice for members that was agreed to by the committee essentially to sit underneath the code but it was found not necessary to print it with it. The Advice for Members goes like this, quoting from the document:

Members may seek confidential advice from the Parliamentary Standards Commission in relation to any matter arising under this Code including advice on how to avoid or deal with a possible breach of this Code. Members should seek professional advice if they have any concerns regarding a potential conflict.

By professional advice it means do not make it up - go and get a lawyer. Go and ask because you do not want to be in that position.

Members have a personal duty to make themselves aware of all legislation pertaining to the role of a Member of the Tasmanian Parliament.

I put that in there because that one person said to me that they had no idea and it had terrible consequences.

Then there is a savings clause essentially, which says:

In any public expressions, Members are expected not to set aside the constitutional values of the freedoms of speech, association of religion, or the principle of the separation of powers.

In other words, the code of conduct cannot seek to override the constitution. We have freedom of speech rights and the rest of it. The other matters that I will read in - two more headings. One is 'Breaches of the Code' -

A breach of this Code will constitute a breach of Standing Orders to be determined by the House.

The committee reports back to the House. Lastly, 'Review of the Code':

The Code will be reviewed every four years by the Parliamentary Joint Standing Committee on Integrity.

We will now put that into the documents of that committee so that it comes up, say a year beforehand, so that it does not date like the other one. I agree with the member for Clark, Ms O'Connor. We spoke about the code of race ethics and it was written in a clunky way. I remember one of the very first debates I had in this House where I protested about the word 'tolerance'. Being a migrant myself, born in another country, I am tolerated as being a migrant. I thought that was odd and the member for Clark gave me an alternative word on the spot which has

found its way into the code, which is 'inclusion'. It went from 'tolerance' to 'inclusion' and that has tidied that up nicely.

I thank all members for their cooperation through this. Their comments on this entire motion indicate we will not be able to accept the amendment at this point but happy to engage in discussions on that over the break.

With the indulgence of the House, because I have had precious little opportunity to look at this, I am going to seek some advice on it. Our position is that, as this has just been put to us, we would prefer to get on with the -

Ms O'Connor - You prefer not to be inclusive of minor parties in this place?

Mr HIDDING - We are happy to be inclusive, and tolerant as well, in this case.

Ms O'Connor - But by then the Brooks referral will be done and you'll have stitched it up.

Mr HIDDING - We will consider it over the break.

Ms White - It is changing the makeup of the Privileges and Conduct Committee. It does not have to be part of this motion, it can be a separate motion.

Mr HIDDING - Yes, that is right. We would prefer if you made that a 'pop it in the box' when we are back in March and we will work through that process properly. That is my response to the amendments and my winding-up remarks.

[4.32 p.m.]

Dr WOODRUFF (Franklin) - Mr Deputy Speaker, from a government which sets this agenda and has a large number of members sitting in here every day listening to the proceedings, I find it incredible and lame in the extreme that Mr Hidding would say he has not had time to consider it and they have to have a party room meeting about an amendment like that. What a load of tripe, frankly. For goodness sake, your Government brings major bills in here without time for us to consult with stakeholders or often to get a proper briefing, and we are able to form cogent responses, considered amendments, have a debate, come to a position and take a vote on it in two days, on a regular basis with major legislation. That is a rubbish argument and clearly all the Government is doing is avoiding the opportunity for extra scrutiny by the Privileges Committee around the investigation into Mr Brooks.

It is pretty clear to anybody who has been watching over the last couple of days that it is only the Greens in this House who are consistent on matters of process and probity, because we do not play politics about those things. Everyone can disagree with us, and do so on issues to do with the environment, because both the Labor and the Liberal parties are silent on the environment. It is pretty clear that there were no Labor or Liberal people outside at that rally. Maybe I was wrong, but I did not see anyone of them going out, listening and speaking to members -

Ms Butler - I went out.

Dr WOODRUFF - Ms Butler went out. Well done, that is really good to hear.

Mr Deputy Speaker, what we need now is for the Labor and Liberal parties to not only listen but take action, which means having an end to coal-fired power stations by 2030. That is the sort of thing we need to do. We can agree to disagree on the environment but the Greens are here to talk about process and proper scrutiny. Let us face it, we do not trust that the level of scrutiny will be sufficient without a member of the Greens on that committee. It is quite clear that we have been consistent on the issues of integrity in this parliament.

This motion is about changing the standing orders to add the code of conduct, and I completely support the comments made by Ms White. The only reason this is here before us today is because members of Labor and the Greens on the Integrity Committee have been making consistent noises and pushing this along for years. I sat on the Integrity Committee with Lara Giddings when she was there and it was only the two of us who were pushing and pushing to keep the recommendation of the Integrity Commission to bring it to life.

Here we are today. The committee agreed on this code of conduct in the middle of last year. We could have finished it and it could have been brought before parliament before the state election. What a surprise it got pushed off until after the state election because - shock, horror - the Liberals in government could not possibly throw everything into such confusion by giving members an extra responsibility in terms of their code of conduct before an election. 'Oh, no, let's just leave it. We would not want to presume to speak for a new parliament.' There were incredible faux excuses that were made as a way of justifying why we could not bring this in last year. The same document has been sitting there for over a year. Meanwhile we have members of the Government, ministers, behaving with an extreme lack of integrity, misconduct and, as we know, repeated lies from some of them, not telling the truth or lying by omission.

We had silence from minister Courtney about her relationship, but meanwhile she and the secretary of her department were both merrily signing off fish farm expansions and biosecurity issues. Who knows what else was happening during that period? We have never had a proper investigation into the decisions that were taken by minister Courtney in that period of time and whether there was a conflict. There was an investigation done. I just have to speak from first principles. It is hard to feel confident that it was rigorous enough in the questions asked because it was during that period while the Premier was acting as the minister for Primary Industries that he signed off an approval for the Storm Bay fish farm expansion. It is clear that there is no set of rules governing probity, accountability, assessment, proper independent investigations. We have had a score of these happening over the last couple of years. It is a shameful situation today that this Government finds itself in, which is why it is really important that we have a code of conduct not just for ministers but for every member of parliament.

On the amendment itself we support expanding the level of scrutiny on the Privileges Committee. There is no doubt that seven members would be better than five in almost any circumstance of an investigation. More eyes, more questions, more points of view can only be a good thing. When something is referred to the Privileges Committee it is only because it is an extremely serious allegation that has to be investigated so that all members of parliament can feel confident that the outcome has been properly considered and confident in the decisions of the committee. Therefore it makes complete sense to have all parties represented on that committee and the Greens ought to have a position there because we have been standing in this parliament for decades, speaking up for process and integrity. The Tasmanian people can be confident that if there is a Greens member on the committee, that committee will have had a good, red-hot shot at an investigation coming to an independent, well-scrutinised and fair conclusion.

[4.40 p.m.]

Mr HIDDING (Lyons) - Mr Deputy Speaker, on indulgence, I indicated I did not want to do this on the fly. I have since learned it has been professionally drafted and the Leader of the Government in the House has become available. I asked him to explain our position.

[4.40 p.m.]

Mr FERGUSON (Bass - Leader of Government Business) - Mr Deputy Speaker, I back-up Mr Hidding's earlier comments. He, as a person who is experienced in the ministry, understands how these things work. It is important that motions of this nature that affect the Standing Orders, more or less permanently, need to be properly considered.

I have had a look and taken advice from the people you would expect me to. The Government is satisfied the amendment, working on the basis that the two amendments have been moved as one, is appropriately worded if the House were to agree to the policy intent, which is to not add a Greens member to the Privileges Committee. That is not of interest to me. The Government reserves the position that the governing party of the House ought to be reflected in the composition of the committee. That has been a long-standing practice that the committee mirrors the composition of this House.

The Greens members may argue that two out of 25, while not meeting a threshold for being represented on the committee of five, could meet a threshold of a membership from one of seven. This is not about adding a Greens member, is it?

Ms O'Connor - That is right.

Mr FERGUSON - I hope not. It is about expanding the size of the committee in line with the composition of the House.

Dr Woodruff - That is right.

Mr FERGUSON - The Government is prepared to accept this amendment to the motion, which would mean enlarging the committee and retaining the composition of the House but, by way of a larger committee, it is able to accommodate an additional member from each side of the House. For that reason, we do not see this as a dramatic change to the Standing Orders but it is not ideal to link it to a current case, nor to an individual member of a particular party, for example, the Greens.

Ms O'Connor - I agree.

Mr FERGUSON - I want to be deliberate about that, hence my concluding comment as to why we are prepared to support this amendment. I do not mind saying Mr Hidding was one of those supporting the Government coming to this view, which is that Privileges Committee ought very rarely be implicated in public commentary. Its role to protect the privilege of this House and its future role will be to look at matters concerning the code of conduct for MPs.

I have served on the Privileges Committee in the past. Any other members of this House who are here now and listening, who have served on that committee, know matters come before that committee that are more or less 'family business'. Accusations are made, including against people who are not in your party, and there is a natural human tendency to want to grab onto those issues at times and perhaps take the opportunity to make an adverse finding because the person is not in your party and it seems like a good opportunity. In close to nine years as a member of this House,

I have not seen our House of Assembly Privileges Committee ever been used in that way. Others have been here longer and might say the same.

Every member of this House, whether represented on that committee or whether their party is represented on that committee, needs to feel secure that an allegation made against them in relation to privilege or code of conduct for MPs will genuinely be properly and responsibly considered by the Privileges Committee, recognising the significant power that it has to ruin a reputation or to affect a punishment against an MP. I am always pretty nervous about being flippant. It is probably the one committee of this House that is the most specially reserved for being extremely respectful and gentle on your fellow MHA. If I were ever referred to the Privileges Committee on a complaint, I would trust the committee would handle that as if I was in the party of the other members. It does not matter. Every other member, Ms O'Connor, Ms Haddad, Ms White; you ought to feel that if the committee ever had to look at something to do with you, my Liberal affiliation would not give me cause to effect a sense of being vindictive against you.

I am probably lecturing a little bit or labouring the point, but I hope it serves as a reminder of our standard. If you have listened to everything I said, you will understand this Government feels comfortable supporting this amendment to expand the committee, noting that it reflects our House and it will not change the current and the future reality that the current membership and proposed membership will be responsible people who will act ethically in their consideration of any issues, current or future. With that recognition of the trust involved, I commend the amendment.

[4.47 p.m.]

Ms WHITE (Lyons - Leader of the Opposition) - Mr Deputy Speaker, I rise to speak to the amendments. I seek clarification because the amendment you moved, Ms O'Connor, you said you would amend by inserting that you and Mr Hidding be appointed to serve on the Standing Committee on Privileges. Is that accurate, given it is the privileges and conduct committee?

Mr Hidding - No, because it has not happened yet.

Ms WHITE - Does that wording need to be included in this, given it has been altered by prior amendment?

Mr Hidding - The wording is right.

Ms WHITE - The fourth amendment. This is the amendment to the motion.

Mr Ferguson - I think you may be right.

Ms WHITE - It may be that your amendments were voted on first, Mr Hidding, and it is then amended because the Privilege Committee becomes the Privilege and Conduct Committee.

Mr DEPUTY SPEAKER - Order, I have been informed that the change of the title can be made with a clerical amendment. It does not have to be discussed. People may take it that the name will change.

Ms WHITE - Thank you, Mr Deputy Speaker. It was worth checking.

Given the discussions that have occurred across the Chamber, we will not be seeking to achieve a different outcome. I note, given the exchange that occurred this morning, we were not consulted

about these amendments. Given Ms O'Connor, the member for Clark, had a bit of a fit that she was not consulted on other amendments we were seeking to make to the composition of the GBE Committees and therefore you could not support them this morning, it is pretty rich for you to say you have a bunch of amendments to make to the make-up of a committee. We have not seen them, yet we are expected to immediately cast our vote. That is a double standard. It is very disappointing and you probably should reflect on the way you respond so nastily at times. It is very hypocritical for you to demand a different outcome when it suits your interests or to vote against the make-up of other committees when you do not agree with it, for no other reason than you were not given time to look at the amendments. That is exactly what you have done to us.

Regarding the make-up of the committee, we have no issue with that. It does not affect the composition of the committee. I caution, as I said in my substantive contribution and was reflected in what the Leader of Government Business also shared; it reflects the numbers in the House. Referral is made by Government members, minor party members or opposition members to a committee that has the majority of Government members on it and it needs to be done cautiously. We would not like to see that power abused.

Mr Ferguson - We all have turns of being in government and opposition. I agree with you entirely, Ms O'Connor, I really am.

Amendments agreed to.

[4.50 p.m.]

Ms O'CONNOR (Clark - Leader of the Greens) - Mr Deputy Speaker, I thank the Leader of Government Business for accepting our amendments. I felt a bit like a child when you were talking to me about the Privileges Committee; I pictured you in a classroom. I recognise the powers and responsibilities of the Privileges and Conduct Committee of the parliament and how rarely it would meet on matters of privilege and conduct. In fact, when I went back to see what the Privileges Committee last had a look at it was my former colleague, Kim Booth, and I think it was the period when we were in government, so that goes back six or seven years as an indication of how rarely the Privileges Committee sits.

Mr Ferguson - And the then Liberal Opposition did not challenge in any way its finding.

Ms O'CONNOR - No, that is right. If there is to be a body of parliament that is not political in any way it should be the Privileges and Conduct Committee because ultimately we are all in this together.

Ms White, I totally take on board what you said and accept the criticism. It is the end of the year and we are probably all a bit tired and emotional. I will try to check myself in future before I do my lolly in this place. We do not always cover ourselves in glory in here. One of the reasons I think people get so passionate in here is because we care. I am not saying any one person or party has a monopoly on caring, but certainly from a personal point of view sometimes when I lack the self-control I would like to have it is only because I worry about some of the decisions we make in here and some of the things we do or do not do. I will do my very best to be mindful of those things before I 'pop' in future.

With those few words I am glad that we have a Privileges Committee that is constituted in a way that is more representative of this House. I make a commitment to conduct myself on that committee in an impartial, reasonable and trusting way, and with those few words I will take a seat.

[4.53 p.m.]

Mr HIDDING (Lyons) - I have summed up already in my contribution on the amendments. I thank all members of the House for their contribution and their kind words in agreeing to this motion today.

Motion, as amended, agreed to.

SUPREME COURT CIVIL PROCEDURE AMENDMENT BILL 2018 (No. 52)

Second Reading

Resumed from 27 November 2018 (page 92)

[4.54 p.m.]

Ms ARCHER (Clark - Minister for Justice) - Mr Deputy Speaker, I will continue the second reading speech from where I left off.

Tasmanian magistrates already have such a power under section 25(1) of the Magistrates Court (Civil Division) Act 1992, and for Tasmanian arbitrators the power is conferred under section 33E of the Commercial Arbitration Act 2011. This bill will provide Tasmania's Supreme Court judges with a comparable power modelled on those currently available to Tasmanian magistrates and arbitrators. I note that reform of the law in this area was first recommended in 1985 by the Law Reform Commission of Tasmania.

The bill also inserts a new Part into the act to provide for representative proceedings in Tasmania, otherwise referred to as class actions. The purpose of these amendments is to clarify the procedural requirements for litigants in representative proceedings, facilitate access to justice, create efficiency for the court and parties, reduce litigation expenses for individuals and protect defendants from multiple suits.

The new Part VII will provide for representative proceedings to commence and proceed where seven or more persons have claims against the same defendant, those claims are in respect of the same, similar or related circumstances, and they give rise to a substantial common question of law or fact.

The new sections contained in Part VII will cover matters such as the conditions that apply to the commencement of representative proceedings; who has standing; who may be a member of a group of persons on whose behalf representative proceedings have been commenced; group members opting out of proceedings or new members being added to the group; discontinuance of proceedings; the determination of questions that may relate to only one or some members of the group; the awarding of damages and the establishment of funds to distribute money to group members; provisions relating to appeals; and the effect of representative proceedings upon limitation periods for individuals. These new provisions have been largely modelled on those contained in Part 10 of the Civil Procedure Act 2005 of New South Wales.

The final matter that this bill deals with is the powers of the Associate Judge in relation to pending appeals. Section 197(1)(f) enables judges of the Supreme Court to make rules that empower the Associate Judge to exercise certain powers of the court. As it currently operates, that subsection contains a broad prohibition on the Associate Judge dealing with any proceedings in the court's appellate jurisdiction other than a review of a taxation of costs by an officer of the court.

The amendment in this bill will enable the judges of the Supreme Court to extend the Associate Judge's powers to include hearing applications in relation to pending appeals. This may include, for example, applications for extensions of time, applications for pre-hearing directions and applications for appeals to be struck out for want of prosecution. Such powers would be the same as those exercised by a single judge in relation to pending appeals. However the Associate Judge will not have the power to hear and determine appeals or to sit on the Full Court.

I take this opportunity to thank the Chief Justice of the Supreme Court of Tasmania, the Honourable Alan Blow AO, who raised several of these matters with me and the former Attorney-General, Dr Vanessa Goodwin, on behalf of his fellow judges. The amendments contained in this bill will lead to improved practice in civil procedure matters in the Supreme Court of Tasmania, and I commend the bill to the House.

[4.58 p.m.]

Ms HADDAD (Clark) - Mr Deputy Speaker, the Opposition will be happily supporting the Supreme Court Civil Procedure Amendment Bill 2018. Through the Attorney-General I thank her office and her department for the very detailed briefing I received earlier this week.

I will touch on some of the elements of the bill. Administrative as it is at making some positive changes that will make the court's work somewhat more streamlined and functional, the ability to engage in class actions, or representative hearings as they are called in the bill, of groups of seven or more people who have claims against the same person has been a long sought-after change. It was a request from former Chief Justice Crawford to then Attorney-General Wightman in 2011. This will increase access to justice and is a fair move both for applicants and people who have class actions brought against them, as the minister outlined in her second reading speech, in terms of avoiding multiple actions.

The bill also makes changes to the kinds of hearings that associate judges are able to engage in. I note that they already have the capacity to hear a range of matters. This change will allow the court to make rules in respect of associate judges also being able to hear applications for appeal, as the Attorney-General said in her contribution, such as extensions of time and directions hearings. This is a positive step in terms of relieving some of the workload on the judges themselves. I hope that it will assist the court in dealing with their current backlog.

I recognise that the majority of the backlog sits in the criminal division, not in the civil division. Hopefully this will increase the ability of the court to hear matters before them in a timely way, for both people accused of matters, as well as those bringing action in the civil division of the Supreme Court.

I would be interested to know from the Attorney-General whether there is much of an anticipated number of cases that this may relieve from the judges themselves in terms of how many applications there are for extensions of time or directions hearings or cases going for want of prosecution. For example, whether or not there is a feeling within the judiciary or within the court as to how much work this might relieve.

I believe that the request for the ability to apply pre-judgment interest was a request from the current Chief Justice, Chief Justice Blow. The Magistrates Court already has the capacity to apply pre-judgment interests to some. All other state Supreme Courts and the Federal Court do as well. It does seem to be a very commonsense measure to extend this ability to the Supreme Court. I am told in the briefing that there is some common-law precedent but it is much more practical to bring

Tasmania into line with those other jurisdictions and to put this ability for the court to apply pre-judgment interests into legislation. It is also a fair move in terms of being able to relieve people who do have sums of money potentially owing to them from missing out on the opportunity to earn interest on both sums in other ways.

Another question that I have of the Attorney-General: I note that post-judgment interest, which can currently be applied, is applied at a rate of around 7.5 per cent. I would like to know from the Attorney-General if there is an indication of what kind of interest rate pre-judgment interest may be applied at.

I found the changes in the admiralty division really interesting. Section 4 declares that the Supreme Court is a court of admiralty for the purposes of the Colonial Courts of Admiralty Act 1890, a United Kingdom act. I note that while that is a very old act, it does not prevent the Supreme Court from operating in that jurisdiction and performing its duties under the division as a court of admiralty. This legislation will update the reference to Commonwealth legislation that was passed in 1988, and to which other Supreme Court divisions operating as admiralty divisions refer. That is the Admiralty Act of 1988, the Commonwealth.

This change will mean that the Supreme Court will now be able to implement instances, make rules and the like for their operation in the admiralty division which is currently not open to them because of the reference to the United Kingdom act of 1890 as opposed to the 1988 Australian Commonwealth legislation.

I asked questions on consultation when I was receiving a briefing, and was assured that there had been consultation with both the Chief Justice and the Chief Magistrate. In consulting with other legal stakeholders, I am told that they did have the opportunity to comment on the bill, but I heard from the Law Society that they intended to examine the bill in detail at one of their committees next week. It was not a huge problem to them that they possibly would have missed the opportunity to do that. However, as the bill is unlikely to be considered in the upper House this year, as an act of good faith I ask, on the record, whether the Attorney-General would re-invite the Law Society to consider the bill at its committee next year and to consider any concerns that the Law Society might raise between now and the bill arriving in the Legislative Council. It is not anticipated that they would have any concerns with the bill as these amendments have all been made at the request of either the current or former Chief Justice and have been tweaked somewhat to accommodate the suggestions of the Chief Justice post drafting of the bill.

That completes my contribution on the second reading. I have put a few questions on the record as the Attorney-General has heard being the rate of prejudgement interest, the likely backlog relief with the addition of the Assistant Justice's work.

I also had question regarding clause 10 of the bill which is on page 26. Clause 10 is a long clause. There is a new proposed section 87(2) which appears on pages 26 and 27 of the bill which indicates that the cost of administering the fund are to be borne by the fund or by the defendant in the representative proceedings or by both as the Court directs. I wondered if there were any insights from other jurisdictions about the likely cost of administering the fund?

Ms Archer - Sorry, could you repeat that?

Ms HADDAD - Whether there is any indication from other jurisdictions or any idea about likely costs of administering the fund, recognising that that could affect the quantum of the amounts of money held in the fund.

My final question - and this might be my reading of the act - but I wanted to ask the Attorney-General about the repeal of section 18. Section 18 relates to Part 2 of the act which deals with the organisation of the court and the allocation of business. Section 18 says that the provisions of the partner extended and apply to the court sitting in its admiralty jurisdiction. I wondered if there might be a drafting oversight in the effect of that repeal and wanted to assure myself that other parts of part 2 of the act which deal with the organisation of the court and its allocation of business will still apply to the court sitting in its admiralty jurisdiction, or its admiralty division, recognising that the bill is also making changes to that admiralty division.

With both brief comments I conclude and indicate the Opposition's support for the bill.

[5.08 p.m.]

Dr WOODRUFF (Franklin) - Mr Deputy Speaker, the Greens support the Supreme Court Civil Procedure Amendment Bill 2018.

I understand that all the amendments contained within it were prepared at the request of the Chief Justice and that, amongst other things, it removes references to a long since defunct Colonial Courts of Admiralty Act 1890, that it will allow the Supreme Court when requiring payment of an amount of money that it may carry interest in relation to that amount.

I understand this would apply in a very limited number of circumstances and that change was also recommended by the Chief Justice.

The expanded administrative powers of the Associate Judge contained within the amendment bill will allow Supreme Court judges more time to consider substantial matters, which is clearly a relevant and useful use of their expertise. It also inserts provisions for class actions or representative proceedings which were not available when there were class actions of seven or more persons.

I want to make some comments about the provisions for class actions and ask a question of the Attorney-General, who may have more information about this than I have been able to find out. It relates to the access to funding for litigation, which has become a critical component of class action cases in Australia because it provides the financing that is needed for what can be very expensive and complex litigation.

At the moment, as I understand it - and perhaps the minister can correct me if this is not true in Tasmania or it is already regulated - it is still unregulated to the extent that it can expose consumers to the risk of a funder becoming insolvent or simply failing to pay legal fees, or if a class action is lost, failing to pay the defendant's costs.

Associate Professor of Law of the University of New South Wales Michael Legg wrote about this matter in 2017. He notes that two important regulatory pillars, licensing and capital adequacy, are missing in regulations in state laws, despite the Productivity Commission recommending in 2014 that both regulations in relation to licensing and capital adequacy are introduced. The lack of a licensing regime, he says, means that anyone or any entity can fund litigation in Australia except for lawyers, as contingency fees are illegal. Without capital adequacy requirements there is no protection for claimants or defendants to ensure the funder has sufficient resources to be able to pay

legal fees and meet any adverse costs order. He says this creates the potential for inadequately resourced funders to litigate for profit but avoid the costs if they are unsuccessful. Currently funders can protect themselves by being based offshore and/or by using subsidiaries with limited financial resources to undertake funding obligations.

There is only partial protection against a funder with inadequate capital at the moment. This involves a court order for security for costs and this requires the funder to take steps to make funds or assets available at the beginning of litigation to pay the defendant's costs in the event the litigation fails. He says, however, that it is common practice that the amount of security a court requires to be posted is substantially lower than the costs the defendant actually incurs, so the claimant bringing the case may still be liable for those costs.

I understand that the Federal Court has taken significant steps to reassert that court access is primarily for the people who have been harmed. That court says that it has the power to supervise litigation funding charges in class actions. In your view, minister, would it be useful for the Tasmanian Law Reform Institute to undertake an assessment of this issue in Tasmania? In Victoria the Attorney-General referred a matter such as this to the Victorian Law Reform Commission and that body produced a risks and cost burdens in class actions paper that provided guidance to the Victorian Government on this matter.

It is really a question of whether we need to create regulations in Tasmania to cover this. Perhaps they already exist in insufficient form, but if we need to we should create regulations so that courts and regulators need to pay attention to unsuccessful class actions where the funder is required to honour obligations to claimants to pay legal fees and the defendant's costs, but where that does not occur some tracking, monitoring or auditing of what has happened before is possibly useful in this matter.

Other than that issue, I do not have any other comments to make about this bill and we are happy to support the content within it.

[5.16 p.m.]

Ms ARCHER (Clark - Minister for Justice) - Mr Deputy Speaker, I thank members for their contributions and questions following their briefings from departmental staff. We will go through them as they were raised.

Ms Haddad's first question was about the anticipated number of cases this may relieve judges from hearing by allowing an Associate Judge to hear these types of matters. It is obvious that this amendment will free up judges from having to deal with some procedural matters. The actual allocations used between judges is a matter for the Chief Justice and therefore any answer from me would be purely speculative so I cannot give you a figure, but it is quite obvious to members that this will free up judges and create efficiencies, so in that regard it is a positive thing. I know it certainly was not Ms Haddad's intent to say it was not going to be, so I think we can all agree that it will increase efficiency, but without checking with the Chief Justice I think it would be speculative from his perspective as well. He would probably not be able to put a number on it until it has been in operation for a period of time when we could perhaps conduct a comparative exercise.

In relation to the second question referring to what rate the prejudgment interest might be at, the prescribed rate of interest will be set by the court under its rules. As an example, the current rate of interest for pre-interest judgment in the narrowest instances in which the court can currently award it, and there are only a few types of matters, is 5.5 per cent. It should be noted that the

amendment provides that the court 'may' award pre-judgment interest up to the prescribed rate. The actual order will be a matter for the court on a case-by-case basis.

The third question was in relation the Law Society. I can confirm for the benefit of the House that a draft bill was released for public consultation on 13 September 2018. It was publicly available on the Department of Justice's website and was directly provided to a number of targeted stakeholders. However it was discovered that in that list, for some reason, the Law Society had dropped off, or there was some type of email glitch discovered, so the Law Society was contacted by my department three weeks ago and told that we envisage that we would bring the matter on for debate this week. We have not received any comment from the Law Society but, if they would like to, we can check this after having had Ms Haddad raise it. If they wish to make comment, they would free to do so before the matter is brought on in the other place sometime next year. I cannot guarantee what we will do with that comment, not knowing what it would be. I would be speculating but if there was a matter of concern we would be able to consider that.

Ms Haddad - May I ask if you will write to the Law Society and advise them of that?

Ms ARCHER - I can ask my office to do that.

Ms Haddad - Lovely, thank you very much.

Ms ARCHER - To ensure the House is aware, the consultation period closed on the 27 September. I also forwarded the draft bill to the Chief Justice and Chief Magistrate for comment. Both supported the bill, with the Chief Justices proposing minor amendments subsequently incorporated into the final version of the bill tabled in parliament. His feedback was valuable, as always.

The fourth question was in relation to clause 10, page 26, which related to the new section 87(2). I might describe what those sections do. First, Ms Haddad's question was as to whether there was any indication from other jurisdictions about the likely cost of administering the fund. Under the proposed new section 87(1) of the act -

... the Court may provide for -

- (a) the constitution and administration of a fund consisting of the money to be distributed;

to the group members in representative proceedings. Section 87(2) requires -

The costs of administering a fund are to be borne by the fund, or by the defendant in the representative proceedings, or by both, as the Court directs.

As proposed in the bill, the new section 86(1) will enable the court to make an award for damages where the amount is specified or calculated in a specific manner or as an aggregate amount, without specifying what individual groups members will receive. In the former case, the specifics of the court order will enable the total amount of damages to be calculated. In the latter case, section 86(3) will require that a reasonably accurate assessment of the total amount can be made before the court is permitted to make an award with damages. In either set of circumstances, the total amount to which group members will be entitled will be a known factor and the court can make further

provision in its judgement to cover the estimated costs of administering the fund. This will ensure administration costs do not reduce the amount payable to group members.

In class actions in Australia it is usually the case that the distribution fund is administered by a senior partner or partners from the plaintiff's law firm on the basis that the lawyers who ran the action will have accumulated knowledge of the matter that will enable them to more efficiently administer the fund. It would be expected that, to inform its determination of proceedings, the court could request submissions from the parties on the expected administration costs. Again, that would be considered on a case by case basis.

The final question from Ms Haddad was in relation to the repeal of section 18 and whether there had been a drafting oversight in effect of that repeal. I can confirm this clause repeals section 18 of the act. Section 18 is unnecessary as section 9, as amended under clause 5 of the bill, confirms that the act and Supreme Court rules apply to and govern the procedures and practice of the court in admiralty causes and matters.

Ms Haddad - Thank you.

Ms ARCHER - I will take some advice as to Dr Woodruff's question relating to class actions. The regulation of funding of class actions is, as the member says, an area that has been the subject of some consideration. This bill governs the procedures of the court. Any such regulation would be unlikely to form parts of the Supreme Court Civil Procedure Act. The Australian Law Reform Commission is currently examining the subject of litigation funding, with a final report due 21 December this year. As we are now introducing a legal framework for class actions in Tasmania we will consider the recommendations of the ALRC.

Dr Woodruff - Terrific.

Ms ARCHER - That being all the questions put, I thank members for their interest in the admiralty jurisdiction and class actions of the Supreme Court. It feels like a Friday today. Dealing with these sorts of dry matters can be less than exciting sometimes and it is great that we may have dealt with it in the second reading speech. It is always good to note members' interest in the asking of questions. I thank the hardworking members of the Justice department, who are incredibly thorough in their preparation of bill and in consultation, ensuring we try to capture everything we can within the realms of possibility and the law. Being the end of this year and my last chance to speak on a bill, I thank the hardworking team at the Office of Parliamentary Counsel. They do a fabulous job for us and their expertise in drafting bills never ceases to amaze me. A big shout out to OPC and my office staff, who are always fabulous. Thank you.

Bill read the second time.

Bill read the third time.

MOTION

Standing Committee on Privileges and Conduct - Quorum

[5.28 p.m.]

Mr FERGUSON (Bass - Leader of Government Business)(by leave) - Mr Deputy Speaker, earlier today, we considered changes to the Standing Orders. The Clerk has provided me with

advice and a request that we should also be fixing the quorum of the Committee of the Privileges and Conduct Committee.

I move -

That the quorum of the Standing Committee on Privileges and Conduct be four.

I have only one copy, which I now table, which was provided to me by the Clerk with apologies.

Motion agreed to.

BRAND TASMANIA BILL 2018 (No. 46)

Bill returned from the Legislative Council with amendments.

Motion by **Mr Ferguson** agreed to -

That the amendments be made an order of the day forthwith.

BRAND TASMANIA BILL 2018 (No. 46)

In Committee

Council amendments to clause 10, first amendment -

Mr HODGMAN - Mr Deputy Chairman, I move -

That the first Council amendment to clause 10 be agreed to.

We support the three amendments. The first amendment to clause 10(1)(c) is to remove the paragraph and instead insert the following paragraph -

(c) one person who is nominated by Tourism Tasmania;

in addition to the Secretary of the Department of Premier and Cabinet serving as an ex-officio member of the board.

We note that this amendment will not preclude another State Service officer from being appointed to the board through the prescribed skills mix. The Government is a very important stakeholder in our place-branding efforts, along with business, industry and the non-government sector, and it is important for government to be represented around the board table. I note that the effect of the amendment maintains the amendment moved by the Leader of the Opposition when the bill was originally debated in this House, which was to have Tourism Tasmania nominate a member.

Ms WHITE - Thank you, Premier, for explaining the amendment from the upper House. Having read it, it is about removing one State Service officer from the membership of the committee, I understand. We had a debate in this House about making sure there were not too many

public servants on that committee but also ensuring there was oversight about what is happening on the Tourism Tasmania board and the Brand Tasmania board. That was why we made one amendment for there to be a member of Tourism Tasmania nominate somebody to sit on the Brand Tasmania board.

With the removal of one State Service officer you only have two with the Legislative Council amendment. You have the secretary of the Department of Premier and Cabinet, then you have somebody nominated by Tourism Tasmania - is that correct?

Mr Hodgman - Yes.

Ms WHITE - That person nominated by Tourism Tasmania does not explicitly need to be a State Service employee because the debate we had down here was that the person could be a member on the board who might have industry experience. We have gone from one extreme to the other between Houses now because we have gone from having three State Service employees in the original bill to the amendment passed here, which had two plus possibly one, depending on whether they chose to have an employee of Tourism Tasmania or a board member who was an industry person, to now only having one State Service employee, a nominee of Tourism Tasmania and the other membership being made up of private sector individuals. Is that right? Not necessarily.

Mr Hodgman - They can be.

Ms WHITE - The only reason I asked for clarification is that I would hate to see it go so far as that there is no oversight between what is happening with Tourism Tasmania and Brand Tasmania, and given the important role both boards play I do not want one to dominate the other, but they do need to work in tandem. I seek your advice about who will actually sit on the board of Brand Tasmania, what links they will have with Tourism Tasmania, and how many public servants could sit on the board now this amendment has been proposed from the upper House.

Mr HODGMAN - There is nothing that would necessarily preclude 11 public servants, by virtue of their skill sets, being able to be appointed, as unlikely as that might be. Your amendment remains, and that is the nomination from Tourism Tasmania, appropriately so, and as it now stands in addition to the secretary of DPAC serving as an ex officio member, the amendment will not preclude another State Service officer from being appointed to the board through the prescribed skills mix. As I said, being a very important stakeholder and our branding efforts along with business industry and the non-government sector, it is important for the Government to be represented around the board table, in our view.

Ms WHITE - Thank you for that clarification. That is fine and we will support it.

Ms O'CONNOR - We can live with the amendment on the basis of the reassurance you have given that nothing precludes, within the skill set that is prescribed, other State Service officers from being on the Brand Tasmania board. As it reads now that is not explicit and potentially leaves the secretary of the Department of Premier and Cabinet on their own at the table of the Brand Tasmania board and that, in our view, would not be ideal but we can certainly live with this amendment.

The bill that has now come back to us is more robust legislation that will, in my view, establish a Brand Tasmania board which has a wide skill set and a focus on protecting the attributes of the brand as well as promoting the brand here, interstate and overseas in export trading and tourism sectors. The legislation that has come back from the upper House because of a robust process of

collaboration, working together, trying to deliver legislation that is the best that it can be, is actually working.

Mr HODGMAN - Mr Deputy Chair, public administration is one of the prescribed skills contained within the legislation as well, which provides that additional opportunity to capture the skill set to be represented on the board.

Clause 10, first amendment, agreed to.

Council amendments to clause 10, second amendment -

Mr HODGMAN - Mr Deputy Chair, I move -

That the second Council amendment to clause 10 be agreed to.

The second amendment to clause 10(1) relates to paragraph (d) and adjusts the number of other board members that can be appointed to reflect the change brought about by the removal of the State Service officer position, so it does not impact on the overall size of the board but just reflects the change -

Ms O'Connor - It potentially can impact on the size of the board.

Mr HODGMAN - It is still nine to 11, so it can vary, but it does not affect the range that is prescribed under the bill.

Clause 10, second amendment, agreed to.

Council amendments to clause 10, third amendment -

Mr HODGMAN - Mr Deputy Chair, the third amendment to clause 10 relates to subclause 3, paragraph (e) and inserts the word 'biosecurity' into the list of skills captured in that paragraph. A similar amendment was moved and accepted in this House and the inclusion of biosecurity fits well into the skills mix included in that earlier amendment.

I would move that this amendment be agreed to.

Ms WHITE - I indicate that we will support this amendment. It is important to name that as a clear requirement for the skill set of the board and it would have been captured without its inclusion but I can understand the reason for naming it up explicitly and we will support it.

Ms O'CONNOR - We will accept this amendment. However, I point out that within this clause of the legislation which is clause 10 that establishes the skills set of the board, there is a range of skills that are prescribed as being necessary and desirable if you can encapsulate as many of them as possible on the board.

Within this one clause, which was a Greens amendment initially, there are now four specific and discrete skills sets that are captured. We go from narrow skill sets in the subclauses that are the skills that we expect to be on this board. Then those elements of brand protection, or protecting the attributes that underpin the brand - which we would say are foundational elements of the brand - are all bundled into the one clause.

We are not going to kick up a stink about this because we recognise this legislation needs to get through and I want to acknowledge the fantastic people from the Premier's department who have been in and around this building for the best part of a fortnight hoping for this moment to come to bear.

We are not going to rail against this amendment but ideally what should be done is have 'biosecurity' as a stand-alone skill to have on the board and then those other skills that the board will require in heritage conservation, environmental conservation and natural resource management, can be standalone skills.

There is no question that a person with biosecurity expertise should be on the Brand Tasmania Board. If we do not have a strong biosecurity regime in place, if we cannot protect our fruit fly free status, our reputation for incredibly clean produce, then the brand has its feet kicked out from underneath it.

We will accept the amendment but express our disappointment that now four critical skill sets for the Brand Tasmania Board are bundled into one subclause in this legislation and express our hope that as the board is made up, that those skill sets are teased apart somewhat so that it is possible to have both someone with natural resource management or environmental conservation or heritage conservation and biosecurity skills as separate appointments to the board.

We are certainly glad to see biosecurity in the bill and this is now a good strong bill and a good foundation for the establishment of the statutory authority of Brand Tasmania.

Clause 10 third amendment agreed to.

Reported the Committee had resolved to agree to the Council amendments.

Resolution agreed to.

LAND ACQUISITION AMENDMENT BILL 2018 (No. 59)

Second Reading

[5.47 p.m.]

Mr BARNETT (Lyons - Minister for Primary Industries and Water - 2R) - Madam Speaker, I move -

That the bill be now read the second time.

Madam Speaker, the bill provides a series of amendments to the Land Acquisition Act 1993. These amendments are primarily designed to streamline the administrative process, reduce red tape and align the assessment of the compensation with acquisition legislation in other Australian jurisdictions. The bill also includes minor amendments to update what are now superseded references in the act and to correct spelling and grammatical errors.

The act, which is administered by the Valuer-General on my behalf, provides the legislative process by which an acquiring authority may acquire land in Tasmania and sets out the basis for the determination of compensation paid to property owners who have had all or part of their land acquired for infrastructure projects.

The act is an important component in the provision of infrastructure to improve the way of life for Tasmanians. It has primarily been used by the Tasmanian Government to acquire land required for the upgrading of state highways. However, the act is also used by both Crown and non-Crown acquiring authorities for the provision of a wide range of infrastructure projects such as irrigation, dams, powerline easements and health and educational facilities.

The act has been in force for 25 years without any amendment or review. Reviewing the legislation presents an opportunity to review the basis for the assessment of compensation to ensure it is not unnecessarily out of step with other Australian jurisdictions. The review allows the Government to correct certain references that have been superseded over time and a number of grammatical and spelling errors.

Eight key amendments were identified during the review process.

Section 18 of the act details the requirements that must occur before a 'Notice of Acquisition' may be published in the *Government Gazette*.

Section 18 will be amended to permit an acquiring authority to proceed to issue a Notice of Acquisition even though the area of land being acquired is less than the area detailed in the Notice to Treat, issued under section 11 of the act. This amendment will remove the need for an acquiring authority to have to recommence the acquisition process by issuing a new Notice to Treat based on the amended area in the accompanying survey plan, saving costs and cutting unnecessary red tape.

Section 27(I) provides the basis for determining the amount of compensation to be paid upon the acquisition of private land. The current definition of special value is open to interpretation to include personal taxation implications associated with a person's ownership of the acquired land.

The primary amendment here is to remove any consideration for a claimant's personal taxation implications from being factored into the assessment of compensation. Special value has historically been associated with the claimant's use of the land and Courts have consistently ruled that personal taxation implications are not considered to be part of 'special value'. A claimant is otherwise protected by roll-over benefits available under taxation law.

Section 27(1)(f) deals with any disturbance relating to any loss or damage suffered, or cost reasonably incurred, by the claimant as a consequence of the taking of the subject land.

The current law is limited to disturbance arising from the taking of the land and not arising from the authorised purpose. Authorised purpose, in relation to the acquisition of land, means a purpose for which the land is acquired by an acquiring authority.

Currently no compensation is payable for 'disturbance' caused to the operation of a business such as grazing, farming and manufacturing property arising temporarily from the works or long term from the authorised purpose. The amendment provides a clear definition for 'disturbance' as 'any other financial cost reasonably incurred (or that might reasonably be incurred) relating to the actual use of the land, as a direct and natural consequence of the authorised purpose'. The amendment will widen the assessment of compensation for disturbance by ensuring compensation for disturbances arising from the works.

Section 27(1)(g) currently provides that compensation can be paid for 'such other matters as the acquiring authority, the court or an arbitrator may consider to be relevant.' No other Australian

jurisdiction contains a clause like 27(1)(g) as it is unnecessary if all the heads of compensation are covered. This section is removed as all the heads of compensation are covered in section 27(1)(a) to (f).

The inclusion of a new section 27(1A) will provide protection to an acquiring authority who has lawfully constructed infrastructure on private land and subsequently decides to acquire that land. This new section will clarify that an acquiring authority, or its predecessor, will not be forced to pay twice by having to purchase this infrastructure it has constructed as part of the land acquisition process.

Section 37 of the act details the time frame in which to lodge a claim for compensation as 60 days. If a claim is not lodged within that time frame a claimant whose land has been taken must apply to the court to finalise compensation. It is not logistically possible for landowners to gather the information required and prepare a claim within 60 days. Most landowners lodge their claim within four to six months. The time to lodge a claim for compensation varies widely in other Australian jurisdictions ranging from three months to three years. The amendment will extend the time for a property owner to lodge a claim for compensation from 60 days to 6 months.

Section 54 of the act allows an acquiring authority, prior to commencing the process of acquisition, to enter land to investigate whether that land is suitable for the purpose of acquisition. An acquiring authority can enter land and sink pits, examine the soil, take samples and do any other thing in relation to the land. The current act does not provide a general legal obligation on the acquiring authority to remedy any damage caused to the land during that investigation.

The amendment will ensure that acquiring authorities will act in the best interest of property owners and remediate at its cost any damage caused to the land as a result of the acquiring authorities entering land to investigate its suitability for a proposed scheme of works. The amendment will obligate an acquiring authority to take reasonable care to comply with biosecurity best practice.

Section 78 of the act details that any time frame under the act may be extended upon the request of the property owner or a claimant. The act limits an owner of land, a claimant or a former owner of land to a period of 14 days at the end of any stated time period in the act to seek an extension of time. The act also requires that in a default of any agreement to extend the time frame, an acquiring authority or claimant may apply to the court to extend the time frame. The amendment to section 78 will allow the acquiring authority to extend a time frame under the act in the event that they are not able, for whatever reason, to obtain the property owner's request to extend time.

The final amendments relate to consequential amendment to the act, including grammatical and spelling errors and identified superseded legislative references.

The proposed amendments are not complex and add no entirely new process to the act but, rather, they reduce some red tape and align the assessment of compensation with other Australian jurisdictions.

There will not be any negative impact arising from the proposed amendments to the act.

The amendments are expected to be met with positive reaction from primary users of the act, including relevant government departments, Crown and non-Crown acquiring authorities, Local

Government Association of Tasmania, Australian Property Institute of Tasmania, Tasmanian Law Society and the Real Estate Institute of Tasmania.

The Government fully supports the introduction of this bill.

I commend this bill to the House.

[5.56 p.m.]

Dr BROAD (Braddon) - Madam Speaker, I thank the minister for affording me the benefit of a briefing and especially the staff, who gave a good presentation and, as a result, on behalf of the Labor Party we will be supporting this without any amendments.

From what I understand there were some contentious issues but they were removed from the bill and therefore stakeholders that I contacted do not have any issues with it.

It corrects a number of anomalies, especially a number of pretty obvious typos. There are a fair few of those. It goes to show that back in 1993 when the original bill went through the parliament they did not have the benefit of spellcheck which would no doubt help in the modern context. I imagine that -

Ms O'Connor - They did have 35 members in the House who should have picked it up.

Dr BROAD - Potentially yes, I would imagine that was probably correct too. There are a number of references to grammatical errors which are of little consequence. However, it also corrects a number of issues with administering the legislation as it stood and these have been highlighted in the minister's speech just then. If the Government issues a notice to treat for a property and then the Government only requires a portion of that property, the whole process has to start again, which is overly bureaucratic and a little bit nonsensical, so this legislation so this amendment bill fixes that problem.

It also corrects what would be an issue if there was any additional value created by works done on a property during the acquisition process. What it means is that the Government does not have to pay twice - for the infrastructure and then pay for the value of the infrastructure when that land is acquired. That is a sensible strategy. The other issue that the minister just outlined was in terms of endeavouring to operate in the best interests of everybody, so if before the acquisition of a property people go in and dig a big pit, for example, there is the obligation to remediate because you will probably see that it is in the best interests of everybody. Many of these clauses, such as the extension of the time, overcome some issues. If the landowner could not be contacted within 60 days, it would automatically -

Debate adjourned.

ADJOURNMENT

Christmas Greetings

[6.00 p.m.]

Mr HODGMAN (Franklin - Premier) - Madam Speaker, I rise to pass the season's best wishes to all in this place and those who support us, as is customary, and to wish all the very best for the

upcoming Christmas season. It has been a big year in this place following the state election and the new parliament. To Madam Speaker and her staff, the business of this place, whilst not always entirely orderly, is at the heart of our democracy. I note Madam Speaker's role as a member of the majority Liberal Government and we respect her impartiality.

My sincere thanks also for the excellent assistance and guidance from the Clerk of the House, Mr Donnelly, and assistants Ms Laura Ross, Ms Hesford, Mr Buttsworth and Mr Roberts. I sincerely thank all those who support us diligently, professionally and very courteously in this House: the parliamentary education team, Kimbra McCormack, Charles Casimaty, Aurelie Charenton; parliamentary officers, Scott Hennessy and Adrian Munnings; parliamentary attendants and assistants, Alison Morrison, Kristy Lang, James Reynolds and Cathy Stephens; the parliamentary security team, led by Ian Stewart; the wonderful parliamentary dining room, Mandie, Jacqui and their team, as well as Simon and John; in the bistro, to Jo, Christine, Jade and Renee; the library staff, Marijana, Sue, Deb, Helen, Sarah, Jenny and Luke; the excellent research service led by Bryan Stait, Cassandra Hennessy, Catriona Ross, Jayne McPherson and Kira Aldridge; the *Hansard* team, who do a tremendous job, to Helen and Pat and their crew; the parliamentary IT and broadcast services, Peter, Ben, Brett, Chris, Jason, Adon and James; and the cleaning and maintenance services team who look after this wonderful workplace and tidy up after us, Jason, Brendan, Anna, Mandy, Shane, Gaye, Denise and, in particular, Louis Scott, who recently retired due to ill health after 30 extraordinary years of loyal service to parliament. Having seen a lot of the great man over the years and having enjoyed his very droll sense of humour, often the best tonic in this place, we wish him the very best.

To our ministerial drivers, our own ministerial and parliamentary staff and our wonderful team in the electorate offices around the state, my thanks to all of you for your hard work.

I thank my team, my staff, including those who are no longer with us. To the wonderful team I have in my parliamentary colleagues, I thank them for their support, dedication to our cause and ongoing assistance in all we do as a Government. I would also like to personally thank those closest to me, Nicki and the kids, for their love and support over what has been a very big year. I have never been more excited about the opportunities that exist outside of this place. I am keen to continue to work in a highly enthusiastic, energised and engaged fashion in here and outside for some time to come. I wish all members of this place a safe and happy Christmas with your loved ones and look forward to seeing you about.

Christmas Greetings

[6.03 p.m.]

Ms WHITE (Lyons - Leader of the Opposition) - Mr Deputy Speaker, I also extend best wishes to everybody over the summer break. I wish we were coming back next week. Those on our side of the House would love to have come back for another week of parliament. It would have been very enjoyable. We have a lot more to scrutinise but we will be back for GBEs next week, so we will all see each other then.

I extend my best wishes and thanks to the parliamentary staff who do support us in this place all year long. A particular mention to the Clerks' office, Shane, Laura, Steph, Cathy, Colleen, James, Todd, Barry, Charles and Scott, and Alison and Kristy, those attendants who look after us very well in this place. Thanks to Jo and her team in the bistro who keep us all fed, watered and

coffee'd up, Christine, Jade and Renee; and Mandie, who looks after us in the dining room. Jacqui, John and Simon do a terrific job making sure we are all sustained as we do our work in this place.

I thank Helen, Pat and the team in Hansard, and apologise for all the times you had to try to capture the words I say. You make me sound a lot better than I am, thank you.

Thanks to security, Ian, as the senior security officer, David, Sayeed, Nicole, Pete, Nathan, Alf, Phil, Kyriakos and Hannah, who always have an eye to our safety. Even today, we were evacuated from part of our building because there was an unaccompanied bag. You may not have known but we were not allowed to use part of our offices. It turned out to be a school bag left by one of the kids on the lawn talking about the importance of acting on climate change and nothing to worry about, unless you are the Liberal Government, then you do have a lot to worry about because you need to act on climate change.

Opposition members - Hear, hear.

Ms WHITE - I also acknowledge Brendan, the building and maintenance guru, who you see everywhere doing everything. Those utility officers who make sure we are in a safe working environment all the time, Gaye, Shane, Denise, Gaylene, Carol, and Louis, who is retiring from this place after 30 years. He goes with our very best wishes. I hope he has a lovely send off.

Thanks to IT Services, Peter Hancock, Adon, Brett, Chris, Jason, Angus, James and Kate, a big team who are routinely responding to the concerns raised by our team at short notice. They do their very best to help us. They have set up a lot of new offices this year because of the election. They have serviced the needs of our parliamentary team incredibly well. Thanks to finance manager, Adrian, making sure we are all paid, as well as everybody else who works in this place.

Thanks to education officers, Kimbra, and Aurelie; what a wonderful contribution they have made to civics education in this place with a number of students coming through and learning about how parliament operates, taking that knowledge back to their schools and educating their fellow students. It is a terrific program and I am pleased to see it continuing to operate. Thanks to our library and research services, Bryan, Helen, Sarah, Luke, Cass, Kira, Sue, Jenny, Marijana and Jayne. We ask a lot of you and sometimes at short notice. You routinely do your extreme best to turn around those requests and provide us with excellent information. There are many people to thank within Legislature-General. I am sure the other House will be commending them and thanking them but I would like to acknowledge Jason, Anna and all the Legislative Council staff who support them.

I thank all my colleagues in this place. It has been a big year, as the Premier said. We have grown our team and we have terrific people in this place. I am so proud of them, particularly our new members, for the contribution they have made this year. I commend their confidence in representing their communities at this lectern, which can be daunting when you have not done a lot of public speaking previously. They are all incredibly outstanding, competent, kind individuals who I know are making a huge difference to their communities.

I acknowledge all the electorate officers who support us, and who do that in extraordinary circumstances. Our electorate officers work in isolation and can deal with some very, very tricky and complex issues. They do so with our admiration and the best support we can give them. Thanks to my electorate officer, Penny, who is supported by Kate, Marcus and Joe in that role. I thank each

of them for the work they do to support the electorate of Lyons and to support me. I simply could not do this job without them.

I thank the staff who support the opposition team, Pam, Penny, Michael, Luke, Chris, Gorden, Tom, Karelle, Mel, Amina, Dean, Dan and Paul. You are all amazing. You have had a massive year. You have done a huge amount of work. You support each of us every single day. You do it because you care. I am so excited about what next year brings, not that this year is over. There is still one more week of parliament, there are quite a few more weeks of this year and there is still much work to do.

I thank my campaign team and the entire Labor Party campaign team who worked incredibly hard this year to see us win more seats and achieve some great wins for the Tasmanian community. There is a long way to go yet until the next election, Mr Deputy Speaker, but we are working incredibly hard. We are here to represent our communities and we take this job incredibly seriously. It is a privilege to serve the people of Lyons and the people of Tasmania and I want to say thank you.

I wish the very happiest of Christmases and summer break to those of you in this Chamber. I hope you get to spend some time with your families. It has been a big year and I look forward to seeing you all next year when we resume.

Christmas Greetings

[6.11 p.m.]

Ms O'CONNOR (Clark - Leader of the Greens) - Mr Deputy Speaker, this is the time of year when we share the love around and say thank you to everyone who works for and on behalf of democracy in Tasmania.

Before I say that, however, I just cannot stand here and not express my dismay for transgender and intersex Tasmanians and their families that we are knocking off at 6 o'clock when before the Legislative Council there is legislation that would transform the lives of some of most marginalised, discriminated-against fellow Tasmanians and our children. Mr Deputy Speaker, I do not know what has happened but it is shameful. It is a subversion of the will of the House.

Opposition and Greens members - Hear, hear.

Ms O'CONNOR - The will of the House was that that legislation was passed amended and went upstairs, and here we are knocking off at 6 o'clock on a night when on this side of the House we would have sat here till this time next week to deal with that legislation.

Mr Deputy Speaker, on behalf of Dr Woodruff and me, I want to pass on our enormous gratitude and thanks to everyone who works to uphold democracy in this place.

Shane Donnelly, Clerk of the House, thank you so much for your sage, independent advice and your tolerance of us. We really appreciate you and thank you very much. Laura Ross, your trusty offsider, is calm, kind, thoughtful and very helpful; Stephanie Hesford, Sergeant-at-Arms, looks nothing like the 7-foot-4 Sergeant-at-Arms who serves the UK parliament, but we know that you are feisty and a very powerful character; Todd Buttsworth, Clerk Assistant; and Barry Roberts, who

is almost as old as this building, an institution, much loved Clerk of Papers, and getting on a plane to take a well-earned break next week.

Thanks to Scott Hennessy, parliamentary officer; Charles Casimaty, parliamentary officer; James Reynolds, parliamentary assistant; Cathy Stephens, Clerk's assistant; Colleen Donovan, Office of the Clerk; Kristy Lang, parliamentary attendant; and Ali Morrison, parliamentary attendant. These are the faces of people we see every day. It gives me strength and is a source of great comfort to talk to the people who work in this place and stand alongside them in the interests of democracy. I am really stoked to work with all these people.

Adrian Munnings, who I think of very fondly once a fortnight, thank you. The education officers have transformed young people's understanding of civics and the workings of democracy, Kimbra McCormack and Aurelie Charenton. In the Parliamentary Library working quietly away are Deb Jensen, Helen Richardson, Jenny Wray, Luke Viececi, Sarah Ravanat, Sue Knowler and Marijana Bacic. I also thank the Parliamentary Research Service and Bryan Stait, who I found out in the canteen today actually has a PhD in Geology, so he is quite used to dealing with fossils, Mr Deputy Speaker. There is also Cassandra Hennessey, Catriona Ross, Jayne McPherson, and Kira Aldridge. Thanks to Jade in the bistro.

In Computer Services and Broadcasting, IT, the quiet machine that holds all this together, thank you to Peter Hancox, Brett Godfrey, Chris Machin, Ben Hughes, James Sly, Jason Hergert and Adon Voss, who is currently away on leave, although I saw him in the building yesterday, Kate Duggan and Angus, who is temping in there. Extension 2222 is a number that is burned into my brain. I often make that call and the quick help from IT who always get it right is hugely appreciated by Dr Woodruff, me and our team.

Thanks to the Hansard staff, our interpreters - Helen Allmich, Helene Attrill, Pat Blood; monitor, Roey Johnson; transcribers, Margot Scales, Carol Millhouse, Jo Bull, Karen Cuzzucoli, Kaye Toohey, Julie Velde, Margaret Peters, and Wendy Nicholas. Thanks also to the subeditors who interpret what the interpreters put out - Sabine Borgis, Michael Dubois, Shae Huddlestone, Helen Moore, Jenny Morgan, Andrew Smithies, my beautiful friend Kate Stewart, Loretta Thompson and Christine Ward.

In the dining room and bistro, Mandie is an island of calm at the end of the day with bubbles in her hand, quite often very much appreciated, and Jacqui Kozakiewicz, Jo Smallhorn, Jade, Renee, Christine and Sara who work in the canteen - thank you.

Thanks to our Legislature-General staff, Jason Hendy, Anna McCarthy, Mandy Menzie; Brendan Boon, the fixer of the building; Shane Watterson, Gaye Batchelor, Denise, Carol and Louis, who after 30 years is retiring. We love Louis. In security, those who keep us safe in a gentle and yet a firm way, thanks Ian, Alf, Nicole, Hannah, Sayeed, Kyriakos, Pete, Nathan and David.

To my little Greens team, Dr Woodruff who is my rock, my inspiration, my friend in this place. Thanks you so much and it is a privilege to sit with you, Rosalie. To our senior adviser, the amazing Alice Giblin, love you Alice, love you Tom, love you Andrew, Jo and Will, and thank you for everything you do.

In closing, I thank everyone in this place. We are a diverse and somewhat munted family. We have to put up with each other for the best part of four years, and most days we do. Most days, I would argue, we are all here to try to do the right thing. Please take care, everyone, over the

summer break. Have peace, laughter and relaxation and time with your children, which is what motivates many of us to be in here.

To members of Government, I hope you have a relaxing, calming break and reflect on how much better you could be for next year.

Finally, Mr Deputy Speaker, I thank you who sits in the chair and presides over us from time to time, but also Madam Speaker, Sue Hickey, who I know has caused major upheaval simply by being primarily an independent Speaker, but we have seen that in legislation come through this House and more cooperative politics as a result of Sue being in the Chair. I believe it has improved the functionality of this place but being a member of a minor party, I would say that because we are finally given a voice.

Madam Speaker, please look after yourself over the summer break and thank you so much for all the work that you have done for the families of the people who are sitting here in the Chamber tonight with broken hearts because we have not dealt with the amendments to the Births, Deaths and Marriages Act.

Christmas Greetings

[6.19 p.m.]

Ms O'BYRNE (Bass) - Mr Deputy Speaker, I want to take a short amount of the House's time. One of the wonderful things about these final adjournments is that the leaders of each party do a lot of thanking of the people around them, but on behalf of my colleagues I want to thank our Leader Rebecca White, who has been a phenomenal tower of strength, resilience, decency and hard work. We could not be prouder of the way that she has conducted herself this year.

Opposition members - Hear, hear.

Ms O'BYRNE - We look forward to the next three years and delivering to the Tasmanian people a Rebecca White government, which we think might actually be a little more edifying than the behaviour we have seen today.

Today has been a disappointing day. The last couple of weeks has seen the Government act deliberately to undermine legislation that was the will of this House. People put a lot of faith in governments, in their parliamentarians and in community debate. When communities work so hard to achieve good change, to find that frustrated because people are weak - and the people that I am talking about are the Premier, the Leader of Government Business and the Attorney-General - who have behaved in a particularly unedifying way, that has damaged the image of this Parliament.

Unfortunately, we end the year on a sour note, a much sourer note than we would have liked. As all good causes do, people will continue to fight for decency and kindness. We look forward to that campaign continuing but we do so with such disappointment in our Premier who promised so much and was so disappointing this year.

The other thing that disappoints me is that we commenced this session of parliament, the beginning of our parliamentary year without a termination service in Tasmania, with women not being able to access free accessible terminations in our state and we end the parliamentary sitting year without the termination service. Despite the commentary of the minister that there are

agreements and contracts in place this is simply not the reality and women cannot access the service that he claims to have delivered and those women who cannot afford it or cannot travel still cannot access the service in Tasmania. That is an absolute disgrace upon this Government and it also comes from a personal place of unkindness from this Government that they do not believe, like our transgender community, that women deserve full agency. That is really disheartening.

On behalf of us all and one of our members who is not with us - we pass on our best wishes as her family deals with illness - and we hope that we will be seeing her and her family well as soon as possible.

There are great hopes in parliament. I am disappointed that the Government has failed to deliver on those, but I look forward to the community continuing to campaign for a better Tasmania that this Government will not.

Climate Change - Response of Students

[6.22 p.m.]

Dr WOODRUFF (Franklin) - Mr Deputy Speaker, as more than 100 catastrophic fires burn across Queensland and as the UN has handed down a report that says we must treble our global emissions reduction within the next 10 years if we are to have any hope of keeping global average temperatures below 1.5 degrees, we had some thousand students walk out of school today and strike on the lawns of Parliament House to call on their government, their politicians to listen to them on climate change.

I need to read into the House tonight a letter that was written to all members of parliament directed to the Prime Minister, Scott Morrison, from Imogen Viner, grade 10 in Woodbridge School, Tasmania. She was one of the speakers on the lawns today. There were so many children from pre-school, primary school, high school and Imogen said:

Dear Prime Minister Scott Morrison

Congratulations on your recent appointment to this position but forgive me if I do not share in your celebrations. You see I am preoccupied at the moment. I have been thinking about the future, my future, the future of my classmates, my school friends and my community and how this differs from the one I would like to live. For what I am seeing on the news, what I am hearing from politicians is terrifying.

What has especially caught my mind is your response to Adam Bandt's question on Monday 26 November regarding students going on school strikes. In your response you stated:

We do not support the idea of kids not going to school for things that can be dealt with out of school.

So Prime Minister Morrison what I and thousands of other students around Australia are protesting is the lack of action on climate change. We are protesting by leaving school because it has not been dealt with out of school. We are protesting in the only way we can because we cannot vote yet nor can we take up

politics and fight our own cause. We are striking because we are terrified for our future.

Can I tell you a story, Prime Minister Morrison? When I was nine I was terrified of the news especially the stories of climate change. I was so terrified I would run from the room hiding under my doona until the story stopped. But despite running from the articles, the documentaries and more I still could not sleep at night. I could not see any way that my future would be anything but bleak.

As I grew older my heart grew harder until I could at last be in the same room as the story but in the furthest recesses of my brain I was still terrified. I would attend protests with my parents but I would still block out the words and still think of anything but this. It was not until this year and I am 15, Mr Morrison, that I could bear to take a stand alone. This year I have become a member of the Australian Youth Climate Coalition and of the Student Climate Action Network and I have grown so much.

Prime Minister Morrison, like more than half of Australia's population I have never known a year with temperatures classified as average. Indeed, you have known only for yourself.

When I was born in 2003, average global surface temperature was 0.6, one degree above average and in 2016 it has reach 0.99 degrees celsius above average.

Imogen goes on to say many other things but I do not have time to say all of them now. I just want to go to the end of her letter, which was addressed to the Premier and to all members of parliament and I hope he responds. She says:

Prime Minister Morrison, rest assured that in three years' time when I am 18 I will not shirk my civic duty nor will thousands of students striking this week. We will vote and we will vote for a future worth living.

A child, Amelia Neylon, an award-winning slam poet and scared student from year 10 in Taroona High School astounded us all with a piece of poetry which must be shared with the *Hansard*. She said:

Let's talk rainbows in blue skies over green grass and red earth and deep oceans on our little blue planet orbiting a red dwarf in a milky galaxy in a beige universe filled with so many silver stars and black holes.

Let's talk rainbows that lead to pots of gold and a place where bluebirds sing and lemon drops fall from the clouds. Let's talk rainbows of grey colouring my grass grey, my earth grey, my ocean grey, my cloud so grey there is no room for a silver lining. Where did the sky go?

Let's talk rainbows fanned out like a deck of cards where the reverse side is always black and they are held up in front of greedy eyes, clouded by toxic smog, choked by the gambling room as they sit around the green table playing a complicated game with high stakes, with my life, and it seems like it is all in

judging by the amount of chips on my shoulder and the grey suits keep dealing aces and hot air promises. Meanwhile we are all losing.

Let's talk rainbows loud enough to reach ears shuttered by fists, willing to hand over a world of greys pass on their vibrant shame to their children. Listen to this rainbow. Isn't it loud enough? Aren't we loud enough for you? How bright do we have to be to be heard? How brilliant do we have to be to be taken seriously? How much brightness must be sacrificed to be understood? Until that darkness becomes the black behind my eyes, expands over pupils and irises, until the whole world is left blind into its red hands hidden behind red tape. It tastes black and white and simple.

Let me paint you a picture. Stop taking this land, it isn't yours to take and it's rich enough for all of us. Stop draining the ocean, you are not the ones to have to swim in it and it does not need to be any deeper. Stop draining the world, it isn't your world, it's not your futures you are wasting. Stop murdering me and your grandchildren never to be. Cause what I can do when there is no blue sky overhead and a slimming chance there ever will be again, what can I do? All I can do is speak.

Amelia Neylon and Imogen and all the other children who walked out of the school deserve a response. They deserve to be heard by every member in this place, they deserve for all of us to open our heart, to open our eyes, to free ourselves from party constraints of any sort and do everything we can to bring down carbon emissions and to take strong action for these children's future.

Justice and Related Legislation (Marriage Amendment) Bill 2018

[6.28 p.m.]

Ms HADDAD (Clark) - Mr Deputy Speaker, I express my sincere disappointment that on the final sitting day of the year, we will be adjourning the House very shortly and that we have failed to take the opportunity to sit late since the Justice and Related Legislation (Marriage Amendment) Bill 2018 still currently sits before the upper House. It was within this Chamber's power - and within the Government's power - to move a motion to sit late tonight to wait for the bill to be dealt with in the Legislative Council and for this Chamber to address and deal with any amendments that the upper House may be considering.

I could not live with myself over the next few months if I did not get up tonight and make a contribution and let the Chamber and let the community know how disappointed and angered I am that we have a summer ahead of us now where there will be so much uncertainty for transgender and gender diverse Tasmanians who wait for this positive and simple legislative change to be made.

The changes that we proposed and passed last week in this Chamber would have very simply enhanced the rights of transgender and gender diverse Tasmanians who are not infringing on the rights of any others.

I put on the record, as I have already a number of times, my sincere thanks to a dedicated group of people who have been here day in, day out, not only for the last week but throughout the last several months, patiently sitting in the opposition rooms with all of us, celebrating wins and commiserating losses and confusion. My thanks for their dedication; Dede, Roen, Matty, Rodney,

Martine, Robin, Dana, Ness, and the many families, and allies and supporters of transgender and gender diverse Tasmanians.

My sincere thanks for the many emails and messages I have received from the Tasmanian public, members of the Australian Labor Party and members of the public around the nation, who do understand the simplicity of these changes and who have batted away the scare campaign allowed to play itself out in the media and added to significantly by the action of this Government, specifically the actions of Attorney-General, Elise Archer, which was shameful.

I will finish my contribution by reading a short letter received by a mother in Tasmania, a constituent of Premier's, in April 2018. The letter is from the Premier, Mr Will Hodgman, and it says -

Thank you for your email and kind words of congratulations and condolences on the passing of our dear friend, Vanessa. Vanessa was an important part of our team, and the broader Tasmania community, and we will carry her in our hearts.

I acknowledge the distress the requirements around birth certificate information is causing you and your family.

We are aware of the developments in other jurisdictions, particularly at the Commonwealth level, in relation to the legal recognition of transgender and intersex people, and we are actively considering the implications for Tasmanian law arising out of the recent change to the Commonwealth *Marriage Act 1961*. Changes to the Tasmanian *Births, Deaths and Marriages Registration Act 1999* brought about by the Commonwealth marriage amendments are in the preliminary planning stage. Further legislative reform in this area is being considered.

Thank you again for your email and I would like to assure you my Government supports the rights of members of our community to be protected from discrimination and to have equal opportunities.

I would say more but I feel I will not maintain my composure. I would like to leave that thought in the minds of the members of this Chamber and of the members of the Legislative Council. I look forward to working with them next year and I hope to see legislation pass this parliament that will simply protect the rights of transgender and gender diverse Tasmanians while not infringing the rights of any others.

Opposition members - Hear, hear.

The House adjourned at 6.33 p.m.

QUESTION UPON NOTICE

The following answer was given to a question upon notice:

11. EDUCATION - STAFF IN MINISTER'S OFFICE

Ms O'BYRNE asked the Minister for Education and Training -

Have any departmental staff been engaged in your ministerial office for an ongoing or a fixed period and if so, how many and for what purpose?

Mr ROCKLIFF replied -

Two departmental staff are situated within the minister's office. These two staff are undertaking duties as the departmental liaison officer and as executive support, for the Department of Education.

13. EDUCATION - COMMUNICATIONS AND MARKETING - STAFF

Ms O'BYRNE asked the Minister for Education and Training -

Are any people employed in communications and marketing in the Department of Education and if so, how many?

Mr ROCKLIFF replied -

There are 18 employees (head count) with an FTE of 16.6 who are undertaking duties within the Strategic Marketing, Communications and Media Unit.

These employees undertake a range of functions, particularly promoting school and departmental activities including:

- planning, advertising and management of events, productions, tenders, education programs and initiatives, and other public notices.
- the design and development of visual concepts, brand, graphics and publications, website development, standards and accessibility, intranet site and internal communications (news and notices) and style guide.
- overseeing social media policy, procedure and guidelines, together with campaigns for schools and managing social media such as school closures or incidents and/or natural disasters/emergencies or critical incidents
- Managing internal and external communication strategies, and responding to enquiries from the media and the preparation of media releases.

14. EDUCATION - WORKERS' COMPENSATION CLAIMS

Ms O'BYRNE asked the Minister for Education and Training -

With respect to workers' compensation claims in the Department of Education -

- (1) Are there any current workers' compensation claims and if so, how many?
- (2) If any, how many of these compensation claims have been settled and what was the total cost of those settlements since March 2018?
- (3) If any, what is the anticipated total cost of outstanding or pending compensation claims?

Mr ROCKLIFF replied -

Information regarding workers compensation claims is actively disclosed annually through the Department of Education annual report.

20. EDUCATION - PART-TIME ENROLMENT

Ms O'BYRNE asked the Minister for Education and Training -

Have any applications for part-time enrolment been made to the school registrar in the last 12 months from each sector and if so, how many?

Mr ROCKLIFF replied -

An application to home educate a child may include a part-time enrolment and attendance of a child at one school for up to two days a week.

In the past 12 months, the Education Registrar has approved a total of 37 home education registrations that have included a part-time enrolment at a school.

Of these, 21 registrations included the part-time enrolment of a child to attend a Tasmanian government school.

29. EDUCATION - PART-TIME ENROLMENT - STUDENTS WITH DISABILITY

Ms O'BYRNE asked the Minister for Education and Training -

Are any students with a disability currently part-time enrolled in each school sector - Catholic, Independent and Public - and if so, how many?

Mr ROCKLIFF replied -

In 2018, as at 31 August 2018, there are currently 33 students with disability enrolled in Tasmanian government schools and attending part-time.

In relation to Catholic and Independent schools that information is not held by the Government.

The Office of the Education Registrar - OER - holds information in relation to the part-time enrolment of home-educated students in schools in Tasmania but no other students.

The OER holds information about applications for part-time attendance at school for students in Independent (non-Catholic) schools but the OER does not keep records as to how many of those students have a disability.

30. TASMANIA CLOUD STRATEGY

Ms O'BYRNE asked the Minister for Science and Technology -

With respect to the Tasmania Cloud Strategy -

- (1) Has there been any progress towards the adoption of the Tasmania Cloud Strategy and if so, what is the progress?
- (2) Have any agencies or GBEs moved to the cloud infrastructure as a service model and if so, which ones?

Mr FERGUSON replied -

- (1) and (2)

The two key service offering supporting the Tasmanian Cloud Strategy are Data Centre as a Service - DCaaS - and Infrastructure as a Service - IaaS.

DCaaS is provided by TasNetworks and TasmaNet on a panel arrangement for government agencies and eligible customers. Most agencies have transitioned their key computer infrastructure into these contemporary data centre facilities.

IaaS is provided by NEC and TasmaNet on a panel arrangement for government agencies and eligible customers.

The departments of Education, Health, Communities Tasmania, Police, Fire and Emergency Management, TMD, Justice, State Growth and Treasury and Finance are using DCaaS or IaaS and Department of Primary Industries, Parks, Water and Environment is planning to move in 2019.

GBEs are not required to purchase from the panel arrangements. However, the Department of Premier and Cabinet is aware that TasPorts is using a DCaaS rack and that Sustainable Timber Tasmania is using IaaS.

31. GOVERNMENT EXPENDITURE 2017-18

Ms BUTLER asked the Leader of Government Business -

Questions 31 to 97 on the Notice Paper relating to government expenditure.

Mr FERGUSON replied -

The questions are addressed to nine members - the Premier, the Treasurer, the Minister for Education and Training, the Minister for Health, the Minister for Justice, the Minister for Human Services, the Minister for Police, Fire and Emergency Management, the Minister for Primary Industries and Water and the Minister for State Growth.

The majority of questions request very detailed information regarding ministers and departments hosting functions and official receptions; departmental furniture, fixtures and fittings; the upgrade of departmental facilities; ministerial office and departmental staff travel; ministerial international and interstate travel; departmental media monitoring, advertising and promotional merchandise; and ministerial offices and departmental credit cards. Much of the information has been requested for the period 1 July 2017 to 30 June 2018.

The amount of work involved in responding to the 67 questions on notice would place a significant impost on the government resources. A conservative estimate is that it would be at least a week's work for each portfolio given the level of detail requested. Across the nine portfolios this would equate to a minimum of 350 hours work. The amount of work required and the inherent associated cost is not an appropriate use of constrained government resources given that other mechanisms already exist for providing information, particularly the budget Estimates process and the routine disclosure of information.

The parliamentary budget debate and Estimates committee review process provides an opportunity for detailed parliamentary scrutiny of, and debate on, the state's economic and financial position and the government's overall objectives.

Additionally, departmental annual reports, the audits undertaken by the Auditor-General and the work of parliamentary committees provides other mechanisms for obtaining information and scrutinising government activities.

In relation to routine disclosure of information, the Government is committed to the routine disclosure of Ministerial and Parliamentary Support - MPS - information as well as departmental information. The MPS information includes details on -

- ministerial office employees and salaries;
- government card expenses;
- fleet cars and taxi services; and
- travel and ministerial office refurbishment expenses.

Departmental information includes information such as -

- organisational structure and functions;
- departmental governance policies;
- major policy programs;
- employment statistics and senior executive service details;
- expenditure on telecommunications;
- gifts and hospitality; and
- contracts and consultancies awarded with a value greater than \$50 000

On 25 June 2018 the Government further committed to increasing transparency and accountability by enhancing and extending the routine disclosure of information across all government departments. From the end of June this year, 37 new routine data releases were published online, including information about government procurement, property data, industrial hemp and poppy active licences, and taxi licences and the taxi subsidy program. In October 2018, a further suite of routine disclosure items was published online ensuring even greater access to up-to-date information on the activities of government. This information can be found on the Government Information Gateway at www.dpac.tas.gov.au/government_information_gateway.

49. EDUCATION - UPGRADING OF OFFICES

Ms BUTLER asked the Minister for Education and Training -

Was the furniture, fixtures or fittings of the Office of the Secretary of the Department of Education, or the offices of any deputy secretaries of the Department of Education, upgraded during the financial year 2017-18, and if so, what were the itemised list of costs (GST inclusive)?

Mr ROCKLIFF replied -

For Hobart the secretary and deputy secretaries offices were all moved to level 7 and 8 of the new Parliament Square building. This is a leased arrangement, which includes furniture, fixtures and fittings for all occupants.

In Launceston the Deputy Secretary Learning team was relocated from the Inveresk lease to a short-term lease at Henty House. This relocation resulted in no upgrades to staff rooms, kitchens or bathroom facilities.

98. DATA CENTRE ACTION STRATEGY

Ms O'BYRNE asked the Minister for Science and Technology -

With respect to the Government's Data Centre Action Strategy -

- (1) Is the Coordinator General attempting to secure a Tier 3 Data Centre in Tasmania? If so, what is the status of that work?
- (2) When will the Cambridge Data Centre that the Government announced in August 2016 be completed; and
- (3) What issues, if any, have delayed the Cambridge Data Centre project?

Mr FERGUSON replied -

- (1) The Government continues to engage with a number of providers to attract investment and provision services in line with the strategy, as well as the Tasmanian Cloud Policy.

(2) and (3)

The proposed Cambridge Park data centre announced by FrontierDC and welcomed by government, is a private development. As such, questions as to development timelines are best posed to the proponent, Frontier DC (formerly Red Cloud).

99. WORKFORCE RENEWAL INCENTIVE PROGRAM

Ms O'CONNOR asked the Premier -

How many Workforce Renewal Incentive Program - WRIP - offers have been made to public servants across all Tasmanian government agencies in the past 12 months?

Mr HODGMAN replied -

In the period from 1 October 2017 to 30 September 2018, a total of 13 State Service employees have exited the State Service across all agencies under the Workforce Renewal Incentive Program.