

Tuesday 18 September 2018

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

STATEMENT BY DEPUTY PREMIER

Absence of Premier

[10.03 a.m.]

Mr ROCKLIFF (Braddon - Deputy Premier) - Madam Speaker, I advise that the Premier will be absent from the House this week. He is currently leading the Government's trade mission to Asia. In his absence I will be acting as Premier.

Ms O'Byrne - Did he put a reserved sign on his seat so nothing happens while he is gone?

Madam SPEAKER - Order. Can we please hear the acting Premier in total silence.

Mr ROCKLIFF - I will take any questions relating to the Premier's portfolio responsibilities.

QUESTIONS

Corrections - Release of Prisoner

Ms WHITE question to the ATTORNEY-GENERAL, Ms ARCHER

[10.04 a.m.]

On 22 July 2016 Daryl Royston Wayne Cook was released from Risdon Prison despite overwhelming evidence he was in the grip of a psychotic episode. The next day, 23 July, he killed North Hobart shopkeeper, Voula Delios, in broad daylight. Does not the family of Mrs Delios deserve an explanation as to why this very dangerous, very sick man was allowed to walk free from prison? Will you apologise to Mrs Delios' children for the failure of the system, which was supposed to keep their mother and the community safe?

ANSWER

Madam Speaker, it is not surprising the Opposition is again going to play politics with a very sensitive issue. On behalf of the Government and all my colleagues behind me our thoughts are with Mrs Delios' family and friends at this extremely difficult time. The circumstances around this tragic case have precipitated swift action by our Government, including an urgent review of the processes and the procedures relating to prisoner psychiatric care assessments and prisoner discharges. I stress that there will be a coronial investigation. It is appropriate that further work is done to ensure that these processes are as rigorous as they can be but I also do not want to prejudice those investigations.

We, as a government, and I as the minister want to ensure the safety of the community and will always do everything we can to protect Tasmanians and keep them safe. The Government has already announced it will abolish remission of sentences. During the last term of government we

undertook considerable work to strengthen prisoner release processes and procedures. It was not surprising the members opposite opposed those. It is galling that they come in here today and use something like this, an extremely sensitive and tragic case, for their own political purposes.

Mr Bacon - Oh right; galling is it?

Madam SPEAKER - Order.

Ms ARCHER - As we said when we announced we would move to scrap remissions in 2017, this practice is totally out of line with community expectations. That bill is on the blue for today, so I will not go into that. I look forward to Labor's new-found support of that.

I cannot comment on individual prisoners' cases. By way of general example, the granting of remissions are made by the Sentence Administration Unit. In making these decisions that unit considers a range of factors, including the prisoner's behaviour while incarcerated. The Corrections Act, as it currently stands, allows for this practice. The Government has made it clear it believes remission is outdated, out of step with community expectations and is seeking to remove it.

Mr O'Byrne - This is not about remissions.

Madam SPEAKER - Order.

Ms ARCHER - We cannot undo the tragic circumstances in question, but we can, and must always seek to make improvements to our law to prioritise community safety.

Corrections - Assessment of Prisoner Prior to Release

Ms WHITE question to ATTORNEY-GENERAL, Ms ARCHER

[10.08 a.m.]

Mrs Delios' family deserves answers. What assessments were undertaken, including mental health assessments, before Daryl Cook walked free?

ANSWER

Madam Speaker, I have provided as much detail as I am prepared to publicly state at this time. There will be a coronial investigation. I cannot reveal those circumstances about a prisoner. I will not pre-empt any investigation.

Premier - Absence from Parliament

Ms O'CONNOR question to ACTING PREMIER, Mr ROCKLIFF

[10.09 a.m.]

Why is the Premier not in parliament? He has a state to run and a health system collapsing under the strain but he is still in China on a lengthy junket being wined and dined by an authoritarian regime and making an international fool of himself on matters of Antarctic security. As political

analyst Richard Herr said in today's media it is highly unusual for a Premier to absent himself from parliament for an entire week.

Can you please explain to the House why the Premier has chosen not to face parliament this week? Why he has prioritised cosying up to the Chinese communist government over his responsibilities to the Tasmanian people?

ANSWER

Madam Speaker, I thank the member for her question. It is not a surprising question from the Greens, who are anti-jobs, anti-economy and anti-trade. Tasmania exports more than 90 per cent of what we produce. We need to have a vigorous campaign when selling Tasmania's fantastic produce to export, our education to export and, as has been demonstrated in recent times, the record tourism growth being experienced under the Premier's watch, as Minister for Tourism and Hospitality.

The Premier is on a trade mission, as the member pointed out, and those opposite granted him a pair to go. The Premier is over there -

Members interjecting.

Madam SPEAKER - Order. We are off to a bad start yet again. I remind members we are here to work for the public and they expect more decorum from us. Please allow the Acting Premier to finish his answer.

Mr ROCKLIFF - Madam Speaker. The Government is not interested in playing politics with Tasmanian businesses selling their produce to international markets.

Members interjecting.

Madam SPEAKER - Order. I am going to put Ms O'Connor and Ms O'Byrne on first notice. There will be no second notice. That is the first and only warning. I would like to keep you in the Chamber and I respectfully ask you to obey the rules.

Mr ROCKLIFF - Accompanying the Premier on the trade and investment mission to Asia are a number of Tasmanian exporting businesses, creating wealth in our community, employing Tasmanians, with their only desire to sell more of their fantastic produce and employ more people. I am not surprised the Greens are anti-jobs in this sense. Tasmania is an export state. We have to get out there and sell the very good value of what we produce across the number of enterprises in Tasmania. The record clearly shows we are getting on with the job, selling Tasmania's brand nationally and interstate, our great produce and they are employing more people. For the first time, we have 250 000 Tasmanians employed.

Ms O'CONNOR - Point of order, Madam Speaker. We still have not had an explanation from the Acting Premier as to why the Premier has absented himself from parliament for a whole week.

Madam SPEAKER - Would you like to answer that?

Mr ROCKLIFF - I have answered the question, Madam Speaker.

Madam SPEAKER - I accept you have.

Mr ROCKLIFF - It is important the Premier accompany businesses on international trade and investment missions. The Premier is doing a fantastic job leading the state and leading that delegation. For the first time ever, we have 250 000 Tasmanians employed. That is all about the Hodgman Liberal Government getting on with the job, growing our economy domestically and increasing international trade.

We are an exporting state. We rely on our exports; some 90 per cent of what we produce. International trade and international trade relations are a very important part of selling Tasmania and allowing businesses to get on with the job and employ more people.

Recognition of Visitors

Madam SPEAKER - Honourable members, we can all welcome into the Chamber, in the gallery, the U3A from Glenorchy, which is the University of the Third Age. I believe the honourable Josh Willie is hosting them. Welcome to parliament.

Members - Hear, hear.

Economic Performance and Essential Services

Mr HIDDING question to ACTING PREMIER, Mr ROCKLIFF

[10.14 a.m.]

Can the Acting Premier provide the House with an update on Tasmania's continually improving economic performance and stronger essential services under the Hodgman majority Liberal Government?

ANSWER

Madam Speaker, I thank the member for Lyons for the question and his interest in this matter. Under the Hodgman Liberal Government, 15 300 more jobs have been created, 370 more nurses have been employed, there are 120 more hospital beds, 142 more teachers and 113 more police on the beat. I am proud to table the Government's score card for 2014 to 2018.

Hard work has been done by this Government, balancing the budget, growing the economy and employing more people at the front line and I table that.

The scorecard of those opposite, the Labor side of the House, is all about how many membership dollars Labor and the unions can make out of expecting taxpayer-funded staff in their offices to sign up. Labor's rules say that to get a taxpayer funded job with the Opposition, you need to have paid membership fees to the Labor Party and the unions. It is appalling. It is a clear breach of the fundamental workplace relations principles.

Members interjecting.

Madam SPEAKER - Order. Mr O'Byrne.

Mr ROCKLIFF - It is a clear breach of the fundamental workplace relations principles contained in the Fair Work Act and is possibly in breach of the Tasmanian Anti-Discrimination Act and the Tasmanian Industrial Relations Act. If you claim that this discriminatory rule is not being enforced, then what has the Leader of the Opposition done to remove the rule? That is the question of those opposite. The Labor Party's scorecard is a big fat zero.

In contrast, the Hodgman Liberal Government released our performance scorecard earlier this month, showing what we have done so far to make Tasmania a better place to live than ever before. It shows the policies of the majority Liberal Government, which supports business and job creation, have delivered a stronger economy, more private sector investment and strong retail spending. Off the back of these policies and the confidence driven by a stable majority government, we have hit 250 000 jobs in Tasmania for the first time ever.

Mr O'Byrne interjecting.

Madam SPEAKER - Mr O'Byrne, this is your first warning.

Mr ROCKLIFF - Importantly, we have the budget back in the black and that is enough for us to invest heavily in health - 120 new hospital beds, 370 more nurses, 2200 more elective surgeries in 2018 than occurred four years ago. When you see the results delivered by the majority Liberal Government and our plan to deliver record health funding, more new hospital beds -

Mr Bacon - Are any of those beds on the floor?

Madam SPEAKER - Mr Bacon, this is your first warning, too.

Mr ROCKLIFF - and more frontline health staff, you have to reflect on the damage done between 2010 and 2014 under a Labor-Greens government. In government, they cut \$0.5 billion out of the health system and sacked a nurse a day for nine months.

Ms O'Byrne - That is not true. Don't say things that are not true.

Mr ROCKLIFF - It is true. It is unbelievable that those opposite can pretend to care about health with their appalling record between 2010 and 2014. I refer to an ABC news report about Labor's own performance in health -

The full extent of future budget cuts at the Launceston General Hospital have been revealed, with the hospital forced to look for \$76 million worth of savings over three years.

Last week, it was revealed two of the hospital's six theatres and 20 surgical beds would close.

Members interjecting.

Madam SPEAKER - Order. We are on show today. There are some very talented people in this room and I would like people to see that talent and not yelling and disruption. Acting Premier, you have 30 seconds.

Mr ROCKLIFF - I know you are sensitive about it. They distributed material the other day; about 1000 signatures of Tasmanians concerned about health. We also saw a petition, created by Tasmanians about four years ago, about Labor's record in health when they were in government. It was not 1000 signatures, or 5000 or 10 000 or 20 000, but 27 000 signatures of Tasmanians complaining about the Labor-Green government's appalling record on health.

What we have done as a majority Hodgman Liberal government is balance the budget, grow the economy and employ more people. There were 15 000 jobs created in the state under the Hodgman Liberal Government compared to 10 000 jobs lost under the Labor-Green government. We have also invested in essential services. That is why there are more police on the beat, more teachers in our schools and more nurses in our hospitals.

Memoranda of Understanding signed on Trade Mission to Asia

Ms O'CONNOR question to ACTING PREMIER, Mr ROCKLIFF

[10.20 a.m.]

Now that we have established that the Premier is more concerned with cosying up to a communist regime than he is with representing Tasmanians in this parliament, could you please detail to the House what memoranda of understanding the Premier has signed in Tasmania's name on this trip? What has been agreed to in detail? Further, will you commit to tabling all agreements signed between the Chinese government and Tasmania during this taxpayer-funded trade mission?

ANSWER

Madam Speaker, I did not realise the Greens were so anti-trade and, as a consequence, anti-jobs.

Ms O'Connor - We're pro-Tasmanian.

Mr ROCKLIFF - We make no apologies for taking Tasmania to the world. Along with it are hardworking local businesses, employing local people and producing the finest quality of goods from around the world.

Ms O'CONNOR - Point of order, Madam Speaker, under standing order 45, relevance. We kept the question very simple. Would the minister please detail to the House what memoranda of understanding the Premier signed and will he table them?

Madam SPEAKER - As you would appreciate, Ms O'Connor, and as I express daily my frustration with standing order 45, I cannot instruct the minister to answer the question in any other way than he sees fit. I ask the Acting Premier to attempt to address it, please.

Mr ROCKLIFF - Thank you, Madam Speaker. The aim of the trade mission is to help foster a long-term and reliable source of business, reinforce existing government and business relationships, promote investment opportunities, and retain and build on Tasmania's position as China's preferred gateway to Antarctica. Already we are seeing positive outcomes, including the identification of many new opportunities to increase trade, which will further boost investment and jobs in rural and regional Tasmania. Tasmania exports some \$3.5 billion annually -

Ms O'CONNOR - Point of order, Madam Speaker. It is really important that the Tasmanian people understand what MOUs have been signed and what the content is of those MOUs.

Mr FERGUSON - Madam Speaker, on that point of order. This is very disorderly and disruptive from Ms O'Connor. You have already ruled on her earlier point of order and this is a repeat of her earlier point of order. The Acting Premier is answering the question and the member should give him the opportunity to do so without disruption.

Madam SPEAKER - Thank you for that comment. I rule as I did before, Ms O'Connor, and remind you that constant interjections will see you removed from the House. I ask the Acting Premier to answer that question as best and as quickly as he can. We have many questions to get through and we only have half an hour to go.

Mr ROCKLIFF - As I was saying, Tasmanian exports are worth more than \$3.5 billion annually to the state's economy and have increased some 36 per cent over the last year, with China and Hong Kong both key markets driving the export growth. Nine of our biggest export markets are in Asia and China recently became our first ever \$1 billion export market.

Additionally, we have announced that the Chinese icebreaker *Xue Long* will dock in Hobart twice this summer, bringing huge benefits to Tasmania's Antarctic sector and our local economy. We have signed an MOU with China's largest fresh produce platform to support trade and pathways to market for Tasmanian exporters. That is a positive and important step for our exporters with the potential to increase pathways into Chinese markets. In other words, we are selling more of our produce so our businesses can grow and employ more people. That is good.

The second MOU was signed between the Tasmanian College of English and the Chongqing Education Technology and Research Institute establishing a commitment for a strategic partnership to grow opportunities for academic and education exchange. On Thursday an MOU was struck between the Department of State Growth and Putuo District of Education to encourage visits and exchange trips between Tasmania and Putuo, which supports the Government's global education growth strategy. Good news.

More than 150 Tasmanian and Chinese guests attended the Tasmania showcase event, hosted at the Shanghai restaurant of Australian Michelle Garnaut AO. Good news. Taking our local businesses to international markets, promoting Tasmania as a quality destination and growing quality produce is a good thing so that businesses can grow in Tasmania and can employ more people. When those opposite were in government we lost 10 000 jobs. In government we have grown our job numbers to 15 000 more than there were under the Labor-Greens government. We want that to continue and that is what these missions are all about.

Ms O'CONNOR - Point of order, Madam Speaker, again under standing order 45, relevance. Will the minister commit to tabling the MOUs signed in Tasmania's name?

Madam SPEAKER - I believe the minister has addressed the MOUs. They will be on *Hansard* so they will be recorded.

Corrections - Prisoner Healthcare Arrangements

Ms HADDAD question to MINISTER for CORRECTIONS, Ms ARCHER

[10.27 a.m.]

The chain of events around the release of Daryl Cook points to a complete breakdown of processes within the corrections system and a failure to protect Tasmanians. This prisoner was

severely mentally unwell but was not housed in the Wilfred Lopes facility where his condition could have been monitored and treated. He was in the maximum security behavioural management unit. He was not thoroughly assessed for his extreme psychotic state prior to release and you have cut the Reintegration of Ex-Offenders program which would have provided some oversight, but you are addressing none of these failings. You are only trying to cover up these failings by trying to give the appearance of acting on remissions. How would this deeply cynical move have protected victims like Mrs Delios?

ANSWER

Madam Speaker, I thank the member for her question but do not accept those allegations of a cover-up and the words that were used to promote political opportunism at its worst.

As I said in my previous answer, I am not able to provide confidential details of specific healthcare arrangements for individual inmates. What I have said publicly, with my colleague, the Minister for Health - because the facility within the Risdon Prison Complex, the Wilfred Lopes Unit, is run by Health - is that the circumstances around this tragic case have precipitated swift action by the Government, including an urgent review with respect to the processes and procedures relating to prisoner psychiatric care assessments and prisoner discharges.

I am able to say that the prisoner in question was released on remission but I am not able to provide confidential details on healthcare arrangements. However, all inmates on admission receive a comprehensive healthcare assessment which includes a mental state examination from highly skilled health professionals from the correctional primary health service. Throughout a prison stay, inmates with a mental health issue are closely monitored and assessed.

In relation to the Wilfred Lopes issue, there has also been much said in media commentary regarding capacity. I can assure the House there are no capacity issues at Wilfred Lopes, which is continuing to take admissions when there is an assessment and as required.

TasWater - Update

Mr BROOKS question to TREASURER, Mr GUTWEIN

[10.30 a.m.]

Can the Treasurer update the House on matters regarding TasWater?

ANSWER

Madam Speaker, I thank the member for Braddon for his interest in this very important matter.

The Government is committed to keeping the cost of living down. We are committed to investing in long-term infrastructure projects. We are committed to growing Tasmania's economy. That is why we took to the election a commitment to reduce water and sewerage bills and to bring forward investment in important infrastructure.

We have been working with TasWater, the owner's representatives and LGAT. We recently signed an MOU which captures a proposal to deliver lower prices and quicker infrastructure upgrades while providing a pathway for dealing with major projects of economic or environmental

significance. Under the proposal, the Government will become a shareholder; however councils will retain majority ownership. The state government will make a significant equity injection into the business of \$200 million. Councils will vote on the proposal later this month. I am hopeful they will embrace the opportunity -

Mr O'Byrne interjecting.

Member Suspended

Member for Franklin - Mr O'Byrne

Madam SPEAKER - Mr O'Byrne, please leave the Chamber until the end of Question Time. You have had a warning and you have continued to be disruptive. Thank you.

Mr O'Byrne withdrew.

Mr GUTWEIN - Madam Speaker, he has demonstrated in the past couple of weeks, he just cannot control himself.

Councils will vote on the proposal later this month and I am hopeful they will embrace the opportunity to keep prices lower while delivering the water and sewerage services we need to meet the demands of our growing economy.

The Government will work in partnership with TasWater and its local government owners to deliver key projects of significance for the state as countenance in the MOU. There are a number of significant projects around Tasmania and I have recently written to TasWater regarding three of these. That letter has been circulated to councils to ensure local government is fully aware of the positive outcomes we are hoping to achieve as a result of our engagement with TasWater prior to the council vote later this month.

First, we will work with TasWater to maximise the upgrades of vital water and sewerage infrastructure along the Tamar, ensuring the upgrades of the multiple waste water treatment plants are planned to maximise the committed investment into fixing the problems associated with the combined system. For the first time, all levels of government will be working together to solve the issues facing the Tamar.

Second, the Government and TasWater will consider the growing infrastructure needs of the Freycinet area, in particular, Coles Bay. We will begin the conversation with the local community about the challenges and opportunities that exist in the region and how, through working together, TasWater and the State Government can address those issues.

Finally, Macquarie Point. Macquarie Point is one of the most attractive centrally located capital city development sites in the entire country. It is now transitioning from the remediation phase to the investment and development phase. The legislation that we will introduce into the House next month will outline a clear plan for development that is faithful to the MONA vision and which will unlock the site's massive potential. Something needs to be done about the wastewater treatment plant. There are no silver bullets; there are no easy fixes. As countenanced in the MOU the

Government and TasWater have already had some preliminary talks regarding the removal of the wastewater treatment plant. Those talks have been very positive.

In my letter, I have committed the Government to work with TasWater to develop a plan for decommissioning the wastewater treatment plant as soon as practicable. The state Government is prepared to make additional funding available to assist TasWater to decommission and relocate the Macquarie Point wastewater treatment plan subject to a funding model being developed that is acceptable to TasWater, its local government owners and the state. The state's contribution would be in addition to the \$200 million of equity that we have set out in the MOU. Together with TasWater we are of the view that, subject to the funding plan being agreed, the plant would be removed within four years allowing the Macquarie Point site to be fully developed without this inhibiting factor.

This will be a significant outcome for the state, one that will help unlock hundreds of millions of dollars of investment by ensuring the site can fully capture the development opportunities that are being discussed as part of the Hobart City Deal.

Corrections - Early Release of Prisoners

Ms HADDAD question MINISTER for CORRECTIONS, Ms ARCHER

[10.35 a.m.]

On your watch dangerous prisoners have been released from prison when they should not have been and without any follow-up. This was made clear during the trial of Daryl Cook in the Supreme Court last week. You are now trying to cover up the failings of the prison system your Government has created. In April 2016 a man convicted of armed robbery was incorrectly released too early and had to be tracked down by police. In the same year domestic violence perpetrators were mistakenly allowed to leave the prison. The Government has cut critical and important programs designed to help prisoners once they are released and protect the community at the same time, such as the Reintegration of Ex-Offenders program, which helped prevent homelessness and provided other support on release. You slashed \$28 million set aside by the Labor government for ICT systems, including in the justice system which kept track of both incarcerated and released prisoners.

How many prisoners, including Daryl Cook, have been mistakenly or wrongly released from prison over the past five years of this Liberal Government? How many people have suffered as a result of your failure to keep the community safe?

ANSWER

Madam Speaker, I laughed at that last comment because Labor is pretending to have new-found support for community safety when it voted against every measure we introduced in this House on law and order, every time. Mandatory minimums -

Members interjecting.

Madam SPEAKER - Order. A bit more discipline on both sides of the House, please. I ask the Attorney-General to continue answering the question and ask that she be heard in silence.

Ms ARCHER - Thank you, Madam Speaker. With Labor's new-found support they have an opportunity today to stand up,

Mr Bacon - You have the opportunity to end the cover up.

Member Suspended

Member for Denison - Mr Bacon

Madam SPEAKER - Mr Bacon, you are already on notice so I am afraid you are going to have to leave the Chamber. You can stay out till the end of question time. I do so reluctantly.

Mr Bacon withdrew.

Ms ARCHER - They can stand up for community safety. They still have not credibility because I fully expect them not to support our measures going into,

Ms WHITE - Point of order, Madam Speaker. Standing order 45, the substance of the question. How many prisoners have been wrongly released in the past five years? If you could ask the Attorney-General to draw her answer back to that.

Madam SPEAKER - I am happy to ask the Attorney-General to draw her attention to the question but, as you know, I am without power. While it is condoned by this House, standing order 45 is pretty much useless. Please continue, Attorney-General.

Ms ARCHER - There were a number of allegations and quite a lengthy preamble to asking that question. What I am attempting to do is deal with the issue of community safety. The shadow attorney-general says that the Government should start standing up for community safety. We already stand up for community safety. I have always said what the immediate action has been in relation to this matter. All members of this House have the opportunity today to take immediate action on the subject of remissions. I have confirmed for the House how that is relevant to this particular circumstance.

We have acknowledged that incorrect releases from prison are totally unacceptable. There have been instances where prisoners were incorrectly released under this Government and the previous government as well as preceding governments. Unlike the previous government this Government did something about it. In May 2016 the Government took action that included an audit to improve compliance with the processes for obtaining, entering and validating sentence and remand orders and calculating release dates. That audit was undertaken by KPMG and the final report was received in February 2017. That report included a suite of recommendations for reforms to address the factors that contributed to incorrect releases and to improve the accuracy and efficiency of the process. The Government accepted all recommendations contained in the final report except one. A copy of the audit is publicly available and I invite the member to have a look at that and the recommendations.

In relation to the data on incorrect releases, prior to the release of that audit the Tasmania Prison Service identified a total of nine occasions on which the incorrect release of a prisoner had occurred between July 2015 and November 2016. If the member wants me to go earlier than that I will have

to come back into the House to give those figures. A significant factor that contributed to these releases was a decision by the Supreme Court that changed the way remission was to be applied. Importantly, since the release of the audit there have been no further incidents of prisoners being released on the incorrect date. This shows we acted swiftly and effectively to manage a longstanding issue that had existed and was experienced by the previous government.

I add that the Opposition oversaw incorrect prisoner releases in 2010, 2011, 2012 and 2013, so comments made by the shadow attorney-general in the media only further illustrate Labor's unbelievable hypocrisy after they failed to do anything under their watch to rectify these issues during their term of government.

Royal Hobart Hospital - Acute Mental Health Beds

Ms WHITE question to MINISTER for HEALTH, Mr FERGUSON

[10.42 a.m.]

Yesterday we saw once again shocking reports of patients forced to sleep on the floor of the emergency department at the Royal Hobart Hospital. You conceded once again that it is not good enough and the system has failed patients, including mental health patients. Patients and staff are now so desperate they are bravely speaking out publicly about the failures of the health and hospital system. Even though you say it is not good enough, under your watch it is not getting any better and is getting worse. Will you listen to the clinicians who are asking you to restore the number of number of acute mental health beds at the Royal Hobart Hospital to 42?

ANSWER

Madam Speaker, I thank the Leader of the Opposition for her question. Both the Labor and Liberal governments are responsible for having reduced the number of acute care beds for mental health at the Royal Hobart Hospital. In both cases it has been on the clinical advice about the need to transfer more care into the community and what the demand was and occupancy rates were for acute care bed provision. The Government accepts that demand has increased in that time and at the last election we promised not 10 but 25 more beds for mental health in the community.

The Mental Health Council has been very clear that that is where those beds are required. The Mental Health Council, to its credit, said last week that enough is enough about this focus and debate on inpatient beds and the acute care system only. What we really need is to join up all our mental health services because that is what is patient centred. We need to help people in facilities that support their needs where they live without the need to go to hospital.

Of course we need more inpatient beds and that is what we are building right at this moment. The RHH is now the tallest building in Hobart. We are in our final year of building the Royal Hobart Hospital and we are proud of that because the Labor Party ruined it.

Ms WHITE - Point of order, Madam Speaker, under standing order 45. The question was very clear. Will the minister restore the number of acute mental health beds to 42, as clinicians have called for? He has spoken about other beds but not acute mental health beds. These are the ones in hospital, minister.

Madam SPEAKER - You have been very clear on that point. I am going to accept the point of order because I would like the answer.

Mr FERGUSON - Madam Speaker, I have answered it very directly. The Leader of the Opposition is now going against the advice of the Mental Health Council which is saying enough is enough of the singular focus. We are building 33 more mental health beds on site at the Royal Hobart Hospital. We are in our final year and we are proud of the work our people have done to get that building back to rising up out of the ground.

I want to let the people of Tasmania know that Rebecca White did not promise 10 more acute care beds at the election at all. If she is going to try to play that charade with Tasmanians, it is highly dishonest. Enough is enough. Stop playing politics with people's mental health. The Labor Party has been doing it all morning with their questions on a very tragic case and it has to stop. This Government is extremely concerned that we provide the right care in the right place at the right time.

I stand with our health workers. Over the weekend they saw very busy presentation numbers at the Royal Hobart Hospital. On Sunday 203 people presented to the Royal Hobart Hospital emergency department. That is a very large increase on normal for a Sunday. I say thank you to our health workers. They worked through a very difficult situation and they do their best to provide care. They do us proud with the work they perform in very busy circumstances. Over the weekend we had significant numbers of people presenting at the emergency department. Now we have opened all the wards that Labor closed, now we have employed 370 extra nurses and opened 120 more beds but we are still seeing the hospital system struggle at times, particularly during times like last weekend. I say thank you to our doctors, nurses and our allied health professionals.

While it is the case that we feel we could have done better and it is our management systems that are now stepping in so that we could have provided those recliners at an earlier time, we do not want to see people laying on the floor ever, in any of our areas. The politicking we have again seen from the Leader of the Opposition, who challenges the Government to do something that they were not even calling for as recently as six months ago at the election, is breath-taking hypocrisy.

Ms WHITE - Madam Speaker, I seek to make a statement at the end of question time as the minister has misrepresented me again.

Madam SPEAKER - Okay, thank you.

Mr FERGUSON - They are very thin-skinned over there.

Ms White - You cannot lie to the House and you are lying.

Mr FERGUSON - Madam Speaker, I ask the member to withdraw that comment.

Madam SPEAKER - I ask the Leader of the Opposition to withdraw.

Ms White - I withdraw.

Mr FERGUSON - They are very thin-skinned. At the last election we know Labor had a health policy they had to rewrite seven times.

Ms White - That is also not the truth.

Mr FERGUSON - This House and every Tasmanian needs to know that not one of their seven rewrites of that policy promised 10 more inpatient acute care beds for mental health.

Ms White - That is what I will prove you wrong about at the end of question time.

Employment - Payment of Union and Membership Fees

Mr SHELTON question to MINISTER for BUILDING and CONSTRUCTION, Mr BARNETT

[10.48 a.m.]

Can the minister advise whether it is appropriate for organisations to force workers to join unions and pay membership fees in order to get a job?

ANSWER

Madam Speaker, I thank the member for his question and his interest in this matter. We know that laws were brought in, in recent decades, to outlaw compulsory unionism. It is clearly inappropriate. In most cases, it is illegal for a person to be compelled to join a union in order to get a job. Apparently the Leader of the Opposition and every member sitting opposite believes those rules do not apply to them. The Tasmanian Labor Party rules require that, and I quote:

All political appointments to electorate or ministerial offices of State and Federal members of the Parliamentary Labor Party must be members of the Party and a financial member of the relevant union.

Labor rules make it very clear that to get a taxpayer-funded job with the Opposition you need to have paid membership fees to the union and likewise to the Labor Party. That is appalling, outrageous and discriminatory, and in total breach of fundamental principles.

Ms White - You accuse us of playing politics. What about the NEG? Shouldn't you be talking about the NEG?

Madam SPEAKER - Order. I am sorry to do this, Leader of the Opposition, but you are on warning too.

Mr BARNETT - It is in potential breach of a range of state and federal laws and in total breach of the principles that we all in Australia believe in, and that is freedom of speech, freedom of association and freedom of religion. They are embedded in our Constitution and in various laws. The Leader of the Opposition has a lot of explaining to do.

The Fair Work Act 2009 provides protections in relation to a person's freedom of association and participation or non-participation in industrial activities, including membership of industrial associations.

The act, put in place by the Labor Party, provides protections in relation to a person's freedom of association; all employees and independent contractors covered by the Fair Work Act are free to

choose to join or not to join a union. It is illegal for a person to pressure another person into any decision. It is a very serious matter and the Leader of the Opposition is accountable for hiring practices in her offices and the offices of state Labor MPs. There will no doubt be further investigations by federal and other authorities into these potential breaches of the law by Tasmania's federal Labor MPs and federal Labor senators, not to mention Labor lower House and upper House members in this state.

The Labor Party rules make clear that all members are bound by this. There is no way the Leader of the Opposition or any other Labor member of parliament could claim to be ignorant of it. It is Ms White who would have the ultimate responsibility for enforcing the rule when it comes to Opposition staff. Claims by the Labor's State Secretary that the rule is not enforced does not pass the 'sniff test'. 'It has never had to be enforced ...', he says. Why has it been left to the rules to give anybody interested in a taxpayer-funded job with the Opposition the clear impression that paying membership fees to the Labor Party, paying membership fees to the union, is a requirement? What it says is that the unions have the final and absolute say. We know the unions have control. They have the say over who will work in the Labor Party offices. They have the responsibility and the ability to tell the Labor Party who to hire and who to fire.

We know the Labor Party is a wholly-owned subsidiary of the union movement. We saw that with the unfortunate, hapless, Dean Winter removed from Ms White's office. That was the call made by the unions.

Members interjecting.

Ms WHITE - Point of order, Madam Speaker. I ask you to ask the minister to withdraw that statement because what he said is not true.

Madam SPEAKER - What was the point of order?

Mr Barnett - That is a debating point.

Ms WHITE - You misled the House. It is up to you whether you correct the record.

Mr BARNETT - Madam Speaker, I am happy to clarify. I said, and I made it very clear - you have misinterpreted my words - the union movement attempted to have Dean Winter removed from Ms White's office because -

Madam SPEAKER - Order. Let us move forward.

Mr BARNETT - I said it. Look at *Hansard*. You should be listening and stop interjecting. Unions wanted him removed, 'because they believe he is "right wing" and "anti-worker" and does not hold "Labor values".'. Ms White refused to condemn the actions of the union. Instead, her staffer had to meet with the unions and apologise.

Madam SPEAKER - We are running out of time. We still have some questions to get through. I ask you to keep it short if that is possible.

Mr BARNETT - Madam Speaker, I will wrap up. They threatened Mr Winter, they pushed Lisa Singh down the Senate ticket, and they forced Madeleine Ogilvie out of the party by putting all of their resources behind the other Denison member.

The Labor Party tries to claim its rules are not enforced by Ms White, but there is going to be a lot more to unfold on this matter. It is clear that Labor is in a lot of trouble because it is unfair, discriminatory and potentially in breach of a range of laws. These rules are the type of party rules one would expect in a state like North Korea under Supreme Leader, Kim Jong-un, not in Tasmania under the state Labor Party led by 'Bec Jong-un'.

Serious and Organised Crime in Tasmania

Mr BROOKS question to MINISTER for POLICE, FIRE and EMERGENCY MANAGEMENT, Mr FERGUSON

[10.54 a.m.]

Can the minister update the House on the progress of the Hodgman majority Liberal Government's commitment to introducing measures to crack down on serious and organised crime in Tasmania?

ANSWER

Madam Speaker, I thank the member for Braddon, Mr Brooks, for his question. We have a particular challenge in Tasmania. We are the last state to deal with outlaw motorcycle gangs and organised crime. I am delighted and say thank you to our colleagues in the upper House who saw fit to pass the insignia bill at our last sitting. That is a major victory for public safety in our state.

This Government will maintain our commitment to ensuring our state and our communities are safe places to live, work and raise a family. We are delivering on our commitment to ensure Tasmania Police have the tools in their toolkit we know they need and they are calling for.

I can also indicate that the Government will be introducing new laws today to replace the current offence of consorting, contained in the Police Offences Act 1935. It is out of date. It is time to modernise and that is exactly what our bill will do. It will introduce a more contemporary offence that aligns with legislation in other jurisdictions. Consorting laws exist in every Australian state as well as the Northern Territory. Originally developed as part of anti-vagrancy laws -

Ms O'Connor - Have you signed an MOU with the PLA? Fair question. I wouldn't put anything past you. I read. I have briefed myself. You are a fool. You can call me a xenophobe -

Member Suspended

Member for Denison - Ms O'Connor

Madam SPEAKER - Ms O'Connor, I gave you a warning before. You are going to have to join the others outside for the remainder of question time. If this keeps up, everyone is going to be outside.

Ms O'Connor withdrew.

Mr FERGUSON - Madam Speaker, they were developed as part of anti-vagrancy laws. In other states they have been updated to focus on dealing with organised crime instead of vagrants and petty thieves. The bill I am tabling today repeals the 1935 offence and creates a new consorting

offence to prevent serious criminal activity by deterring convicted offenders from establishing, maintaining and expanding criminal networks. The bill includes a number of legislated definitions, a preliminary warning system and a judicial review mechanism. The new offence prohibits a convicted offender from habitually consorting with another convicted offender within five years of having been given an official warning notice about consorting with the other convicted offender.

Serious and organised crime touches the lives of Australians in unprecedented ways. It is destructive, pervasive and complex. It is estimated that the cost of serious and organised crime is at least \$36 billion a year in our country. That is more than \$1500 out of every Australian's pocket; a huge impost on the average cost of living. It is hurting people's lives.

Alongside the financial cost of the crime is the devastating health and social impact of illicit drug use that has hit Tasmania. We have not escaped the shocking damage the scourge of ice has on individuals, families and towns. Our tough on crime, pro-victim approach will help cut and disrupt supply and make Tasmania a safe place. The Government is strongly supporting contemporary, preventative policing practices that are strongly recommended by Tasmania Police as well as the Australian Criminal Intelligence Commission. These are necessary steps to deal with the scourge of ice, organised crime and horrific violence.

This Government calls on the Labor Party and the Greens to stand with us, fight serious and organised crime and support this important bill today. It is well past time for Labor to drop their soft on crime approach and instead start to listen to the advice of Tasmania Police and the Police Association of Tasmania. This week, Labor has been exposed. They are rorting taxpayer-funded positions for financial gain for the Labor Party and union dues. The Leader of the Opposition, who feigns indignation -

Ms O'BYRNE - Point of order, Madam Speaker. It is a serious allegation the minister has made. He has a moment to reconsider it. There are appropriate forms he can use, but to cast those kinds of comments in this House shows the sort of gutless behaviour we have seen from this minister time after time.

Mr FERGUSON - On the point of order, the member has not raised a valid point of order.

Mr BARNETT - Point of order, Madam Speaker.

Madam SPEAKER - I have another one behind you.

Mr BARNETT - Madam Speaker, it is not a point or order. It is a debating point the member for Bass is attempting to make. I ask you to allow the minister to respond accordingly.

Madam SPEAKER - I accept it is not a point of order but I hear the frustration. I ask the minister to be a little less provocative, please.

Mr FERGUSON - Yes, and it is rorting. They are taxpayer-funded positions with union dues to the union and membership fees to the Labor Party, which are compulsory. That is undemocratic and it is un-Australian. The rule is that you have to join the party and you have to join the union before you can be hired in a taxpayer-funded position working for members of the Opposition. We call on the Leader of the Opposition and Labor, who are under the full control of the unions, to drop this policy and stop this nonsense about the unions telling the Labor Party who they can hire and fire and what policies you can and cannot have, like they did with the important prohibited insignia legislation. Labor voted against that bill because the unions did not want it, never mind what police and the Police Association wanted.

No wonder jobs and business confidence in Tasmania plummeted under the Labor Party in the past. The Labor Party has been called out. They are not pro-victim. We are pro-victim. They sided with the organised criminal groups on the last bill and I call on Rebecca White and Dr Broad to support this important legislation when it is debated on Thursday.

Health - Mental Health Beds at Mistral Place

Ms WHITE question to MINISTER for HEALTH, Mr FERGUSON

[11.01 a.m.]

You made a promise to Tasmanians that you would open 25 new mental health beds, including 10 at Mistral Place in Hobart, where construction was supposed to have begun in the first 30 days of your Government. You have not delivered on that promise - construction has not begun. These beds are desperately needed so patients are not forced to wait on the floor, and in some cases spend six days, in the emergency department. When will those 25 beds that you promised be opened, and do you remain committed to opening 10 new beds at Mistral Place?

ANSWER

Madam Speaker, I thank the Leader of the Opposition for her question. I sense in her question support for our policy to open not 10 but 25 additional beds for mental health in southern Tasmania, which sits on top of our commitment to building Tasmania's first-ever adolescent mental health units in the south and in the north as well. Those facilities are just one year away. We look forward to seeing them come on line. They have not been available in our state before.

There are issues around the Mistral Place commitment that we are currently working through. These were discussed with anybody who attended the Estimates committee. I believe Dr Woodruff asked me about that. With the Chief Psychiatrist I answered those questions and we are working through those issues right now. It is a complex piece of work. The Budget provides the funding for them and we are working with our Chief Psychiatrist who is chairing the mental health integration taskforce. We have all the right people in the room and they are currently working through a range of proposals. I look forward to updating the House as soon as I can and I make a commitment that we will open 10 extra beds in accordance with our policy, together with the extra 15 beds at the Peacock Centre, which we are rebuilding because unfortunately it was burnt down. We are working through that.

If the Leader of the Opposition wants to be constructive on this the Government will maintain communication on it but I do not promise that the beds will be specifically provided at Mistral Place. If an alternative is required we will source that and advice is currently being prepared to support that.

Wages Policy

Ms WHITE question to TREASURER, Mr GUTWEIN

[11.03 a.m.]

Today in the gallery are some of the tens of thousands of public sector workers you are denying a fair wage increase with your stubborn refusal to acknowledge the basic right - what was the mumbling?

Ms Courtney - You only give them a job if they join the Labor Party.

Ms WHITE - We know you hate unions and all the workers in your department. That is why you are denying them a fair wage increase.

Madam SPEAKER - Order, through the Chair please. This is disgraceful.

Ms WHITE - Madam Speaker, I will start again. Today in the Gallery are some of the tens of thousands of public sector workers who the Treasurer is denying a fair wage increase with his stubborn refusal to acknowledge the basic right to a fair day's pay for a fair day's work. On 24 May you stood in this House and deliberately misled Tasmanians when you said, and I quote:

In Tasmania the average wage in the private sector is around \$70 000. However, the average wage of public servants is around \$110 000 - \$40 000 more than the average wage of most other Tasmanians.

Mandy is a teacher assistant who supports special-needs children. Without her, children would not be able to participate in mainstream learning and their lives and the lives of their families would be greatly diminished. Mandy is employed for 18 hours a week. Her gross salary is around \$22 000. In the past year she has seen her bills for rates, water and sewerage, home insurance, car insurance, health insurance and electricity all increase at more than the CPI increase of 2.4 per cent. Can you explain to her today -

Mr Gutwein - Not electricity.

Ms WHITE - So she should settle for less because the electricity has risen less than 2.4 per cent? What about all her other bills?

Members interjecting.

Madam SPEAKER - Order. Please allow the Leader of the Opposition to be heard in silence and finish her question.

Ms WHITE - I would like the Treasurer to explain to Mandy and other workers today how he believes it is fair that, despite her bills increasing by more than CPI, he is only willing to grant her a pay rise of 2 per cent.

ANSWER

Madam Speaker, I thank the Leader of the Opposition for that question. As I have said on numerous occasions, we want to provide a pay increase that is fair, reasonable and affordable. It has been pointed out today in this House the axe you took to the public sector when you were in government. We had some difficult times to fix the mess you left us when we first came to government four years ago. On this side of the House we make no apology for bringing forward a wages policy that is fair, reasonable and affordable. That means we can continue to invest further into frontline services.

I am not sure if Mandy is in the gallery at the moment, but I say thank you for the work you do. It is valued.

There are a couple of points I will pull the Leader of the Opposition up on. First, in terms of energy prices, we have the lowest increases in the country. They are linked to CPI. Once again we have the Opposition Leader telling a mistruth and misleading this place. We will see her again in a moment making an explanation in this place to try to clean up the mess she created for herself earlier in question time.

Measured by the wage price index last year, Tasmanian public sector workers' wage increase was, on average, 2.6 per cent. The private sector was at 2.5 per cent. Across the country our wages are growing broadly in line with what is occurring at a national level. Our 2 per cent wages policy underpins that. It is a policy that is affordable and we believe is fair and reasonable.

Ms White - It's lower than CPI. It's not keeping up with the cost of living. It is not fair at all.

Mr GUTWEIN - The Leader of the Opposition says it is not fair. I will tell you what is not fair - bullying staff to sign up to a union before you will employ them. It is not fair when you have a policy that informs the way you hire people that is in breach of the Fair Work Act. It is not fair when you have discriminatory practices in place when you hire staff. That is what is not fair. The Leader of the Opposition has some explaining to do there. Is their policy in breach of our own Anti-Discrimination Act? It is clearly in breach of the Fair Work Act. How many staff have been bullied into joining a union before they can be employed by the Labor Party? They are the questions Tasmanians need answers to.

Madam SPEAKER - Order. I am calling question time to a close.

PERSONAL EXPLANATION

Leader of the Opposition - Comments made by Minister for Health

Madam SPEAKER - Under standing order 127, personal explanation, I call on the Leader of the Opposition to make a very brief response to the matters in contention and you may not debate the subject.

[11.09 a.m.]

Ms WHITE (Lyons - Leader of the Opposition) - Madam Speaker, the Minister for Health claimed today Labor made no commitment to fund more acute mental health beds during the election. That is not true. We committed to restore the numbers of acute mental health beds to 42, as recommended by the College of Psychiatric Medicine, the AMA and clinicians who work in acute mental health. This was in addition to a range of other measures to increase services for people with mental ill health.

Madam SPEAKER - I have a ruling from the Clerk that that was not a personal explanation. You should have explained. In future, that standing order is for personal explanation.

POLICE OFFENCES AMENDMENT (CONSORTING) BILL 2018 (No. 37)

First Reading

Bill presented by **Mr Ferguson** and read the first time.

**JUSTICE AND RELATED LEGISLATION (MISCELLANEOUS
AMENDMENTS) BILL 2018 (No. 35)**

LEGAL PROFESSION AMENDMENT BILL 2018 (No. 36)

First Reading

Bills presented by **Ms Archer** and read the first time.

STATEMENT BY SPEAKER

Amendments to Standing Orders - Approval of Governor

Madam SPEAKER - Honourable members, I advise that, in accordance with the provisions of the Constitution Act 1934, I attended Government House on Monday 10 September last to present for approval the amendments to the standing orders agreed to by the House on 30 August last and Her Excellency the Governor gave her approval.

MATTER OF PUBLIC IMPORTANCE

Meningococcal Vaccinations

[11.17 a.m.]

Ms STANDEN (Franklin - Motion) - Madam Speaker, I move -

That the House take note of the following matter: meningococcal vaccinations.

I rise to raise the critical issue of meningococcal vaccination in this state. After reviewing the department's progress report of 5 September, I alert the House to slow progress, to low uptake, particularly among adolescents, and the confusion and concern that persists within the community. The community is confused by the Government's long-term plan to tackle meningococcal immunisation, not just of ACWY strains but also meningococcal B. Meningococcal B may be the emerging issue in relation to this very serious disease.

In Tasmania, since 2016, the per capita rate of meningococcal W is higher than most parts of Australia, and the per capita rate of meningococcal B is similar to the national rate. This highlights that although the Government has acted swiftly to tackle ACWY immunisation rate, questions remain in the minds of young families and young people on what will happen next in relation to meningococcal B. This is not just an issue related to death. Some 20 per cent of survivors have lifelong complications. Among childhood survivors, more than 30 per cent suffer long-term issues such as sight and memory loss, hearing loss, learning difficulties, liver and kidney failure, and loss of fingers, toes and limbs.

The Government's approach has been to target the young population six months to 21 years of age with the ACWY vaccination. There is a cohort of 136 000 Tasmanians in this category. It highlights the issue of targeting and cost effectiveness, given that the timeframe for the rollout of this immunisation program is unknown. According to the department's progress report, 65 per cent of the eligible cohort in the south, where there has been a higher incidence of meningococcal W, has been immunised. However, only 38 per cent in the north and 22 per cent in the north-west have

been immunised. Tasmania's take up is low compared with Queensland, New South Wales and Victoria. Prior to the current program of ACWY immunisation, a woeful 15 per cent of young people since 2017-18 had been immunised. Currently only 47 per cent of the eligible cohort has been immunised. The coverage by age group is a very significant issue indeed. The adolescent take-up is particularly low, with only 12 per cent of the 15- to 20-year-old age group immunised. That represents only 4 per cent of the total cohort. What is the Government doing to lift these immunisation rates, particularly amongst the 15 to 20 year olds? When we look at the eligible pharmacies rolling out this program, there is a list of maybe 50 as at August 2018, but if you live on the west coast there is not one pharmacy and if you live on the east coast there are pharmacies only at Scamander and St Helens. Woe betide you if you happen to live in the lower part of the east coast or elsewhere across regional Tasmania.

School clinics were once the focus for immunisation for the older age cohort but there is no information about where those are at. The Government flagged that they would be hosting free community clinics in the north and north-west in October and that was promised in this House on 22 August, but no information is available within the general community as to progress on that. Let us remember this is a population where around half has low functional literacy and I do not believe it is good enough to have ads in newspapers of which only a small proportion take up.

With meningococcal B, the Government's own information on the departmental site says that the vaccination is:

... recommended for infants and young children, adolescents, young adults living close together (such as students in residential accommodation) some medical conditions and occupations.

The department is saying this is recommended. There has been concern in the past as to efficacy and cost-effectiveness. It is good enough for the South Australian government which, in July, undertook the nation's first program to tackle meningococcal B. United Kingdom data now supports the effectiveness of the vaccination. In Canada, five years ago a meningococcal B outbreak in one region followed a government response with a targeted mass vaccination program over a six-month period, with some 76 per cent uptake and only one case since. Is this not a case for the Government to look at seriously with only three cases of meningococcal B, because it will be the next emerging issue?

Time expired.

[11.22 a.m.]

Mr FERGUSON (Bass - Minister for Health) - Mr Deputy Speaker, I am pleased to speak about this concerning subject of meningococcal vaccination. I grieve with the families of people, particularly young people who have suffered the disease and are living with its lifelong consequences. I also grieve with the families in the current time and over previous years that have lost a loved one, a family member, to this terrible disease, and I am sure that brings us together.

There should be no politicking about meningococcal vaccinations in this state, and it upsets me that there has been politicking about this subject. It should not happen. If the Government rejected advice from our public health experts and chose to not follow that advice and put the public at risk, arguing budget or whatever else, it would be fair enough to have a crack at us, but that is not what has happened and it upsets me that there are people caught in the crossfire on this. They listen and

read the things that get said, including by Dr Broad in the *Advocate* yesterday, by Ms O'Byrne on the television every other day and by Ms Lovell occasionally. It upsets me because it is wrong.

What is not in contention is that any strain of meningococcal - and Dr Standen, there are 13 strains, not five: it is not only A, C, W, Y and B; there are 13 strains -

Ms Standen - Thank you, minister, I am well aware of that - and it is Ms Standen.

Mr FERGUSON - The public health advice tells us that today the really concerning strain is meningococcal W, and that is the strain we want Tasmanians to deal with in addressing the public health response. I have sat down with families of people who have lost children or have children living with a lifelong disability because of the disease - and it is not right for me to name them so I will not - but they have applauded the Government for its work in this area. Why is that? It is because they are decent Tasmanians who also accept that public health advice is the gold standard to follow.

The W strain outbreak in the Hobart area was our immediate cause for concern. There is an epidemiological instrument for this. I never like dealing with cost-benefit analyses but that is the reality of how public health experts make conclusions about what public health interventions should be followed.

Mr Deputy Speaker, I want to tell you, every member of this House and every Tasmanian that the Government has accepted that advice to the letter, to the dollar coin. We accepted that advice the same day it was given and we started moving on this. To say that people are not aware of the public health message because they do not read the newspaper is an ignorant and unfounded comment from Ms Standen. We have letterboxed every home in this state. We have provided a special campaign through the very compelling message of Emma McGrath, a wonderful young woman who lost her best friend at the age of 18. That has gone out on a social media blitz across all electronic platforms so you can get it on your mobile phone or your computer. We have advertised on television, on commercial radio, and our public health physicians including the Director of Public Health, his deputy Dr Scott McKeown and Dr Faline Howes have been out there in the media talking up not the fear factor but the response factor; what we can do together. I commend and thank them for it.

What I do not thank is the interference that is being run by the Labor Party -

Ms Standen - What more can you do?

Mr FERGUSON - I listened to you in silence - if I could be heard. The interference from Labor is confusing the public messaging on this. The public messaging is to get your ACWY shot. It is free for all eligible people over the age of six weeks, up to and including the age of 20. We have been encouraging people not to wait for the October clinic. Why do you think the Director of Public Health is being very strategic about when those dates are advertised? I can tell you that they have just been notified; in the last half-hour Public Health has advertised those dates and if time permits, I will tell when they are. Do you not understand that releasing the dates too early compromises the message to go now to see your GP, or to one of your local council clinics or to your pharmacist if your child is over 10?

Ms Standen - Less than one in five in the north-west have been vaccinated.

Mr FERGUSON - I really do not respect the behaviour, not of the Greens in this case, of the Labor Party which is focused on the politics and interfering with the clear public messaging which I have been faithfully trying to execute for and on behalf of Public Health. Our Government is focused on saving lives where we can and where the evidence supports that we are acting. On the B strain, we are as concerned as anyone and that is why I have raised it -

Ms Standen - What are you going to do?

Mr FERGUSON - You asked me what I am going to do, so please listen. I raised it at the national meeting of health ministers with Greg Hunt - it has been in the media - and he has agreed that the minute the federal government receives a recommendation that it is effective for the community it will be listed. I can only applaud him for that.

Your reference to South Australia failed to mention it is a medical research trial to establish the effectiveness and the efficacy of it. I resent the politicking around this because I know of lives that have been affected in Tasmania, but we stand proud of our record and we are focused on continuing to improve as evidence emerges.

Time expired.

[11.30 a.m.]

Dr WOODRUFF (Franklin) - Mr Deputy Speaker, I was confused when I saw this as the topic for the matter of public importance this morning. My initial response was concern but I decided to hold my assessment of what Labor was going to say in this matter until I had heard the words. I am in total support of what the minister has said. I was expecting to hear some evidence Labor has found that would refute the evidence of the Public Health staff who have been working under an immense amount of pressure to deliver an outcome that is as safe as possible.

If you are talking about improving processes, if the Labor Party has some information about how to improve the processes, you should have tabled that today. I would have expected you to have presented that because you would have to be living under a rock in Tasmania if you did not realise that meningococcal W is serious; people have become sick from it and there are options. Everybody is encouraging people in that age group of six weeks to 20 years to go to their GP for a free vaccination as quickly as they possibly can.

If there are ideas about how to improve that, it should be put here on the table. If you have evidence that the evidence the Public Health epidemiologists are using to make their assessment about the right places, the right times and the right strains to vaccinate is incorrect, it should be tabled as a matter of urgency.

Members interjecting.

Mr DEPUTY SPEAKER - Order.

Dr WOODRUFF - Mr Deputy Speaker, as somebody who has worked in epidemiology, I can say it is incredibly sad that more people are not taking up this opportunity. I encourage the minister, if he has not already done so, to find the data about specific areas, specific age groups and specific demographics that have a low uptake because they should be targeted. If you have the evidence that targeting is not happening, you should have tabled that.

Effectively, Labor is attacking science. It is really important that we do not attack science. Will Labor support the Greens when we introduce a bill to bring in pill testing trials? I expect you will because people are dying right now because there are no pill testing trials. You did not support us last time. When we bring that in, and we will, we will expect Labor to support it. We will expect the Government to support it, too, because it is about the science. It is about doing the right thing. More people have died in the last week from the lack of pill testing than we have seen in recent times, and more will die. Seven hundred people's lives were damaged because they received pills of a low quality and this is something we can fix. There is not a lot we can fix but there are some things we can.

I encourage every person in this Chamber to do anything they can do to push down on the diseases these different strains are causing. There is always more that can be done. If there is a problem with the Government's processes, they should be pointed out. We should not be introducing any element of alarm in such a serious situation because there is enough there. My daughter was vaccinated; we were encouraged by the school to go early and we did. GPs are working around the clock, outside of their working hours. They are staying back to do clinics. There are signs on the side of the road -

Ms Standen - Only about 10 per cent of those immunised are aged 15 to 20.

Dr WOODRUFF - I am glad you are an expert on this matter, Ms Standen, because we need to look at where the cases are occurring. They are mostly occurring in the south, which is why the emphasis is there. It is not surprising there is a lower uptake in the north and north-west. I am not defending that. We should work harder to make sure we have a comprehensive uptake across the whole state. It is grave mistake to start attacking something that is a serious issue for the people who have been affected. We do not want to create any element of panic. We need to do everything we can.

Like so many things in life, stuff happens. Meningococcal B occurs widely across Australia. At the moment, the Tasmanian rate is not higher than it is in the rest of Australia. The rate of meningococcal W is higher and the staff have acted, GPs have acted and they are working hard. It is a terrible thing that has happened. When terrible things happen, we should all pull together, not create alarm and do what we can to support the staff working very hard across the health system.

[11.36 a.m.]

Ms DOW (Braddon) - Mr Deputy Speaker, our thoughts are with the families and individuals who have lost loved ones to meningococcal and have had their lives affected by meningococcal disease.

By bringing this forward today, it is not about politics and it is not about panic. It is about bringing to the parliament issues that have been raised with me personally by people in my local community about some of the barriers that currently exist to people in accessing the free immunisation program. It is important to take every opportunity to talk about things that impact on rural and regional Tasmania, such as access to the free meningococcal W vaccine program, the meningococcal B vaccine, and barriers to accessing health care in regional and rural Tasmania. This example is no different to other examples.

It is important that, as local MPs, we take the time to reflect on that barrier, because they can be applied in other scenarios. One issue is access to transport; to physically reach the immunisation program. When we were at the local community centre in Bridgewater yesterday, we were hearing

stories of people's mental health and wellbeing also being a barrier to accessing transport services in that local community.

Others have talked about the cost in relation to the meningococcal vaccination B. There have been incidences of strain B in the north and north-west, leading to parents and people within those communities wanting an immunisation. That cost is far too great for many people in those communities. I am not criticising science but, when you have a public awareness campaign about a disease in local communities, people want to do everything they can to protect their family, friends and their communities from that. The example of that in Braddon is that we have had incidences of meningococcal B. My colleague, Shane Broad, spoke about that in the media yesterday, as alluded to by the minister.

The other important barrier to consider is education. We talk about low literacy levels, but general access to information is also an issue. I acknowledge the good campaign the minister alluded to, with Emma McGrath talking about her personal experience, encouraging people to access the free immunisation service. A really important component is helping people understand the signs and symptoms better and the sense of urgency. We could be doing more with that, particularly in relation to my next point about GP waiting times in rural communities. I have heard of people having to wait two to four weeks to see their GP to be immunised. As Ms Standen said, if we look at the pharmacies where meningococcal immunisation is provided, there are a number of rural communities where that is not accessible. The west coast is included as part of that. We know there are significant pressures on GP services in rural and regional Tasmania. We must look at that as a barrier to this program and it should be of concern to us.

They were some of the barriers mentioned to me. They are significant when we look at people in rural and regional communities and their ability to access.

The minister talked about the importance of not releasing the dates for the free W immunisation mass clinic in the north and north-west. However, people need to be reassured it is on the horizon if they cannot get to see their GP in a timely manner. I welcome that information being shared with communities. In the south that information was readily available. There was a concentrated incidence of meningococcal W in the south and that was in response to that. It is important for people to know that if they cannot access immunisation in their local community where it will be available and how they can get there to be immunised and have their children immunised.

I commend the department's response to meningococcal in Tasmania in recent months, but has consideration been given to targeting a free meningococcal B vaccine program to those key affected population groups until the PBS listing is made available? This could occur on the dates and at the sites of the program to be rolled out in the north and north-west. The progress report mentions that the immunisation program could be provided out of schools. Could this happen in rural and remote Tasmania?

Following Ms Standen's speech the minister acknowledged there had been a low uptake in certain demographic groups. How can we reach those Tasmanians to make sure they understand the importance of monitoring their children or themselves for the signs and symptoms of meningococcal, and where they can get that free immunisation service?

[11.42 a.m.]

Mr ROCKLIFF (Braddon - Minister for Education and Training) - Mr Deputy Speaker, I welcome the opportunity to speak on the matter of public importance. I commend our Health

minister for his measured and sensitive contribution. It is a sensitive subject and we acknowledge the strong community interest in this issue. We will continue to follow the advice of our public health experts. The member for Franklin, Dr Woodruff's insightful contribution reflected her academic background in epidemiology, particularly around evidence.

The expert advice has consistently been that the focus of Tasmania's broad-scale immunisation program must be on meningococcal W. This was the strain involved in the localised outbreak in Hobart's northern suburbs and therefore represents the highest risk. The Government's meningococcal W immunisation program, which we are delivering now, is being led by these Public Health experts in partnership with our pharmacists, our GPs and local councils. I commend the contribution of pharmacies. The vaccination's availability to children in our pharmacies is nation leading. We can be very proud of that. The Minister for Health has mentioned to me the important role local councils play in this matter around rural and regional Tasmania, as well as through our public clinics that are being run in the north and north-west of the state in coming weeks.

We have now distributed over 70 000 vaccines and we thank Tasmanians for acting to protect their health. As the Minister for Health has said on numerous occasions, Tasmanians should not hesitate to get a meningococcal W vaccine from their GP or pharmacy. They need to do that as soon as possible.

The Government has raised the meningococcal B vaccinations with our federal, state and territory health minister colleagues. I commend our Minister for Health for doing that, as recently as last month. The Australian Government has agreed to do everything possible to accelerate the consideration of the B strain vaccine on the PBS.

The expert advice has consistently been that the focus of Tasmania's broad scale immunisation program must be on meningococcal W.

The Health minister referred to a statement today released under the Minister for Health's name, 'Public Meningococcal Clinics Announced'. Time did not permit the minister to detail the dates of the clinics coming up in October; however, public meningococcal vaccination clinics have been confirmed for Launceston, Devonport and Burnie as part of the state's meningococcal ACWY immunisation program. The public health services will provide free meningococcal ACWY vaccine to people aged between six weeks and 21 years; in other words, Tasmanian citizens born after 1 August 1997. The public clinics will be held at the Albert Hall, Launceston, on Saturday 6 October; Burnie Arts and Function Centre on Saturday 20 October; and Devonport at the Paranple Centre on Saturday 27 October. Bookings are essential and will open on the Department of Health's website one week before the clinics. While the public clinics are a terrific chance to get a meningococcal ACWY vaccine, the Government and the Minister for Health encourage eligible Tasmanians to continue to get the free vaccine from a general practitioner or pharmacist and not wait for the clinics. Although the dates have been announced today in Launceston, Devonport and Burnie, if you have not had a vaccine, please do not wait. Please contact your GP as soon as possible.

It is important to be aware of the symptoms of meningococcal disease such as fever, severe headache, severe muscle pain and quickly becoming unusually unwell. Late in the illness there can be a rash and infants can be lethargic, floppy and feed poorly. Anyone who has the symptoms of meningococcal disease should seek emergency medical care.

I commend our Minister for Health for his leadership on this matter. The Government takes this issue seriously. Our hearts go out to all of the families that have been affected by meningococcal in tragic circumstances, and we all in this House express our sincere condolences to all who are affected. It reinforces the importance of strong public awareness campaigns and opportunities such as today in this MPI. This is a very important matter for us to be discussing to get the message out there of the importance that people ensure they get vaccinated now or as soon as possible, and as was detailed today by the Health minister, the clinics are coming up in October.

Time expired.

Matter noted.

CORRECTIONS AMENDMENT (PRISONER REMISSION) BILL 2018 (No. 15)

Second Reading

[11.51 a.m.]

Ms ARCHER (Denison - Minister for Corrections - 2R) - Mr Deputy Speaker, I move -

That the bill be now read the second time.

This bill makes a number of changes to the remission provisions in the Corrections Act 1997. The amendments in this bill:

- remove eligibility for remission from those prisoners yet to be sentenced from the commencement of this legislation;
- clarify and limit the application of remission for those prisoners sentenced prior to the commencement of this legislation; and
- refine the scope of remission.

The proposed changes in this bill address community expectations regarding 'truth in sentencing' and ensure that, in future, prisoners will not be released earlier than they are sentenced to be released. As I have already indicated, all new prisoners sentenced after the date of commencement of this bill will not be eligible for remission.

This bill recognises that it would be problematic to retrospectively remove remission eligibility from prisoners who have already been sentenced prior to this legislation coming into effect. Therefore the Government has adopted the approach taken by other states and this bill does not seek to remove remission eligibility from those sentenced prior to this legislation coming into effect. For those still eligible for remissions, the bill limits the amount of remission an eligible prisoner could receive to a maximum of three months on their total continuous term of imprisonment, regardless of how many sentences may make up that continuous period in prison.

This bill makes it clear that remission is granted in relation to sentences of imprisonment and is only calculated with reference to days that the person is actually in custody. This approach is reflected in the bill and aligns legislation regarding the application of remission with what is considered to be the historic intention of the change to the remission system in 1993 with the

application of Regulation 22(1). The intention is to cap remission at a maximum of three months on the total continuous term of sentenced imprisonment, regardless of the number of sentences that make up that total continuous term.

Setting out when a remission is to be applied to a sentence and limiting the amount that can be applied will provide greater clarity for sentence administration practices at the Tasmania Prison Service and consistency in parity for prisoners who are still eligible to receive remission.

The bill also introduces the term 'special management days' in place of 'special remission'. These changes ensure that a clear distinction exists between 'remission' and 'special management days'. The bill recognises that although rarely used, these provisions are important to retain as they provide the Director of Prisons with the discretion to grant 'special management days' to prisoners on account of good behaviour, while suffering disruption and deprivation during emergency situations, industrial disputes and circumstances which are of an unforeseen or special nature.

The bill modifies existing law in order to expand the factors the director can take into consideration when granting remission to eligible prisoners by introducing participation in 'rehabilitative or approved purposeful activities' as a factor which must be considered. The introduction of this factor further addresses community expectations that while in prison, prisoners will not receive remission unless they have engaged in good conduct, or participated in activities which are purposeful and assist them to be rehabilitated members of our community.

Consultation was undertaken on a draft version of this bill. The draft bill was sent to targeted stakeholders and made available for public consultation via the Department of Justice's website. All other Australian jurisdictions have abolished or phased out remission of sentences for prisoners and I am proud of the work this Government is undertaking to ensure criminals serve their full sentence handed down by the court.

This bill provides the community with the future assurance that a prisoner will not be released until the date they are sentenced to be released. It also provides clarity for the Department of Justice in regard to how remission must be applied and limits the amount of remission that can be applied. The bill refines the scope of remission by including extra factors which the director must take into account when considering granting remission. I commend the bill to the House.

[11.56 a.m.]

Ms HADDAD (Denison) - Mr Deputy Speaker, I welcome the opportunity to contribute Labor's position on the Corrections (Prison Remission) Amendment Bill 2018. I will begin by noting the fact that this bill is entirely the same as the bill that was introduced in 2017, but that bill lapsed before reaching the upper House prior to the 2018 election.

Listening to the minister's second reading contribution I noticed that there were a couple of changes from the 2017 second reading speech, including removal of a reference to the Government's commitment to explore alternative sentencing options including home detention. I hope that that is not a backing away from that commitment to exploring other sentencing options available for the courts.

The minister talked about the consultation on this bill. I note that only 10 days was allowed for industry consultation in 2017 and I am not confident that there has been a second consultation period. Perhaps the minister can address in her summing up to the House whether there has been an opportunity in the year or so since the original attempt at this bill took place for a second round

of consultation. The reason I ask is simply in light of the fact that that original consultation period was quite truncated, only around 10 days.

We have consulted on this bill and Labor has spoken to many working within the Tasmanian Prison Service. What we have found through those consultations is that there is broad support for the use of remission within the community of people who work with inmates in the Tasmanian Prison Service.

Ms Archer interjecting.

Ms HADDAD - I hear the Attorney-General's interjection that this goes to community safety and I would like to address that. It is very clear that remission is not a tool that protects community safety. That is not the intention of remission and it is not how it has historically operated here or elsewhere.

Mr Ferguson - You are going to vote against this.

Mr DEPUTY SPEAKER - Order.

Ms HADDAD - As the Attorney-General and members of the Government well know, a sentence imposed by a court deals with past behaviour and takes into account community safety. Indeed, the government and the parliament has the ability to indicate to the courts policy objectives around sentencing and those things go to the heart of protecting community safety.

That is not what remission does. While I just explained that sentences imposed by courts look at past behaviour, remissions look at future behaviour post-sentence, post-incarceration. Remissions are well recognised by those working in the system as a useful behavioural management tool within the prison system. That is how they operate in other jurisdictions and I note it is not all jurisdictions who have removed remission as the Attorney claims. The ACT still operates remission in their jurisdiction.

Those other jurisdictions that removed remission from their statute books have, arguably, much broader access to programs, including educational programs, work and training and rehabilitation programs, than are available to Tasmanian inmates. I do not argue for a moment there are no programs available to Tasmanian inmates. However, other states that have removed remission with a similar policy objective to this Liberal Government have done so in the knowledge that those programs are more widely available to prisoners.

The other important point I make about the conduct of those jurisdictions, those governments, in removing remission is that the commentary around those changes to legislation also came with advice to the judiciary to take into account that remission is removed. That same instruction does not seem to have been part of the commentary around this bill this year or in 2017.

It is worth going into some of the background as to why this bill was attempted last year and to ask some questions about why it is now that it is being brought to the House again. It came against the backdrop of some serious Government failure to support the prison service and the public servants who work in that system. We heard the minister speaking about that in question time. We heard her reference to the KPMG Report which was delivered to Government in 2017.

Labor, when in government, recognised some of the failures, including the ICT failures, in the systems between the court service and the prison service not connecting in the way they should. Prior to the Hodgman Liberal Government coming to office in 2014, \$28 million was set aside for ICT improvements, including ICT improvements in the Justice system. One of the first things the Hodgman Government did upon taking office was to cut that money set aside to remedy some of the problems that were well-recognised in the prison system prior to the government taking office. That money was cut. Those ICT upgrades did not occur and we saw some serious and concerning things flow from that, including, as we heard the minister reference today, nine wrongful releases in a one-year period. Yes, the minister is right to say wrongful releases occurred under Labor's watch, but I am told they were at a rate of about one a year.

This is not comparing apples with apples. At the minister's own admission today in question time, we saw nine wrongful releases in a year in 2015-16. What did the Government do? They commissioned a report. I will quote from *Hansard* last year because these cases that came to our attention, in that one year of nine wrongful releases, bear repeating.

One was a victim of family violence who was most distressed when her former partner and the perpetrator of crime against her had been released two weeks early without her knowledge. As a victim of crime, she felt vulnerable and also angry this mistake could happen and that he had been released before his time, not because of remission but by mistake. The mistake in that circumstance was that the prisoner had been sentenced to two sentences to be served concurrently; one sentence of six weeks and another of eight. The system let her down and that was recognised by Labor in government, hence our preparation to try to put some money into fixing that system.

There were several other instances and I will not go through all of them. The reality is the system worsened when this Government came to office, with nine wrongful released in 12 months compared with around one per year under Labor's administration. Those system failures recognised by Labor and planned for in the 2014 budget came to fruition. We saw nine wrongful releases in a year and a KPMG report was commissioned. The minister invited me to read that report and I have. I read that some time ago and, as I said in question time today, that report told us what we already knew.

It is good to see there has been some money set aside in this year's Budget to spend on those justice systems, Justice Connect and others. It cannot be said the action, as the minister described it in question time today, was 'swift and effective management of the issue'. It is not swift and effective action to wait four years to commission a report and finally act, as is happening now. In 2016, that is two years after you came to Government -

Ms Archer - You said four.

Ms HADDAD - I am sorry, I stand corrected, two years, thank you.

It is not true that there is a link between remission and reduced offending or a safer community. Remission is not the thing that contributes to reducing offending or improving community safety in Tasmania. I challenge the Attorney-General to show me some evidence of a system without remission that has led to reduction in crime or offending. That is not possible because it does not.

We heard through interjections in question time today that Labor is trying to play politics with this issue. I refute that claim and say the Government is playing politics with this issue by saying remission needs to be removed in order to secure community safety. That is not the case. As we

heard in our consultations with workers in the prison system, remission is a tool in the toolkit of prison staff. There are correctional officers who work day-in, day-out in very tough conditions, doing some of the hardest jobs in the Tasmanian Public Service. The use of remission is a useful administrative tool for those Tasmanian Prison Service staff, correctional officers and others, to manage behaviour within the prison. That is what the Law Society said in their submission to the 2017 consultation -

Remissions are a useful incentive for good behaviour that, in turn, encourages discipline and good conduct within the prison system. It is the Society's view that the ability for the Director of Prisons to grant remissions generally should remain.

Similarly, the Association of Community Legal Centres said that they did not support the intent of the bill to remove and narrow the eligibility for remissions of sentence for offenders. It is their opinion that the discretion made available to grant remissions provides a compelling incentive for good behaviour and, as a result, they support the current discretion made available to the Director of Corrective Services under the Corrections Act 1997 to grant remissions as an incentive or reward for good conduct. They go on to say that despite their strong objection to the removal and narrowing of eligibility for remissions of sentences, they are encouraged by the Government's intention to increase the range of options available to prisoners as a reward for good behaviour and endorse the recommendation of the Probation and Community Corrections Officers' Association in their submission that these rewards should be offered in addition to, rather than in place of, remission.

My reason for quoting from the community legal service's contribution to the 2017 consultation is precisely that, because in fact Labor supports the parts of this bill that go to providing greater clarity and guidance in the application of remissions. We recognise that the system of how remissions are administered within the prison service could do with some reform and we support those parts of the bill that provide that clarity. We similarly support the part of the bill that provides the things that are to be taken into consideration in granting remissions, including an inmate's participation in programs that are of benefit such as education, work and training, and rehabilitation programs most importantly, because we do not support the application of automatic remissions; that is not Labor's position.

I commend those who have drafted the bill and the Attorney-General in bringing forward to the House a bill that provides some clarity around how remissions are to be administered and also some extra assurance that there will be things such as rehabilitation programs taken into account by those administering remissions, but the point needs to be made that there have been cuts to some of those programs.

I made reference this morning in question time to the scrapping of the reintegration of the ex-offenders program, REO as it was known, which provided support on release for prisoners but also provided support while prisoners were still incarcerated in preparing them for release. There have also been reductions in availability of prison industry work and other rehabilitative programs available to inmates.

The Community Legal Service went on to say in their contribution to the 2017 consultation that they particularly supported the part of the bill that amends section 90(2)(d) of the Corrections Act by adding the following words:

... the mitigation or remission, conditional or otherwise, of the sentence of a prisoner as an incentive to, or reward for, good conduct while the prisoner is in

custody, or for engaging, while the prisoner is in custody, in activities that are rehabilitative or of a kind approved by the Director ...

This is also the part of the bill we support, the Government must assure the House that they will be putting appropriate resources in place to ensure that prisoners have the opportunity to participate in those rehabilitative and educative programs. We will be supporting those parts of the bill that provide guidance to how remissions are to be administered and particularly those that reference rehabilitative programs.

We also support what the minister referenced in her second reading contribution, which is that this legislation will align legislation regarding the application of remission with what was considered to be the historic intention of the change in 1993, the intent being to cap remission at a maximum of three months on the total continuous term of sentenced imprisonment regardless of the number of sentences that make up that continuous term. This is the kind of clarity the system currently needs and, if this bill passes, will provide for those who are still eligible for remissions.

Further, the bill will set out when a remission is to be applied to a sentence and limit the amount that can be applied. That will provide greater clarity for sentence administration practices at the Tasmanian Prison Service and consistency in parity for prisoners who are still eligible to receive remission. We commend those parts of the bill that provide that clarity and recognise that clarity was needed; however we will be moving amendments to clause 4 of the bill to remove sections 86(1) and 86(3). They are the same amendments we moved last year in the same form. The effect of those amendments will be to adopt the parts of the bill that provide clarity around remissions and how remissions are to be granted and to encourage rehabilitative and educative programs.

I return to my opening comments that it is playing politics to say that remissions are about community safety. I do not agree with that assertion. My firm view is that remissions are about looking at the behaviour of an inmate after sentencing and incarceration, recognising that for some, prison is a chance to look at their past behaviour and try to use their time in prison to improve their lives and that of their families and others. It is not true and it seems a little like playing politics to be bringing this bill on now in light of the recent circumstances that we talked about in question time today. That it would be brought on now raises those questions.

In conclusion I support the views of the workers in the Tasmanian Prison Service that remissions are a behavioural management tool. I am not convinced that those behavioural management tools the minister intends to replace remissions with, including greater access to visits, phone calls, television and the like, will provide the same safety for correctional officers in doing their jobs in maintaining behaviour and order in the prison. I am also very hopeful that in her summing-up remarks the minister will be able tell me there will be more money for rehabilitative programs in the prison if those programs are to be taken into account in the granting of remissions. I flag that I will be moving those amendments when we move into Committee.

[12.17 p.m.]

Dr WOODRUFF (Franklin) - Mr Deputy Speaker, this bill that comes back into our place was roundly rejected by the Greens last time. The bill is in exactly the same form as it was. Despite the fact that there was more opportunity to consult than with the initial 2017 amendment bill, it seems the minister has failed to listen to the concerns raised in a number of the submissions, albeit very hastily prepared submissions because the consultation process for the last amendment bill 2017 was very poor. It was rushed and did not allow stakeholders to have the time required to do their submissions justice. When I say that, I am not reflecting on the quality of the submissions made;

just that it did not provide all potential stakeholders the time they would need to write the submissions that they might have.

Given there has been time now for the minister to reflect on those submissions, it is very poor that the Government is continuing to rehash this commitment essentially by the Liberals to further provide more combustible situations in the prison in Tasmania. What we are seeing is a decision to park money into locking people up instead of rehabilitative justice.

Restorative justice and therapeutic interventions are the approach to managing crime that is used in countries that are successfully lowering their crime rate. It is those countries that are successfully making their societies safer places for their residents to live. That is what we want. The Greens support policies that will make Tasmania a safer place to live. What this Liberal Government is doing with their increasingly punitive legislative agenda is to continue down the path of a populist 'tough on crime' approach that is not effective because it is not based on evidence.

The evidence is that we need to put the focus before people are sent to courts, in the pre-trial stage, and the focus should be put before people are charged in the drug diversion stage. We need to focus on people when they are in prison and in the therapeutic intervention opportunities they have at their disposal. We have to put focus on people when they leave prison, so they are supported to move into society, contribute to their community, find housing, employment, reconnect with their families, children and people they have not spent time with for months and sometimes years or tens of years. It is all that work that needs to be done to make sure people do not reoffend and to prevent people offending in the first place.

The view of the Greens is that this bill and what it contains will make sure the prison system, particularly Risdon Prison, will continue to have situations that will lead to discontent amongst prisoners and lead to potentially explosive events happening, as we have seen at Risdon Prison recently.

It is the clear cultural shift that occurred from the previous minister for corrections, Vanessa Goodwin, who managed to charter a course of justice in her very powerful and strong and evidence-based management of the prison system, compared to Mr Guy Barnett, who took over and referred to life in the prison system in Tasmania as prisoners thinking they were in Club Med. That speaks volumes about the punitive, lock them up and throw away the key approach Mr Barnett brought to his portfolio. He was not a leader for rehabilitative justice and does not understand what we need to do toward therapeutic interventions, reconnecting with families, providing people with jobs and houses; as the known mechanisms in helping to people to not reoffend.

Unfortunately, we see the current minister continuing to work in the line of previous minister, Mr Barnett. Instead of setting the culture toward restorative justice and putting the money into those baskets, we have a Liberal Government that came to the election promising to waste \$270 million on a northern prison. They are promising to waste \$270 million in a way that we know, from experiences of other societies, is a disaster. Countries around the world are starting to move away from prisons altogether. They have sophisticated but simple approaches to disciplining and containing people to keep the community safe. They are so sophisticated that some countries have established effective hotels where prisoners live. They are in such low security settings because of the effectiveness of their interventions. It is a very long way from the Greens' corrections minister, Mr Nick McKim, in 2010 to 2014, who effectively brought down the recidivism rates in Tasmania. That trajectory is now increasing toward locking people up and increasingly looking for opportunities for punitive and ineffectual responses to problems with behaviour in prisons.

The Greens will not be supporting this bill. It is shabby legislation and it will lead to an increase in that pressure cooker situation at Risdon Prison we have seen a number of times, resulting in an explosion of violence that has threatened others prisoners and staff. A bill like this is not good enough for the safety of Tasmanians or the welfare of people in prison; the staff and the prisoners.

The remission mechanism is used as a method of maintaining order and discipline within the systems. This is not being used as a product of concern for the prisoners but it is used as a carrot and stick method by officers in order to control prisoners within the prison environment. It also provides an incentive for prisoners to practise good behaviour. The two parts to the remission system provide prison officers with leverage in a situation to help them to encourage appropriate conduct in a person's behaviour during their time within the prison system.

Currently, the Director of Prisons can reduce the sentence of a prisoner by one-third, up to a maximum of three months, as long as that does not reduce the sentence to less than three years. At the moment, a prisoner will be ineligible for remission if they have been convicted of an escape, attempted escape, or if the prisoner's sentence was three months or less. A record is kept of the misconduct of each prisoner and detainee and the contents of that record must be considered when computing the amount of previous remission that can be granted to an individual prisoner or detainee.

It is relevant to raise the comments the Women's Legal Service made in their submission for the 2017 amendment version of this bill. They noted that they believed there should be greater transparency around the reasons that remissions are granted. We support that view and, in saying that, we do not support the removal of remission this bill seeks to provide. That is not to say we do not think there cannot be an improvement in the processes and documentation of the current system. We do think that is the case. The Women's Legal Service was of the view that information should be available to the courts in future as to the understanding of why a person has been rewarded a remission, what good behaviour they exhibited, and that information should be documented.

If a person is released from prison and he commits another crime, the court can look at the record of their time within the prison and know whether they have exhibited good behaviour or as poorly behaved inside the prison as they were outside, which has led them to commit another crime. That is the sort of transparency that would be important in the remission board determining whether a remission should be granted and may be valuable for a court.

The Women's Legal Service also noted that women tend to serve shorter sentences than men and it may impact upon their ability to participate in rehabilitative or approved, purposeful activities and therefore may be less likely to be granted a remission. This relates to women who are currently in the prison who will continue to be eligible for remissions regardless of this legislation.

If this legislation was passed and proclaimed, remissions would not be available for anybody sentenced for a time in prison. The Women's Legal Service in its submission raised the point that with shorter sentences you are potentially going to put women at a disadvantage because they do not have the time to participate in rehabilitation programs or the opportunity to participate in other activities that might mean the Director of Prisons gives you an early day out on remission as a result of your good behaviour in the understanding that we want prisons to rehabilitate and make people better when they leave than when they came into the prison. That is an important point to understand. What is the purpose of putting people into prison? The purpose is twofold: to keep the community safe, and to ensure the people who are in prison for the period they have been sentenced will be provided every opportunity to rehabilitate, adjust their behaviour and change their

responses so when they are released from prison they will not reoffend. That is the bottom line and that is what we want.

Unfortunately, without a proper investment in the right place in prisons and prison programs, we see that aim is essentially a dream. It is a dream in the eyes of the Greens, that we would be putting people into prison to keep the community safe and to rehabilitate the people who are there so they come out and do not reoffend, but the reality under the Liberals is that people go into prison and into a situation where, if this amendment bill is passed, one extra tool in the box of tools that officers and staff have to manage behaviour in the prison and to give encouragement for good behaviour will be removed from them.

Although this bill could seek to improve the remission system, it does not do that. Instead, it removes it entirely as an option without any replacement. In the view of the Greens that is inviting a disaster because it will be prison officers, other prisoners and ultimately the wider community that will be affected by taking this position. It will have an effect on the orderly functioning of the prisons and therefore on the safety of all prisoners and prison officers. It means prison officers will need to step up their response and resort to more reactive forms of punishment to maintain order. That would have significant implications for the potential of rehabilitation and the safety of the prison. It is taxpayers who will foot the bill of this approach. We will need additional staff to maintain order and there will be increased payouts for workers compensation claims as prison officers are likely to be subjected to an increasingly unsafe workplace.

Last year when this remissions amendment bill was debated, we had had a situation where there was a period of substantial numbers of prison staff on sick leave who were making claims for workers compensation. I am not sure where that situation is up to. Perhaps the minister could inform us exactly what proportion of staff are on sick leave and whether there are claims for workers compensation.

Ms Archer - It has nothing to do with remission.

Dr WOODRUFF - I think this is very germane to the issue of remissions because it is about the culture of the prison and the working conditions for staff within it and their ability to manage a workplace where one of their tools of behaviour management and discipline would be removed from them.

We do not want to be involved in introducing legislation which will add to a situation that is already under so much pressure. We need to look at this bill in the broader context of what is going on in the prison. Last year's annual report shows that there has been a downward trajectory in the management of the Tasmanian prison system since the Liberals have been in Government and it reveals a situation of a prison and corrections system that is essentially in a crisis situation. It is a crisis where the 'tough on crime' policies of the Government have been turning one-time offenders into serial criminals, making the community less safe. I note that the Liberals' mismanagement of the justice system was identified in the Custodial Inspector's annual report late last year where the Custodial Inspector concluded that Tasmania's prison population increased 10 per cent in that report, which followed a 15 per cent increase the year before with no indication that the trend was going to slow down.

What we have seen under this Liberal Government so far is a year on year more than 10 per cent increase in the number of people going to prison. We know that for every person going to prison there is in the order of a 40 per cent to 50 per cent recidivism rate. That means 40 per cent

to 50 per cent of people who are released will come back to prison. We have to take that seriously. It is a matter of concern that in the last two years of information that we have there has been a 10 per cent and, before that, a 15 per cent increase in the number of people going to prison.

Almost every prison facility in the state was reported to be overcrowded in the Custodial Inspector's report and all the services were beyond stretched. The key findings were that there double and triple bunking of inmates in some cells, minimum security prisoners were being placed in medium and maximum security prisons and that there was not enough access to rehabilitation programs. That is no surprise. That has been a consistent story under the Liberals since they have been in government.

There is not enough access to health services in the prison and the Custodial Inspector also pointed out there is not enough access to post release care into the community. He also said there was unsatisfactory time outside cells for prisoners because of excessive lockdowns that were caused by staff shortages.

The Custodial Inspector made it very clear that the prison's infrastructure in Tasmania is not fit for its purpose. There are issues with plumbing, electrical systems, cell temperatures and lack of access for elderly and infirm prisoners to appropriate services. The Ron Barwick minimum security prison was only to be used in the short to medium term for minimum security prisoners after the Legislative Council select committee report in 1999, but 19 years later there is still no forward plan for its replacement.

The minister might like to say this happened under the previous government but that would be her Government now because that is what I have heard from -

Ms Archer - Are you putting words into my mouth now?

Mr DEPUTY SPEAKER - Order.

Dr WOODRUFF - correction ministers over the past nearly four and a half years. They are always pointing backwards. It is well past time for this Government to show where they are in the corrections system and unfortunately they are showing they are committed to going down a punitive 'tough on crime' approach which we know does not work. By all the measures that we should care about, which are community safety, effective rehabilitation of prisoners into the community and low recidivism rates - all the measures a reasonable person in the community would expect a measure of a successful corrections system to be - this Government is failing. They are especially failing by their election commitment to spend \$270 million to build a northern prison. I note they are not now proposing to do that, but it was a great way of buying a populist election slogan. There is only a \$45 million commitment to that, thank goodness. The Greens would support \$270 million going into restorative justice. What an amazing corrections system we would have if we put \$270 million into the poorest parts of Tasmania - into drug treatment, therapeutic interventions. What an amazing state we could live in.

You would get a lot of community support from low income areas. What about the north-west coast? What about the north-east coast? What about the far south? What about all the places that miss out on those services? The focus on concrete, mortar, jobs and growth was to shore up votes in an electorate where it was needed, and they are not even going to honour the promise. It would have been awful for Tasmania if they had. I would like to hear the response from the minister to the Custodial Inspector's reports and the actions that have been taken. When people are double and

triple bunking and minimum security prisoners being placed in medium and maximum security prisons then you are putting pressure on a system and there is going to be bad behaviour and explosive events.

The Government is setting itself up to leave a legacy of rising serious crime rates and a crumbling corrections system that will demand more from our budget and divert resources away from other areas, such as health. Spending \$270 million in the health system would be a fantastic use of taxpayers' money.

The housing situation is critical. The other day I met a single mother with three children. Her landlord had just jacked up her rent \$100 per week. She had to leave the house that she has with her three children near their school. I hear these stories all the time. There are so many critical issues we need to focus on. In terms of this bill, the most critical thing the minister could do would be to take that \$45 million and direct it into restorative justice.

This is a retrograde bill. It is going to compound the pressure cooker in the prison system. It removes the capacity of staff to use a carrot and stick approach to behaviour management. The evidence is that it works elsewhere. It will reduce the ability of corrections officers to rehabilitate offenders. It will make the communities less safe. We do not support this bill.

[12.44 p.m.]

Mr SHELTON (Lyons) - Mr Deputy Speaker, I support this bill. The bill will deliver on our commitment to abolish an outdated practice of granting prisoners remission. The three month discount off the sentence a judge imposes is not consistent with what the community expects. It does not reflect truth in sentencing and it is out of date and out of step with other states around Australia.

This bill represents a long-standing policy on this side of the House, one that we took to the election. After passing this place last year, it was unfortunate it was not debated in the other place. We committed in the recent state election to reintroduce the bill and fulfil our promise to update remission practices. Tasmanians supported our law and order agenda at the last state election and I hope that Labor will change its position and support the legislation.

The bill recognises the importance of truth in sentencing, which means letting a prisoner out early without any supervision is not right. Parole and remission are two different things. Remission is the early release from a court order custodial sentence. Parole is release from custody under strict conditions for the remaining term of the sentence. If an offender reoffends while on parole, they will likely have to serve out their original sentence in custody.

An offender released on remission on the other hand is free with no conditions and no-one necessarily needs to be notified. This Government empathises with the point of view of the victim. We know that the worry that an offender could turn up unexpectedly before their due date of release without conditions because they were released on remission is a very real concern for victims in our community.

This bill ensures that people, including offenders, know that a non-parole sentence represents the time they will actually serve in prison. It removes ambiguity for all concerned.

The bill before us is one important part of the broader agenda of this Government in a law and order reform space. Already this Government has implemented alternative sentence options that

have not previously been available in Tasmania, including electronic monitoring and home detention. We know these will be important options for the courts and we are proud to have introduced them into Tasmania for the first time. We are making considerable improvements to our prison system, including staff and infrastructure. A remand facility in the south will not only significantly increase capacity, but it will also separate sentenced and un-sentenced prisoners. Our new northern facility has family reintegration and rehabilitation as a central focus.

This Government strongly believes that early release from custody without conditions does not solve the problems that can and should be solved by other means. The Tasmania Prison Service can incentivise good behaviour in a number of other ways, none of which require an early release from prison. We are confident of the TPS' ability to do that just as every other prison service in the country has.

There are other ways of providing incentives for good behaviour and participation in rehabilitation and other beneficial pursuits which the Tasmania Prison Service is currently implementing.

Other speakers rarely mentioned the victim. When a victim has been through a court case and the judge has handed down a sentence then the victim walks away from that court knowing that incarceration is part of that sentence. A certain period of time, a three month discount on that, is not truth in sentencing. From a victim's point of view, we need to make sure that everybody understands that when a judge hands down a decision, there is not a discount of three months available to that prisoner through a remission process. An unscrupulous person who has been convicted recently could simply say to themselves, I know the system and I will go through the process, I will be of good behaviour and I will come out the other side with a three-month discount on my sentence and I can go back to the activities I was doing before, three months earlier than the judge has prescribed. It is important this bill is passed and everybody involved in the process understands exactly where we are coming from.

It was interesting listening to the Greens spokesperson. I recall a previous Greens spokesperson in this Chamber saying - and I am not sure whether it was Greens policy - in his view, what we would do with the prisoners, it would be very easy. All you need to do is get them to commit and sign a piece of paper; we will let you out provided you sign a piece of paper that you will not re-offend. They are all upstanding people in our society and would sign that piece of paper. Mr Morris's policy - I will not say it was Greens policy because I do not believe he said that but he indicated that if he had the say - he would let them out on the signature on the piece of paper and they could all walk out of prison. I am reflecting on a previous debate in this Chamber. It is on *Hansard* if you wish to go back to Mr Morris's contributions.

A three-month discount on a judge's sentence is not in keeping with what the community expects. The practice is also out of step with other jurisdictions around Australia, making remission outdated and non-contemporary. When judges hand down a sentence, that is what the offender should serve in prison. Removing remission reflects truth in sentencing. I hope people in this Chamber can see the benefit in this. I support the bill and urge Labor and the Greens to listen to the community as well as the victims toward this abolishment of remissions. I congratulate the Attorney-General on bringing this bill to the House.

[12.53 p.m.]

Ms WHITE (Lyons - Leader of the Opposition) - Mr Deputy Speaker, I note at the outset none of us here have ever acted as correctional officers. We should be basing decisions in this place on

evidence and the weight of evidence from people who work at the front line. This is a tool that is required to manage the behaviour of prisoners in the corrections system.

Labor has said previously we believe it should not be automatic. We support the Government's move to ensure it is not an automatic provision of remission for those who are in our corrections system. We believe remission is an important tool that should continue to be made available to custodial officers, so they can manage the behaviour of the prison population.

The arguments put by the member speaking before me fail to acknowledge that it is the corrections system we are talking about, not the prison system. It has been called the corrections system, deliberately moving away from the punitive term of 'prison', because we believe in restorative practice. We believe in restorative justice, we believe people can be rehabilitated and it is why we believe remission remains an important tool for custodial officers. It is a way for them to manage behaviour of the prison population and to ensure they are safe doing their job.

There has been no link provided in the evidence we have read, or the evidence presented by the Attorney-General, to make a link between remission and reduced offending or a safer community. That is really important because we understand the Government is only putting forward these types of bills to the parliament because of the failures in the system led by this Government.

The Attorney-General revealed today that nine people had been released early or incorrectly between July 2015 and November 2016. It is my understanding, when we first learned about these matters, only seven prisoners were identified. Now, the Attorney-General has identified that there were nine. If you want truth in sentencing, may I respectfully suggest you do not let people out of prison before their sentence has ended? That is not truth in sentencing, is it? Covering up your bungles with these sorts of legislative instruments is not a fair way to improve the system. It is not a fair way to support the staff. I have spoken to staff. I have spoken to people who work in the prison system every day. I have spoken to the union that represents workers in the prison system. I understand clearly that what they are telling me and what they are telling the Labor Party is that remission is a really important tool.

Why would the Government be seeking to remove the tools available to custodial officers? Why are they not supporting the staff in our prison system so they can do their work and do it most effectively? Why are they not listening to the advocates who have made submissions to the process that was undertaken by the Government in the first instance? I note here that you did not go out to consultation on this bill this year. You have relied on the consultation that occurred previously. Only 10 days were provided for submissions on the bill to be received. I say that is not comprehensive consultation.

Ms Archer - It wasn't a secret.

Ms WHITE - Oh, here we go again. The entitlement from the Liberal Party, arguing that because they were elected it is their mandate to do everything. The arrogance of the Liberal Party is on demonstration again. That is their consultation. What a joke. I suggest you talk to community legal centres. Speak to the people who are working at the front line. Speak to the workers who are custodial officers in the prison system, who are asking why you are removing the tools they need to do their job. You have not presented any evidence that demonstrates that removing remission will improve community safety. There is no evidence that has been provided and they would ignore it if it existed because it does not suit their political agenda.

It is your political tough on crime talk that you go so hard on in the community. You are letting people down all over the place. The Attorney-General addressed the fact today that a prisoner released from the prison system and who should never have been - there was no analysis done of that individual's mental health - went on to murder an innocent victim. Talk about the victims, talk about the families; talk about what is in their best interests. You could not answer those questions today, Attorney-General.

It is the Government's political agenda to run these arguments through this place, presenting flawed legislation that has not been widely consulted. You cannot tell me that simply because you were elected that this is the breadth and length of your consultation. Only 10 days for submissions to be received is not sufficient consultation, particularly given the evidence received during that consultation period, the submissions made by those who said, 'We do not support the intent of the bill to remove and narrow the eligibility for remissions of sentences for offenders.'. That is the Community Legal Centres' submission.

My colleague, the member for Denison, Ella Haddad, the shadow attorney-general, shared other excerpts from submissions that were received during that process of consultation not supporting the Government's push to remove remission. We have a case before us right now that is being pushed by the Government, which is not about truth in sentencing and it is not about the victim. It is about your political agenda, tough on crime, when you have failed to deliver safer communities. You have failed to deliver better outcomes for people across Tasmania and you are now failing our staff, who work incredibly hard under enormous duress and who are asking this Government to not remove remission. They want this as a tool to manage behaviour. They want this as a tool to ensure they can keep our prisons - our officers who work in the prison and the staff that support them - safe and make sure we do have a restorative approach.

It is about ensuring we have rehabilitation and that we reward good behaviour.

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

CORRECTIONS AMENDMENT (PRISONER REMISSION) BILL 2018 (No. 15)

Second Reading

Resumed from above.

[2.30 p.m.]

Ms WHITE - (Lyons - Leader of the Opposition) - Madam Speaker, I will finish my contribution on this bill before the parliament to indicate again the concerns the Labor Party have with the approach taken by the Government. They are seeking to withdraw an important management tool from custodial officers used to help control the behaviour of inmates and provide incentives for good behaviour, approaching matters in a restorative and rehabilitative way. We want people exiting the prison system to be rehabilitated and able to contribute to our society in a positive way. The ability of custodial officers to manage that through the use of remissions is one tool that should not be withdrawn from their toolkit. There are a number of arguments that have been put by my colleague, the shadow attorney-general. We will be going into Committee on this bill and we will examine it in more detail then.

[2.32 p.m.]

Ms ARCHER (Denison - Minister for Corrections) - Madam Speaker, I thank all members for their contributions in relation to this bill. I thought we would have a great sense of déjà vu but there have been a few additional things that have come up since we last debated this matter in the last term, and we have new members making a contribution. I will try to deal with things in the order in which they were raised as much as possible. I note some members raised similar issues. I can deal with them according to the first member who raised it.

The shadow attorney-general, Ms Haddad, mentioned the issue of alternative sentencing and the speech not referring to that. A bill has proceeded through this House; the same bill that dealt with suspended sentences and is enshrined in legislation. The delivery of the alternative sentencing, namely home detention and electronic monitoring to which you referred are coming online in coming months, hopefully in October. That work is well underway, purchased and being staffed at the moment in community corrections.

In relation to consultation, the draft bill was initially released for public consultation in October 2017. It was available on the Department of Justice website and was also directly provided to a broad range of interested stakeholders including, but not limited to, community legal centres, the Law Society, relevant unions and probation and community corrections officers and associations. The whole list of the targeted consultation, stakeholders that were consulted, fits on an A4 page. It is an extensive list. Submissions were made by the Law Society, Community Legal Centres Tasmania and the Probation and Community Corrections Officers' Association Tasmania. I note all opposed the removal of remission. However, following consultation, the bill was finalised and tabled in this place on 31 October 2017. The bill passed this place on 2 November 2017. It was not able to be brought on for debate in time by the end of the final session for 2017 parliamentary year in the other place but the matter was taken to the election.

We made no secret of the fact that we would reintroduce the bill and, in addition to the consultation on the bill running from 10 to 20 October and even after the closing date, there were no requests for an extension and there were no late submissions from external stakeholders. However, it is always the practice within the department that take submissions if someone does want an extension or if we receive late submissions. We value transparency and feedback on our legislation and the draft bill is still online. We have taken public or stakeholder comment since it was first made public back in October. I hope that clarifies to the member that consultation is extensive and additional parties are welcome to make a comment or make further comment in relation to this bill. I note that briefings on this bill were provided internally. I know Ms Haddad received a briefing, and Ms Giddings received a briefing on the previous bill as well.

In relation to it being a good behaviour tool or remission being part of the toolkit, the Tasmanian prison system currently has a contract system, whereby incentives and privileges are used to encourage positive behaviour via a raft of different mechanisms. A contract is a formal agreement between the TPS and the prisoner or detainee. There are different levels of contract system, with each contract level having different entitlements and benefits. The contract outlines the prisoner or detainee's obligations and details his or her personal goals and targets. The contract system has a dual purpose, which is to contribute to the safety and security of the prison environment through the effective management of prisoners or detainees using an incentive-based behavioural contract system. That is for safety amongst prisoners and the staff as well, so that there is that safer environment. It is also to provide incentives for prisoners or detainees to participate in personal development opportunities.

Privileges and incentives may include additional visits, access to recreational opportunities and equipment, ability to have additional cell property, such as game consoles and the like. There are other mechanisms to incentivise good behaviour rather than the early release. This Government does not accept it is a tool essential to promote good behaviour. There are other mechanisms in place within our prison system to manage our prisoners or detainees and encourage good behaviour rather than letting them out early, defying truth in sentencing.

The member opposite also started talking about incorrect releases. Sometimes debate goes in a different direction in relation to bills, I accept that, but it is distinctly different and you would be aware of that. I did say I would attempt to clarify anything from question time if I needed to.

As I stated in question time this morning, prior to the release of the KPMG audit the TPS identified nine occasions when the incorrect release of a prisoner had occurred between July 2015 and November 2016. Since the release of the KPMG audit, there have been no further incidents of prisoners being released on the incorrect date. That is what I said this morning. This shows we acted swiftly and effectively to manage a longstanding issue that was also experienced by the previous government.

As I said, the Opposition oversaw incorrect prisoner releases in 2010, 2011, 2012 and 2013. However, I am reliably informed that they failed to keep records of just how many, so I am not sure how the member can say that there is only one in each of those years. The TPS does not have that information. It took our Government to start keeping records. There is a bit of grandstanding and hypocrisy as I noted in my previous contribution. The previous government did nothing to rectify these issues.

The budget allocated for Corrections is a record. The member opposite said there have been cuts to funding. There has been \$16 million more in operational funding for the TPS; \$17.2 million in additional funding for important alternative sentencing options; and \$150 000 for the Chatter Matters pilot program for literacy and numeracy and attachment to family. This is above significant infrastructure spending; including \$70 million for a new southern remand facility on the Risdon Prison site, and the allocation of \$45 million for the start of stage 1 of the new northern prison. That is a \$150 million project.

There has been criticism made by members about there being little or no rehabilitation. Under our Government there has been not only considerable investment in both staff and infrastructure at the Tasmania Prison Service, but there is a raft of rehabilitation programs which I will run through in a moment.

The Leader of the Opposition was keen, as are we, to support correctional staff. It has taken this Government to invest additional money in correctional officers. Since May 2016, we have recruited 78 new correctional officers. This includes 18 officers who graduated in December 2017 and 23 who graduated on 27 April this year. We are continuing to recruit.

We have also invested substantially in prison infrastructure, with 81 beds anticipated to come online this year. We did see an extraordinary backflip from Labor on its promise to build a much needed new prison for the north of the state. Instead, Labor pledged to refurbish the horribly unsatisfactory Launceston remand facility. I do not know if the shadow attorney-general has had a chance to visit that facility but there is no way you can upgrade that facility and have anywhere else to put prisoners.

We have committed to the new remand facility in the south to meet the increase in the remand population. The member for Franklin, Dr Woodruff, alleged that it is this Government's policies that have resulted in an increase in the prison population.

Dr Woodruff - It is true.

Ms ARCHER - No, it is not. If the member had looked to jurisdictions elsewhere we are under capacity. Every other state is over capacity. I recently met with my other state and territory counterparts and they were quite envious of our statistics. Even though I acknowledge that our statistics are higher, it is a national issue. It is a national trend. The prison population and indeed remand populations have increased across the nation. Tasmania is not immune to it. Having said that, the reason -

Dr Woodruff - Minister, we can do better.

Madam SPEAKER - Order, Ms Woodruff.

Ms ARCHER - The reason for building a new remand facility, in addition to being able to provide a standalone facility with greater access to legal services and other services suitable for remandees, is to deal with that increase in the remandees, to separate them from the rest of the prison population and for better prison management. In relation to rehabilitation programs, any suggestion that there is insufficient investment in rehabilitation and reintegration of prisoners in Tasmania is untrue. After 17 years of successive Labor and Labor-Green governments taking a bandaaid approach to dealing with the many complex issues that confront our prison environment, we have addressed these issues. The prison service's Intervention Programs Unit is concentrating on interventions focused on the drivers of crime, which includes sex offender treatment, addiction - specifically drugs and alcohol, violence including family violence and aggression.

The TPS continues to deliver the EQUIPS suite of programs developed by Corrective Services New South Wales. It is a therapeutic and educational program developed to reduce the risk of re-offending for a wide range of offenders. TPS Intervention Programs Unit staff have regular clinical supervision undertaken by experts in the field of sex offender treatment and general and/or violence treatment to ensure best practice is applied to all programs delivered to prisoners. Offender treatment programs are supported by other interventions known to reduce the likelihood of future re-offending, such as education, training, employment and reintegration services. The Alcohol and Other Drug Treatment Unit offers intensive rehabilitation to prisoners with ongoing and long-term alcohol and/or drug use issues. The waiting list for this unit continues to remain lengthy with only 10 beds available.

However, with a new prison in the north of the state we have new and exciting opportunities to expand on this type of unit and other types of programs as well. The advantage of having an additional prison is obvious in terms of the increased capacity for intervention treatments like this as well as education and training. The two TPS drug and alcohol counsellors continue to provide individual intervention to prisoners identifying as having alcohol or drug use issues. The TPS Intervention Programs Unit continues to work with the University of Tasmania's Tasmanian Institute of Law Enforcement Studies to develop an ongoing quality assurance framework and implementation strategy to ensure continued quality program delivery. In addition to this, the TPS Intervention Programs Unit has adopted the Corrective Services New South Wales model of observation that includes live viewing of program delivery with written feedback to facilitators.

There was a reference by Ms Haddad to the REO program and other types of transition and housing assistance. The Government has prioritised and explored ways to improve access to housing for prisoners returning to the community following a period of imprisonment. As part of the 2017-18 budget we committed funding to provide assistance for transitional accommodation for prisoners.

In January this year the Department of Justice and the Salvation Army finalised an agreement for the delivery of a specialist through-care reintegration program, Beyond the Wire. I recall mentioning this during our Estimates process recently. The purpose of this program is to offer a multi-partner through-care service for high- and complex-needs prisoners who are exiting prison and who have chronic accommodation and support needs. This cohort of offenders has a history of prior convictions and relapse, often returning to prison following release into the community without appropriate accommodation and specialist support.

The program provides prisoners exiting prison with access to case management and service coordination planning with an initial pre-release focus leading to seamless through-care to post-release and graduation from the service. The program has resulted from great collaboration between a number of non-government organisations to provide a statewide service with the Salvation Army acting as the lead agency and will provide access to a broad range of services provided by each organisation, namely Anglicare Tasmania, CatholicCare, Colony 47, Hobart City Mission and Salvation Army Tasmania. The term of this agreement is from January 2018 until 31 December 2021 with welcome protocols, procedures and associated documentation underway with all key stakeholders. As at 18 April this year, four prisoners have been accepted into the new program and a further nine are currently being assessed for suitability.

Ex-offenders leaving prison and requiring housing assistance also continue to receive support through Housing Connect, our one-stop shop for all Tasmanians in need of housing assistance. The Department of Justice with Housing Tasmania have discussed opportunities to improve and streamline the reintegration of prisoners to the community and those discussions will continue. This has resulted in the introduction of a number of policy changes to enhance referrals, pre-release assessments by Housing Connect, housing suitability assessments for parole applicants and changes to the prisoners core day where required. Specifically, all prisoners may now request a housing needs assessment through Housing Connect up to 30 weeks before their estimated release date.

I hope that provides members with a detailed view that much is being done in this space in terms of programs on offer, reintegration back into the community, housing assistance, preparing prisoners for release and reducing recidivism. There is no one easy fix or solution to that issue, particularly if there has been a life of crime or someone has been raised in a family where they have had high exposure to propensity to crime, but all of these programs are designed to help combat the incidents of recidivism and the like, as I have referred to.

Ms Haddad also questioned bringing this bill on now. I reiterate that this has been a longstanding matter for us on this side of the House. It is nothing new. I have outlined the history of our policy in relation to remissions. This bill has not been hurriedly put together this term and tabled. It was tabled back in June and we said we would bring it on for debate in this session so should come as no surprise to anyone.

Today's contribution from the Opposition has been deeply flawed and has not made sense. Labor also chose to play politics with a tragedy in question time today. As soon as question time was over they opposed legislation to abolish remissions, which would have meant the perpetrator

of the tragedy was behind bars when this tragedy occurred. In 2016, when this Government became aware that the then alleged perpetrator of the murder referred to in this House today had been released on remission, we commissioned an immediate review of the policy that ultimately saw the Government take the position to abolish the use of remissions.

Mr Bacon - It is about what happened with the release. Why won't you tell the truth about that?

Madam SPEAKER - Mr Bacon, through the Chair please.

Ms ARCHER - Labor is opposing the removal of a practice that they know facilitated the early release of an individual who then went on to commit a violent offence that deprived a woman of her life.

It is hypocrisy to repeatedly oppose the Government's legislation and to provide tougher sentences for serious offenders, including child sex offenders, and frontline workers including correctional officers, and now they are saying they want prison authorities to be able to override the court and let people out three months early. I go back to their argument being deeply flawed and nonsensical.

The member for Franklin, Dr Woodruff, made reference to the former minister for corrections and attorney-general, the late Dr Vanessa Goodwin. I have to correct the record because it was the late Dr Goodwin who initiated this policy. Dr Woodruff incorrectly said that she would never be responsible for this type of policy. It was a policy initiated by -

Dr Woodruff - I did not say that. I said she had a very different approach.

Ms ARCHER - The *Hansard* record will speak for itself. I am attempting to clarify factually that it is a gross misrepresentation of someone who deserves better from members of this place and who cannot come in here and defend herself.

Dr Woodruff - That is ridiculous. I was being very complimentary about her, probably unduly so.

Ms ARCHER - In future Dr Woodruff should get her facts straight, which is what I am urging her to do, when making reference to someone who is no longer able to come in here and defend themselves.

Dr Woodruff also referred to the consultation issue which I have already gone through. She also mentioned prison increases which I have responded to. The question about sick leave and staff has no relevance to this bill. If she would like to ask a question in question time, by all means do so.

There was a bit of reference by Dr Woodruff to the Custodial Inspector's report. I can advise that the Government has implemented a strategy to minimise the issues identified by the Custodial Inspector. I note that the Custodial Inspector was an initiative of this Government. No prior government had put a custodial inspector in place. It was a policy formulated by the late Dr Goodwin and also implemented by her.

We have recommissioned cells and units previously unused. Seventy-one additional beds will be online within the next two months with new accommodation in the Mary Hutchinson women's prison, a new mother and baby unit, and the refurbishment of Division 7 of the Ron Barwick minimum security prison. In addition, a new 154-bed remand facility in the south was funded in this year's Budget and will commence construction next year. Sixteen beds will be available in additional O'Hara transition cottages. All of those have been implemented in line with the strategy identified by the Custodial Inspector.

The member made reference to double and triple-bunking. There is no triple-bunking occurring. We now have specific bunks that are common in prisons. It is not a case of a mattress on a floor or anything like that. It is mainly utilised or can be utilised in what we call 'buddy up cells', quite often used when a prisoner might need some peer support. It is often used a strategy to have two bunking in together. It is not always a bad thing when there are two in one cell. When members refer to double-bunking and triple-bunking or however they word it, it always has a negative connotation and it is not always the case. This is particularly so when the cell is not a small cell. It may be a double cell and can take two. I urge members to be cautious with the language they use because it is not always a bad thing.

I believe I have addressed all questions that have been put. Members have indicated they wish to go into committee in any event. With that, I will let the matter proceed.

Bill read the second time.

CORRECTIONS AMENDMENT (PRISONER REMISSION) BILL 2018 (No. 15)

In Committee

Clauses 1 to 3 agreed to.

Clause 4 -

Section 86 substituted

Ms HADDAD - I will start my contribution by recognising and acknowledging the Attorney-General's comments in her summing up and make a couple of points. First, the minister told us the previous government did nothing to address these issues that were recognised in the prison system. That is simply untrue. The previous government set aside \$28 million for ICT upgrades, including upgrades to justice systems that were recognised as leading to wrongful release. It is not true to say Labor did not do anything in government or plan for the future.

The minister gave some good information about programs delivered to prisoners, both via community sector organisations and by the Tasmanian Prison Service, including sex offender treatment, violence and aggression, alcohol, tobacco and other drug treatment programs, and referenced the new 10-bed unit for intensive alcohol and drug work.

Over the lunch break, I attended a new resource launch hosted by the Drug Education Network of Tasmania. It was quite refreshing to be in a room filled with alcohol and drug workers, having previously worked in the alcohol and drug sector. I recognise that all those programs, while valuable and needed in the prison service and the community, are drastically under-funded. I am not satisfied they will be funded to the provision needed within the prison in future to allow all

prisoners who need treatment, whether it is alcohol and drug or other treatment, to access those services.

The Attorney-General was also on shaky ground in making the connection between our questions in question time and admonishing Labor for opposing parts of this bill. We are not opposing the whole bill, by any stretch. That was not fair. The Government's comments made by interjection over the question time period were very much to say this bill is about community safety. As I said earlier today, remission is not characterised as a community safety measure. It is characterised as a behavioural management tool for prison officers. It is not about overriding court decisions.

By making the emotive argument that because a particular offender was out on remission we should support this legislation in full is not an accurate representation of the current state of play and it is also an unfair representation. That family was failed because the system let them down in letting that person be released in the condition he was in. If he had not been released on remission, I wonder whether anything would have been different. Would he have suddenly received mental health treatment within the prison, or would he have received a different mental health assessment on release? I doubt that.

It is the Government suggesting Labor, in opposing this bill, is not valuing community safety. It is simply not true. It goes back to what I said in the beginning: remission is about behavioural management and not about community safety. How was this person eligible for remission, considering we were told he was in the maximum security behavioural unit?

My amendments are all amendments to clause 4.

Mr Chairman, I move -

That -

1. We remove section 86(1);
2. We remove section 86(3); and
3. We renumber subsection 86(2) and subsection 86(4) to subsection 86(1) and 86(2) respectively.

In other words, I propose removing clauses 86(1) and 86(3) from the bill.

Mr CHAIRMAN - You can speak about the amendments now.

Ms HADDAD - I do not intend to say a great deal in moving these amendments as I covered the reasons for those amendments in my second reading contribution. The reason we are moving these amendments is to recognise the parts of the bill we support and to attempt to strike out the parts of the bill we do not. It is not fair to characterise Labor as completely disregarding the provisions of this bill that are positive.

The positive parts of this bill we are supporting are the clarity of limiting remission to a maximum total of three months of a total sentence. Someone qualifying for remission will not

automatically receive that full three months. They might receive a day or two days or a week. It is a behavioural management tool that gives custodial officers one extra tool in their toolkit.

The bill sets out clearer guidelines about when a remission is to be granted, including when inmates are involved in activities such as education and work rehabilitative programs and other purposeful activities. The changes the Government is attempting to bring in provide some clarity to the system of remission and we support that clarity. The Government intends the bill to apply only to those people who are in prison at the moment. In other words removing remission would not have retrospective activity. Our aim with these amendments is simple - to keep those productive parts of the bill but to apply them to the whole prison population, current and future, recognising the value of remission in managing behaviour.

I commend the amendment to the House. I hope that members of this Chamber and members of the upper House when they come to consider this bill will think about the whole picture, will consider the views of those working at the front line in custodial settings, will recognise the challenges that they face as people working in a sometimes highly charged environment. I hope they recognise that even with the programs the minister went through in her summing up remarks there is a need for more to be provided not only in the prison population but also to those custodial officers who work at the front line each day. One of those tools is the ability to grant remission, which we believe should remain in the hands of the director of prisons.

Dr WOODRUFF - The Greens will support this amendment. It removes the part of the bill we have problems with. We support the comments of Ms Haddad as it keeps the productive, useful parts of the bill and removes the destructive and problematic parts of the bill which seek to remove another tool in the management of prisoner behaviour from the toolbox of prison officers.

The minister is wilfully refusing to accept that removing one effective tool will make a difference. Anybody who has parented children, taught in a school, spent time teaching groups of people, understands that different tools are effective for different people. A carrot and stick approach is just that. It provides incentive and it provides constraint on a person's behaviour. Prisons are all about discipline and safety. They are also about rehabilitation, restoring justice and providing opportunities for people to change their behaviour and deal with the issues underlying that behaviour that led to criminality in the first place.

We will support these amendments. Adopting these amendments commits to a three-month total period of imprisonment that could be remitted. Other jurisdictions have longer periods. I think one other state in Australia had six months as a total period of remission.

Ms Archer - No states have remission.

Dr WOODRUFF - As I said, 'had' a period of six months. Different periods have been applied in different jurisdictions at different times. We accept that in Tasmania at the moment the practice is three months. The fact that this would keep it and set it at three months seems reasonable. It has worked to this point and we believe it should continue.

I draw the minister's attention to the comments she made about my comments about the previous attorney-general and minister for corrections, Vanessa Goodwin. She inferred that I was somehow impugning Dr Goodwin's memory and the work that she had done. I made it very clear that the previous minister for corrections had managed to chart a course of justice in her very powerful and evidence-based management of the system. What I did not say was that she managed

to chart that course despite the culture of the rest of the Liberal Cabinet, which was baying for an increasingly tough-on-crime approach. The fact the previous corrections minister, Vanessa Goodwin, was able to hold those forces at bay for as long as she did is a great credit to her and to her memory.

Since then, unfortunately, the next minister talked as if prisoners were at Club Med. What a disgrace. What a disgrace to be repeating the sort of punitive language we had in the Port Arthur days of Tasmania.

We will support this amendment because it effectively seeks to remove the obnoxious parts of this bill and we look forward to the minister's comments in support of them as well.

Ms ARCHER - There were not any questions so I am not obliged to make a contribution. The Government does not support the amendments. We did not support them last time. We oppose the amendment to delete the various subsections identified.

We reiterate that the reason for this bill is to support the concept of truth in sentencing. The member for Denison, Ms Haddad, referred to it as just one of the tools to incentivise good behaviour. In my contribution I stated there is a raft of other mechanisms rather than early release to incentivise good behaviour. We take a different view and the view is that we rest on the side of truth in sentencing. Members opposite wish to use it to let criminals out early and that somehow incentivises good behaviour. I have outlined to the House the contract that currently exists that prisoners or detainees can sign up to to incentivise their good behaviour, to have access to things while they are in prison and to ensure their behaviour is manageable. This promotes not only their own safety but the safety of others around them including correctional and other TPS staff.

We still want to incentivise good behaviour. We take a different approach, a very comprehensive approach. We feel that incentivising good behaviour through increases to family visitations, family days, activities, certain types of leisure activities and greater access to television - all the things whilst someone is incarcerated that can make their incarceration a lot more comfortable according to their good behaviour - is a far better mechanism than defying the sentence imposed for that individual who committed a crime or cumulative crimes. For that reason, it is not surprising the Government will not be supporting the Opposition's amendment.

Amendment negatived.

Clause 4 agreed to.

Clause 5 agreed to and bill taken through the remaining stages.

Bill read the third time.

TERRORISM (RESTRICTIONS ON BAIL AND PAROLE) BILL 2018 (No. 20)

JUSTICES OF THE PEACE BILL 2018 (No. 12)

Bills agreed to by the Legislative Council without amendments.

RESIDENTIAL TENANCY AMENDMENT BILL 2018 (No. 32)

Second Reading

[3.24 p.m.]

Mr BARNETT (Lyons - Minister for Building and Construction - 2R) - Mr Deputy Speaker,
I move -

That the bill be now read the second time.

The purpose of the bill is to make a number of amendments to the Residential Tenancy Act 1997 to improve the operation of that act, and to give effect to commitments made by this Government with regard to the National Disability Insurance Scheme, social housing, family violence and red tape reduction. A number of the amendments in this bill will give effect to strategies identified at the housing summit and as part of the Affordable Housing Strategy to improve access to affordable private rental accommodation.

The Residential Tenancy Act provides strong protections for tenants and landlords. However we have proactively identified situations where social housing tenants are unintentionally being excluded from the protections due to the current definitions and subleasing provisions. Currently, the Director of Housing may subsidise rent and bond payments following arrangements entered into under the Homes Act 1935. This bill amends the Residential Tenancy Act to ensure that such contributions are not regarded as an increase in rent. Amendments to the definition of 'social housing' and 'social housing provider' also ensure there is consistency between the Residential Tenancy Act and the Homes Act.

This amendment bill clarifies how the Residential Tenancy Act applies to leasing and subleasing arrangements entered into under the Homes Act.

We have listened to stakeholders in the social housing space, and therefore include amendments to allow security deposits to be paid in instalments, to expand the categories of organisations that may receive a security deposit, and to extend the time frame within which a security deposit must be paid to the Rental Deposit Authority in those circumstances. This allows a social housing provider to collect and retain the bond money until the full amount has been received before depositing it with the Rental Deposit Authority. This is a clear benefit to social housing tenants and a reduction in red tape for the administration of bonds.

This Government is committed to implementing the accommodation requirements of the National Disability Insurance Scheme, which will take effect in Tasmania on 1 July 2019. This bill includes an amendment to allow for a number of NDIS participants accommodated at a premises. Individual written agreements will allow each tenant exclusive access to a bedroom but shared access to common areas such as kitchens and living areas.

This Government is committed to ensuring that our most vulnerable citizens have access to safe and affordable housing. Under the Family Violence Act 2004, a court may make a Family Violence Order which directly impacts on a rental tenancy agreement. If a tenant needs to terminate a residential tenancy agreement as a result of a Family Violence Order, this amendment removes the requirement to create a new agreement on varied terms and conditions.

These amendments to the Residential Tenancy Act will improve operability between this act and the Homes Act, improve access to social housing, prepare for the introduction of the NDIS for vulnerable adults, improve access to safe, affordable housing for those fleeing family violence and further reduce red tape.

I commend the bill to the House.

[3.28 p.m.]

Ms O'BYRNE (Bass) - Mr Deputy Speaker, I appreciate the opportunity to talk on the Residential Tenancy Amendment Bill but I have to note that in the second reading speech which, as you know, is a legal document, there are two references to reduction in red tape. Whilst I support the intent of this bill and think it is well intentioned and its motivation is good, it does nothing about red tape. The member who has just returned to his seat is the last one in Government who is still pretending that they have some kind of red tape reduction agenda because after close to five years now I have not seen any of that come to fruition. With that little snipe aside, it is disappointing to keep in a document that, as I have said before in this House, is the point of reference lawyers will go to if there is any question about the intent of the bill, and I am sure they will be surprised to discover this about red tape. However, its actual motivations are quite good and we appreciate that the Government has brought them forward.

I have a couple of questions for the minister which I am sure he will be able to answer. Some of them are about putting them on the record because they are about implications in other areas.

We support the individual agreements regarding shared housing tenancy, particularly for people with disability. That makes sense and provides far greater ownership for those individuals of the decisions and engagements that might happen in the house. As MPs I am sure we have all, on occasion, had constituents through the door who had some areas of conflict so that is a good innovation and we are pleased to see it.

As to the issue of bonds and the social housing extension - whilst access to housing, full stop, is probably the issue at the moment - it is a significant barrier to participation in the market if you are not able to raise money to pay a bond. Finding somewhere safe to live is the most fundamental thing you are going to do. If you are going to put anything else in your life together, you need to somewhere safe to lay your head at night and to know your children and your family are safe. Not having to find the money upfront will take a significant pressure off some people who have been excluded from the market, so we do support that.

However, the only concern I do have is that by including this provision - I am sure the minister can put it to rest immediately - we would not want to see this as any sort of signal of a change of behaviour for Housing Tasmania. It is a rare occasion when a bond is sought in a public housing tenancy such as Housing Tasmania. We would not want to see, now that you can stagger a payment, any intention to signal a change of behaviour in Housing Tasmania such as that we might be moving to more significant or regular bonds in that market. If the minister or the Minister for Housing could rule that out, that would be great. I am sure it is not the intent but we often see with legislation unintended consequences or actions taken because people have interpreted it differently. That clarification would be great.

It is a wonderful step forward to support women who are fleeing family violence. This allows a court to make an order to deal with the breaking or changing of a lease and the circumstances in which that occurs. We have heard, anecdotally, via our women's legal services, our women's health

services and our women's support organisations that screening is already taking place to see whether family violence orders are in place before women access properties. I hope we would not see that extent. Generally, those women do not make complaints because they do not realise that is why they have been knocked off or life is far too complex to make that kind of complaint. Those issues from the sector are anecdotal but they are very concerned we might see a pattern of behaviour knowing that this could be applied.

We might see women discriminated against in accessing housing in case such an element was moved forward. That is not something we can say would be the case immediately, but it is worth highlighting the potential for that kind of behaviour. It would be appropriate to look at some form of penalty if we find that landlords are discriminating against women who may have an existing family violence order in place. The minister could draw his attention to that. I know the intent of this bill is to make it easier for women. None of us wants to make it harder but we would need to look at what steps might need to be taken if we end up with a situation in which women are being discriminated against on that basis.

The other issue is it still only applies to women who have an active family violence order or are in the process of putting in place a family violence order. There are still women who need to remove themselves from situations that often require breaking a lease. The debt that might incur means that women stay in unsafe circumstances and we do not want to exacerbate that any further. That is still an area we need to find a resolution to. It is not something this bill picks up but it is something we in this House are aware is a significant concern.

My other questions are simple. Can the minister advise when he thinks the act is to be proclaimed? Is this something we would be sending to the Governor quickly, should it pass both Houses, or is it something that has an expected implementation date? Following on from that, if it has an expected implementation date or we think it is going to happen quickly, what education process is going to be given to landlords, to women who might be in family violence situations, to people with disability, and people in social housing about the changes of these rules? What education program has the Government identified? What advertising will be done? What marketing will be done to ensure people are aware of the circumstances of the new bill?

Other than that, minister, I support the intent of the bill and the work you have done. I support the bill. I look forward to your response to those questions.

[3.34 p.m.]

Ms O'CONNOR (Denison - Leader of the Greens) - Mr Deputy Speaker, I rise on behalf of the Greens to indicate that we too will be supporting this legislation, and recognise it makes a number of significant, but minor, amendments to the principal act in order to better align the act with the Homes Act 1935, which is some of the most robust but antique legislation we administer in this place. To the agency and departmental officers who provided a briefing on this legislation in the last sitting, thank you very much.

I raise with the minister a number of questions about the Residential Tenancy Act, rather than the amending legislation we are dealing with, because there is unfinished business in this legislation. If you engage with the Tenants' Union of Tasmania they will tell you the Residential Tenancy Act, as it is now, inadequately protects the rights of tenants. Around the country, there are standardised lease forms for tenants but Tasmania and the Northern Territory are the only two jurisdictions that continue to allow ad hoc and varied lease arrangements between landlords and tenants. That is something we should repair in the legislation so that any prospective tenant can expect to see to see

the same basic lease form, no matter what home they are applying for. There should be a standardised lease form, whether it is a social housing property or a property in the private rental market. It is unfortunate it has not been introduced into this set of amendments. I ask the minister, why not? Was it considered? This is an issue the Tenants' Union has been lobbying on for a significant period. Is it lobbying from the Real Estate Institute of Tasmania preventing what you would think was a necessary and straightforward improvement to the Residential Tenancy Act?

There is a growing level of concern that, under the act, the expiration of a lease is being used as justification to evict people. A landlord might decide he or she does not like the look, the smell or the sound of a tenant. They can wait until the lease expires and use it as an opportunity to evict that tenant, potentially evicting that person into homelessness, and hike up the rent for the next person who comes along. Can you address the question of fair leases, a standardised lease form, make sure the expiration of a lease is not being used as justification for evictions, potentially into homelessness, and that landlords are not unlawfully evicting people for a range of other reasons and using lease expiration as their excuse? We believe there should be a capacity for an indefinite lease to be negotiated between a landlord and a tenant, and there should be provision for that in the act.

We would like to point the minister to the experience of the ACT. In response to unjustifiable escalating rents, the ACT government introduced a new rental pricing policy that capped rent increases at consumer price index other than under a set of extenuating circumstances, or the landlord could argue they should be given special dispensation to charge a higher rent. What is happening here is that there is so much pressure on Housing Tasmania, social housing providers and the private rental market that it is creating a set of circumstances disadvantaging tenants. We are seeing rents skyrocket in some cases, where landlords or their agents managing the property are saying to their tenants, the rent is going up because we could get triple this amount of money on the short stay market, so we are going to bump your rent up. For those tenants, it creates extraordinary pressure. I spoke to someone in exactly this situation a couple of weeks ago who is on the Disability Support Pension, had a rent of \$220 per week on a modest property and their rent was bumped up to \$240 per week. For someone living on a Commonwealth payment, that \$40 per fortnight coming out of their income means the difference between a nutritious meal or having the heater on in the depths of winter. We need to examine making a provision in the Residential Tenancy Act to stop landlords gouging and to make sure that any rent increase is in line with the raised cost of living and the Consumer Price Index. This policy is in place in the ACT thanks to the Greens minister there, Shane Rattenbury, and we should be examining it here.

In relation to the specific provisions of the legislation, I acknowledge this is aligning the Residential Tenancy Act with the Homes Act but it makes an important change to the Family Violence Act 2004 that enables a court, when making a family violence order, to terminate a residential tenancy agreement without requirement to create a new agreement on varied terms and conditions. There will be circumstances where a victim of domestic and family violence will want to get out of that house as quickly as possible and not be bound by a joint lease and be safe, away from the perpetrator, so that is an important and significant improvement on behalf of the victims of family violence.

I also note with interest the review of the definition of 'social housing' and 'social housing provider'. Does the minister have any insights on why, although the legislation is relatively specific about a social housing provider in its descriptors, it was necessary to put this in? Is it simply to mirror what is in the Homes Act? Are there any other groups outside this cohort that may be captured by subparagraph (c) in terms of the definition of a social housing provider? Is it possible that a for-profit housing provider could be captured within this definition? If that were the case, it

would be a concern because on areas of public policy when you are dealing with marginalised and vulnerable people, having a for-profit motive rather than a for-people motive is not something governments should support with public funding.

I was interested in the provision made within the Residential Tenancy Act for the full rollout of the National Disability Insurance Scheme on 1 July next year and note for the record the continuing, substantial and worrying underfunding of specialist housing or housing that has universal design principles embedded in it under the NDIS. It is creating enormous uncertainty amongst participants in the NDIS and their families and carers about the lack of clarity on the capital funding that will be available to increase the supply of affordable housing for people living with a disability and are participants in the National Disability Insurance Scheme and indeed, those people who are not necessarily participants in the NDIS.

This legislation will enable a person who is a participant in the NDIS to enter a subleasing arrangement so that it is specific that the person, the tenant, is responsible and has domain over a particular area within a tenancy agreement. It might be their bedroom but the bill acknowledges that there are other shared spaces within specialist disability accommodation or more accessible accommodation. It provides for exclusive access, for example, to a person's bedroom but they are not held responsible for damage in the other areas.

In relation to the provision in the legislation that allows a tenant to pay off their bond in instalments and have those instalments effectively banked with a social housing provider, can the minister explain if it will be by way of regulation or are we simply taking it on trust that the money being paid in instalments and held by the social housing provider will be administered in a way that ensures there is no risk? I cannot find anything in the legislation that does not say, for example - and we are talking in purely hypothetical terms here - that a community housing provider could take the pot of its bond instalments to the casino to see if they can capitalise on that money. What is there in law, or will there be regulations, to ensure that the bond and security money that is paid in instalments are retained in a place that can give public confidence about that money? I say that casting no aspersions on any social housing provider in Tasmania. I have worked with many providers and am amazed every day by the incredible work they do.

Another area of reform that is required, and it would be the Residential Tenancy Act where this would need to go, is the provision for pets. This is an area of real concern within the wider community but especially amongst tenants. There have been harrowing stories of people who have had to make the choice between having a secure place to call home and keeping their best friend, their dog. In some of the bigger cities I have seen evidence with my own eyes of people who have made the choice rather than have to give away their beloved pet to become homeless in order to stay with their best friends. We are very strongly of the view that tenants' rights to have a companion animal is one of the most common joys of life.

Minister, I point you to peer-reviewed evidence to support the positive mental and physical health benefits of pet ownership. My understanding from the briefing material I have before me is that more than 62 per cent of Tasmanians have a dog or a cat, the highest rate of pet ownership in the country. This contributes positively to Tasmania's social wellbeing, yet the rights of pet owners under the Residential Tenancy Act are not protected. Prospective tenants are being refused homes because they have a companion animal and homelessness workers report people sleeping rough rather than part with their pet, while those who do make the hard choice place pressure on overburdened animal shelters.

We believe a further strengthening of the Residential Tenancy Act is required, particularly in the context of the chronic shortage of affordable social housing in Tasmania and the squeeze that is placing on the rights of tenants and the insecurity it is creating in the minds of tenants, because right now having a secure affordable place to call home for many people seems like a miracle. I urge the minister to update the House on what plans there might be to further strengthen the Residential Tenancy Act to reset the balance more in favour of tenants than landlords and the Real Institute of Tasmania.

To have an update on any further strengthening of the bill would be greatly appreciated, Mr Barnett. I hope you will take the opportunity to ask the Tenants' Union of Tasmania in for a briefing to talk about some of the particular circumstances tenants can face and how the act, as it currently stands, does too little to protect the rights of tenants. It is currently weighted too heavily in favour of landlords. We have an obligation in this place to make sure we are enacting legislation or improving legislation that is in the greater public good rather than a narrow monetary good.

[3.50 p.m.]

Mr JAENSCH (Braddon - Minister for Human Services) - Mr Deputy Speaker, I rise to speak on this bill today as the Minister for Housing and Minister for Human Services with responsibilities also under the Tasmanian Family Violence Action Plan. There has been a range of matters raised in the contributions so far, some of which are outside the scope of this bill.

Ms O'Connor - They are outside the scope of this bill because they were not included. It is an amendment.

Mr JAENSCH - I understand. This bill is seeking to address a very specific set of issues. I acknowledge the range of issues Ms O'Connor and Ms O'Byrne have raised. In the interests of all parties we must be careful in the way we proceed, as we seek as a state to balance supply and demand for housing, the supply of social housing and other forms of supported and crisis accommodation, and increased home ownership. The private sector plays a role in supply and influences the pricing and affordability of the market.

We need to have regard for the needs of the tenants we are seeking to house. We also need to regard the conditions under which private owners of land and investors continue to build more houses. If we create reasons why people will not continue to invest in housing, we will continue to have an imbalance between supply and demand which will keep prices high and make competition for housing for people on low incomes even more difficult.

It is a delicate balancing act. There will be opportunities over the coming months and years for us to examine those other aspects. Today I am going to focus on the bill in front of us.

The bill is designed to give effect to commitments made by the Hodgman Liberal Government with regard to the National Disability Insurance Scheme, housing, family violence and red tape reduction in residential tenancies in Tasmania. The Hodgman Government has been working hard to address the issues of homelessness and housing shortage in Tasmania and the bill gives effect to a number of the identified strategies which will improve access to affordable rental accommodation.

The amendments improve access to safe, affordable housing for those fleeing family violence, help people to prepare for the introduction of the National Disability Insurance Scheme for vulnerable adults and further reduce red tape.

The Residential Tenancy Act 1997 already provides strong protections for tenants and landlords and we have made these stronger by increasing the protections for social housing tenants and for victims of family violence.

There is stakeholder support for the amendments from the support services, in particular the introduction of incremental bonds which will be of significant benefit for Tasmanians to assist them in accessing rental properties.

We have worked hard to ensure legislative amendments enable our most vulnerable Tasmanians to have increased access to housing and this accessibility is appropriately balanced with the rights and protections of owners.

The bill improves the consistency between the Residential Tenancy Act and the Homes Act 1935 so social housing tenants are not unintentionally excluded from the tenancy protections due to the current definitions in subleasing provisions. The Homes Act allows for the subleasing of properties to occur in order to house an eligible person. The amendment brings the Residential Tenancy Act into alignment with Homes Act provisions along those lines. Subleasing is used in programs like Rapid Rehousing where a community housing provider leases a property and then subleases to a tenant for the duration of their need of that property. This applies in the family violence context but also in other areas discussed earlier today, such as people exiting the corrections system so they have an address to go to on their release from prison.

This amendment ensures that people in need of housing assistance who benefit from subleases under the Homes Act have the full protection of the Residential Tenancy Act. Currently the Director of Housing may subsidise rent and bond payments following arrangements entered into under the Homes Act. The bill amends the Residential Tenancy Act to ensure that such contributions are not regarded as an increase in rent. Ms O'Byrne asked the question about whether there would be any change to Housing Tasmania's application of bonds. I am advised that there will be no change. Community housing providers are different and -

Ms O'Byrne - It is more than ruling it out on the record so that there is no misunderstanding.

Mr JAENSCH - Yes. Housing Tasmanian tenants pay subsidised rent, up to 25 per cent of their assessable income. This is capped at the market rent for a property as determined by the Valuer-General. Because a tenant's rent is calculated on a percentage the amount can change with their income. The amendment change allows these changes to not be treated as rent increases. Currently community housing tenants are required to pay their bonds in full and upfront with no option to pay bonds in instalments. This covers Ms O'Connor's question about what happens with bonds. Community housing tenants are currently required to pay their bonds in full and up front. There is no option for them to pay in instalments. This requirement can create a financial burden for some members of the community and at times restricts their access to housing. Our Affordable Housing Action Plan 2015-19 includes a commitment to amend this act to improve the capacity of the Rental Deposit Authority to accept incremental security deposit payments from community housing providers. Regarding the issue that you raised, currently community housing providers are taking the bond up front and there is then an arrangement with the Rental Deposit Authority. This is changing the arrangements so the Rental Deposit Authority can accept incremental security deposit payments.

Ms O'Connor - My question related to the money while it is sitting there before it is gathered in full and deposited with the Rental Deposit Authority. What are the regulations around that money?

Mr JAENSCH - The Rental Deposit Authority is accepting incremental payments as they are paid in by the tenant via the community housing provider. This commitment is in response to the difficulty of moving tenants from crisis or transitional accommodation to community housing as they are not able to accumulate a full bond. This amendment allows security deposits to be paid by instalments and extends the period within which a security deposit must be paid to the Rental Deposit Authority in certain circumstances.

Ms O'Connor - Ten working days, but may keep all instalments received until the final instalment is paid.

Mr JAENSCH - In addition, the act currently precludes property owners including Housing Tasmania and other social housing providers from receiving bonds. The bill addresses this issue by expanding the categories of organisations that may receive a security deposit and extending the timeframe within which the security deposit must be paid to the Rental Deposit Authority in those circumstances. This allows housing providers to collect and retain the bond money until the full amount has been received before depositing it with the Rental Deposit Authority. This is a clear benefit to housing tenants and a reduction in red tape for the administration of bonds.

Amendments have also been made to implement the accommodation requirements of the National Disability Insurance Scheme which will allow for NDIS participants accommodated at single premises to have exclusive access to bedrooms and shared access to common areas such as kitchens and living areas. The NDIS requires each occupant of shared specialist disability accommodation to have an individual written agreement for the property to be eligible for SDA payments. The agreement would be for that part of the premises used solely by the tenant with responsibility for common or shared areas resting with the SDA provider. There is some uncertainty about whether the Residential Tenancy Act currently permits this. This amendment ensures clarity and enables Tasmania to comply with all NDIS requirements in the provision of SDA.

Many of the matters addressed in the bill to add protection to tenants are the result of ongoing engagement between the Government, industry representatives, representatives of support services and the social services sector. Consultation on the draft bill was conducted with industry stakeholders including the Tenants Union of Tasmania, Shelter Tasmania, the Tasmanian Council of Social Services and the Real Estate Institute of Tasmania, and I thank all of those organisations for their engagement, input and perspectives on the amendments proposed.

Shelter Tasmania in particular has come out supporting the proposed changes to the act, particularly in relation to amendments enabling victims of domestic violence to leave a rented property without liability for future rental costs and the amendment allowing security deposits to be paid in instalments to community housing providers.

Importantly, the bill provides further protections for tenants who are experiencing family violence by enabling a court to terminate a residential tenancy agreement without penalty when making a family violence order. Currently there are no powers within the Residential Tenancy Act to allow the court to issue an order of termination on a residential tenancy lease for a victim of family violence. Rather, the act currently allows the court to create a new agreement at the same

property on varied terms and conditions for the victim of family violence by virtue of section 17 of the Family Violence Act 2004.

However there are circumstances where a person needs to break the lease and move to a new residence rather than taking on the lease solely in their own name. This includes where a victim needs to go somewhere that is unknown by the perpetrator of family violence for a variety of safety reasons. In these situations, victims of family violence are often forced to face the cost and burden of taking on a lease alone. Not only can this lead to financial hardship for the victim but it can make it more difficult for people facing that scenario to seek help, knowing they may have to pay additional rent.

The Safe at Home practice manager from the Legal Aid Commission of Tasmania has advised that in her experience there are circumstances in which the inability of victims of family violence being able to terminate a lease without penalty, as opposed to taking over a lease which was previously a joint lease, has caused either the victim to remain in place where they and possibly children are either not safe according to an assessment of risk, or do not feel safe, or the victim to suffer through knowing there is a risk of financial difficulty or loss.

This amendment enables a victim of family violence to terminate their tenancy agreement without penalty. A separate regulatory amendment is also being progressed to extend the current three-month exclusion period for temporary crisis accommodation. This means that Tasmanians who are seeking an escape from situations of family violence will not be required to enter into a residential tenancy agreement or lodge bonds for up to a period of 12 months. It is intended that this change to the regulations will commence at the same time as the bill. These changes will provide much-needed relief and ensure access to housing for those going through an incredibly difficult time in their lives.

I thank the minister, his office and his department for their hard work on these amendments and their work with my own Department of Communities Tasmania, especially Peter White and his team in Housing Disability and Community Service, for their work on this bill to bring the Residential Tenancy Act into line with our Homes Act and our intentions under the Affordable Housing Strategy and actions plans that are delivering on that over this 10-year period. We are four years in, we have a lot of work to do and this will help.

[4.04 p.m.]

Mr BROOKS (Braddon) - Mr Deputy Speaker, I rise to talk on the bill -

Ms O'Connor - Put you in as a filler, have they?

Mr BROOKS - I beg your pardon?

Ms O'Connor - You're a filler - here to filibuster.

Mr BROOKS - No.

Ms O'Connor - Just checking because we're nearly out of legislation.

Mr BROOKS - Why would I not want to make a contribution on this bill? It is a very important bill and there are a couple of aspects I have a particular interest in. I experienced probably not quite exactly the same situation but I do understand part of the concept of this bill and it is

important, so if it is all right with the Right Honourable Justice O'Connor over there, I will make a contribution on this.

Mr Deputy Speaker, thank you for the opportunity to speak on this bill which is an important step. It gives effect to the commitments that were made by the Hodgman Liberal Government with regard to the National Disability Insurance Scheme, social housing, family violence, residential tenancies in Tasmania and as has been mentioned many times, red tape reduction, which you could say is one of my little side projects.

We all know there are some challenges with residential tenancies, not only in supply and demand but also in helping people get into appropriate accommodation. We have never said there are not challenges and things we need to do and that is why we have taken action on many things, such as making more land freely available. Even our building reform is about making it easier to build houses which provides more stock and houses.

There are some specific parts of the legislation I would like to talk to because it is vital that we look at it from a couple of perspectives. I have been fortunate to have tenants, most of whom have been pretty good. I have also rented.

I would like to talk about our younger generation getting accommodation through renting. One of the important aspects of this is the payment of security deposits by instalments. It might not seem like a huge thing to some people. It might not seem like a massive issue for those here, but for a young person with a part-time job, or possibly no job, studying or just moved here, coming up with a security deposit and the money for a rental or a lease is an important factor and is challenging for some people. I went through it with my eldest daughter recently around her savings strategy. She has just rented her first accommodation interstate and is understanding the cost involved. The measure within this legislation that allows for those instalments will not fix everything but it is another step in making it a little easier for some people to get accommodation who might not necessarily be able to do so.

It is good to hear that this bill is being supported by all sides of the House. It is about making sure we deliver on the commitments that we made and look at practical ways of making accommodation more accessible and easier for people. This bill helps with that, specifically with the payment by instalments of security deposits that are a challenge for many. It also gives effect to the NDIS accommodation requirements that we made a commitment to and which take effect in Tasmania on 1 July 2019.

We have seen the impact family violence has on the community, on individuals and on people. I have a friend who is a police officer in the domestic violence unit. He has one of the toughest jobs around. I do not talk specifics with him. I do not talk about what he would see or what he goes through each day but we have seen so many times the extreme, disgraceful and disgusting outcomes for victims of domestic violence.

This bill, through its protections for victims of family violence, by allowing a court to terminate the tenancy agreement without penalty is a vital step in that. People in circumstances of domestic violence can also be held to ransom by their partner from a financial point of view. They can be impacted by the financial decision that comes with getting out of that environment. That is not to highlight that in any other way other than to say that this is good for people in that circumstance. They have enough problems and the police do a tremendous job in protecting the community where they can.

There are financial consequences and this bill addresses one of those considerations. That is why I wanted to briefly talk about it again. At the Housing Summit convened in March by the Hodgman Liberal Government we saw a number of commitments made with regard to the National Disability Strategy and Social Housing and family violence. This amendment bill gives effect to a number of those identified strategies and it improves access, which I have already gone through. I am helping my eldest daughter, who is now 20, understand how money works and how expensive renting can be.

Domestic violence is a terrible thing that happens in our community. It has such an impact on people. I am fortunate I have never been in any environment like that and I can only imagine what it would be like. I have spoken to constituents who have been in it and I have spoken to police and emergency service workers who have had to deal with it. I have spoken to housing and social welfare people who deal with it on a day-to-day basis. You see far too often on the news the tragic outcomes of family violence. The important impact of this is putting in stronger protections for victims by allowing them to terminate the tenancy agreement without a penalty. It will have a significant impact for those people in those terrible circumstances. I commend the minister for bringing on legislation like this. It is a significant step as we tackle the terrible outcomes of domestic violence.

The stakeholder support is important and that has been mentioned, in particular the incremental bonds for the younger ones and those who do not have the savings or find themselves in circumstances where they cannot quite cover the bond. It can be significant, as we see across the nation. As we see supply and demand continuing to change, coming up with that sort of money can be a real challenge alongside other costs of renting a property. It is the rent, the bond and all the other additional charges that come with it, such as connection of services and redirection of mail. Those things come with a cost. Stakeholder input has been important and, to the minister's credit, it has been heard and acted on and that is a good outcome. We have worked hard to ensure the legislative amendments enable the most vulnerable Tasmanians to have increased access to housing, including those living with a disability and others who are in vulnerable positions.

There are currently no powers within the residential tenancy agreement to allow the court to issue an order of termination of a residential tenancy lease for a victim of family violence. For those who are watching this or reading *Hansard* later, it is a serious matter. We need to do whatever we can do as a Government, as a parliament or as elected members of the community, whichever side we are from, to stand up against domestic violence. We all stand up against those perpetrators and stand for those in these circumstances, victims of domestic violence - not through their own fault - and we need to look at what can be done.

There are circumstances in which a person may need to break a lease and move to a new residence rather taking on the lease solely in their name. That includes the times a victim needs to go somewhere that he or she is unknown to the perpetrator for a variety of safety reasons, which I am sure we can all understand. In these situations, victims of family violence are often forced to face the cost and burden of taking that lease alone.

There is also the financial impact that can be part of domestic violence. Financial control is a form of violence that can be used in that way as well. I am sure we have all heard of those circumstances and we have seen on too many occasions, unfortunately, examples of that being used against a victim of domestic violence. If the burden of taking a lease on alone leads to financial hardship for a victim, it can make it more difficult for people facing that scenario to seek help, knowing that they may have to pay additional rent. The Safe at Home Practice Manager from the

Legal Aid Commission of Tasmania has advised that, in her experience, there are circumstances in which the inability of victims of family violence to terminate a lease without penalty as opposed to taking over a lease which was previously joint, has caused the victim to remain in a place where they and the children who could be impacted by this are either not safe or do not feel safe. It is an important aspect of this legislation. The amendment enables the victim of family violence to terminate their lease or tenancy agreement without penalty in emergency situations such as these.

A separate regulatory amendment is being progressed to extend the current three-month exclusion period for temporary crisis accommodation. This means Tasmanians who are seeking to escape from situations of family violence will not be required to enter into a residential tenancy agreement or lodge bonds for up to 12 months. It is intended this change to the regulations will commence at the same time as the bill. They will provide much needed relief and ensure access to housing for those going through an incredibly difficult time in their lives.

I am fortunate; I have not experienced it and I wish no-one did. The reality is there are still way too many victims of domestic violence and the inexcusable actions of too many continue to be played out.

Other amendments improve the consistencies between the Residential Tenancy Act and the Homes Act 1935 so social housing tenants are not unintentionally excluded from tenancy protections due to the current definitions and subleasing provisions. Currently the Director of Housing may subsidise rent and bond payments following arrangements entered into under the Homes Act. The bill amends the Residential Tenancy Act to ensure such contributions are not regarded as an increase in rent.

Amendments have been made to implement the accommodation requirements of the National Disability Insurance Scheme. This will allow for NDIS participants accommodated at a single premises to have exclusive access to bedrooms and shared access to common areas such as kitchens and living areas.

This is an example of the Government remaining committed to what we said and listening to what the community expects and what stakeholders and the community need. I support the bill.

[4.23 p.m.]

Mr BARNETT (Lyons - Minister for Building and Construction) - Mr Deputy Speaker, I am pleased to conclude and summarise the position of the Government and respond to the questions and views of the other side. I thank the members for their contributions, including my counterpart in this place, the member for Bass, and the member for Denison, Ms Cassy O'Connor, the Leader of the Greens. This is part of ongoing efforts by the Hodgman Liberal Government to address homelessness and the housing shortage in Tasmania. I thank the member for Braddon for his contribution and support for the bill and his very proactive approach to dealing with homelessness and housing affordability in Tasmania.

It is a challenge. The Housing Summit was convened in March and the Government made a number of commitments on the National Disability Strategy, social housing, family violence and red tape reduction. That is what we have been acting on.

The bill currently before us gives effect to a number of those identified strategies which will improve access to affordable rental accommodation. It has been acknowledged by those who have contributed this afternoon and I thank them for that.

These amendments improve access to social housing, improve access to safe and affordable housing for those fleeing from family violence and prepare for the introduction on 1 July 2019 of the National Disability Insurance Scheme for vulnerable adults. The initiatives we are introducing in this legislation reduce red tape. It makes it easier for tenants.

In my small business background, I have acted for a range of businesses large and small, but particularly small that have been wrapped up in red tape. This amendment, specifically clause 9, allows for social housing providers to accept or hold incremental bonds. That amendment will avoid further pressure on the Rental Deposit Authority in the administration of bonds. It will be easier for the authority to process bonds and reduces administrative red tape for tenants.

This Hodgman Liberal Government has streamlined approval processes. We have done it in mining and mineral processing and building construction, delivering nation-leading reforms. It started 1 January last year, making it easier, faster and quicker to build. There are a lot of initiatives where we have cut red tape and streamlined the approval processes.

The bill provides strong protections for tenants and landlords and we have made these stronger by bolstering the protections for social housing tenants and for the victims of family violence. All those in the Chamber strongly support those initiatives.

I commend the Premier, Will Hodgman, for his leadership in addressing family violence in Tasmania. He led the nation on behalf of our state government, on behalf of Tasmania. He met with Rosie Batty, Australian of the Year and committed millions to address this scourge in our community. You could not get a more proactive forthright leader than Premier Will Hodgman in addressing the issues of homelessness and family violence. He has appointed Roger Jaensch as minister for Communities Tasmania.

There is a lot more work to do. I am not suggesting in any way -

Ms O'Connor - You should give some credit to Mrs Petrusma, seriously. On the family violence issues, you should give some credit to your female Cabinet colleague.

Mr BARNETT - I take the interjection of the member for Denison, Cassy O'Connor. It is a terrific, wise and thoughtful interjection. I commend Mrs Petrusma for what she did.

Mr Hidding - What she meant was the other ministers including the Police minister. That is what she really meant.

Mr BARNETT - We take the interjection from the member for Lyons as well.

Mr Hidding - There were three of us.

Mr BARNETT - I will take the interjection from the member for Lyons as well, but the Premier worked together with the then minister, Mrs Petrusma, who has been proactive in this space. She has been terrific and has worked assiduously. We know what happened in the previous government and she worked day in, day out to address these issues and much of what we are delivering now is a flow-on of that initiative and effort of the Premier and Mrs Petrusma in the previous government - and indeed supported.

Ms O'Connor - And the tripartisan work that was undertaken.

Mr BARNETT - I did mention support across the Chamber earlier. There was Greens and Labor support for those family violence initiatives to address that scourge in our community. I acknowledge that and put it on the table and say thank you for all those efforts that have been undertaken in the past and indicate we have more work to do. There is much more work to do. These initiatives in this bill will come forward part of the way and take us on that journey to provide a more respectful and honouring society where family violence can be put behind us.

There has been broad consultation, perhaps not as long as could have occurred, but there was consultation on the draft bill undertaken with those key stakeholders including the Tenants' Union of Tasmania, Shelter Tasmania and the Tasmanian Council of Social Services. I thank the Director of Housing - meaning the Department of Communities Tasmania - and Peter White has been acknowledged by Mr Jaensch earlier. Thank you for your leadership, Peter, and all your team at Communities Tasmania and the secretary, Jenna Webster, of that particular department.

The Real Estate Institute of Tasmania was provided the opportunity to comment on the draft amendments and did not raise any issues as to the impact on the private sector. I thank Shelter Tasmania which has come out in support of the changes in the Residential Tenancy Act we are putting forward, specifically in relation to enabling victims of domestic violence to leave a rented property without liability for future rental costs and also allowing security deposits to be paid in instalments to community housing providers.

Ms O'Connor - Minister, by interjection, did you go to the question I asked about further amendments to the Residential Tenancy Act?

Ms O'Byrne - He hasn't actually gone to anything.

Mr BARNETT - I am getting there. I have addressed your red tape question, member for Bass, Michelle O'Byrne, my counterpart, and specifically referred to clause 9. I do not intend to repeat what I have referred to earlier in addressing that question.

Shelter Tasmania was very complimentary and supportive. I have their media release in front of me. I will not read it all but they addressed specifically those two aspects of family violence and the security deposits being paid by instalments to community housing providers and provided strong support for that. They concluded their release saying there are also much-needed changes to the shared accommodation agreements under NDIS and make other comments in terms of further work to be undertaken. I wanted to address that particular point and say there will be further work undertaken, likely next year. There will be consultation with key stakeholders so we are open to further discussions and consultation and that will take place probably by this time next year. We look forward to those consultations. I make it clear that we are not backing away from further work that needs to be done or further discussions that need to take place with the key stakeholders. That will occur and I look forward to having those discussions and deliberations that will be done in a thoughtful and measured way.

Before I address some of the other specific questions, the bill gives effect to the commitments made by our Government with regard to the National Disability Insurance Scheme, social housing, family violence, red tape reduction and the residential tenancies legislation.

I will now deal with each of Ms O'Byrne's questions. I have responded to the red tape reduction example in clause 9 specifically. I wanted to deal with the question which related to the clarification of whether the change to the bonds is a signal that there can be a change to behaviour by Housing

Tasmania regarding bonds. The first point to make clear is that it is outside the scope of the Residential Tenancy Act and is a matter for the Director of Housing under the Homes Act, so Mr Jaensch. I make it clear in terms of the mechanism as to how it works so you can be very sure. With regard to security deposits, this is a benefit for vulnerable Tasmanians who need that support.

Ms O'Connor - I agree totally.

Mr BARNETT - There has been a question asked so I am going to outline how that flows. It gives effect to the NDIS accommodation requirements which will take effect from 1 July next year. It ensures tenants are able to have individual agreements covering common areas and areas of exclusive occupancy. It also removes the joint and several liability of common areas to ensure that if one tenant damages the kitchen another is not jointly liable. I believe that is a step in the right direction. The amendment expands the categories of organisation that may receive a security deposit and allows them to accept payment by instalments.

Ms O'BYRNE - Point of order, Mr Deputy Speaker. To shorten this, the Minister for Housing said that it was not going to signal any change. My question was not about the answer that you are giving now. It was whether we would see public housing tenants being charged a bond. The Minister for Housing has already answered that question.

Mr DEPUTY SPEAKER - That is not a point of order.

Ms O'Byrne - Just helping out.

Mr BARNETT - Thank you for the interjection. There are two parts to it and I want to finish the second part so it is on the *Hansard* and there is no doubt in terms of accepting payment by instalments. There may have been a view put forward that there was some misunderstanding that it is currently allowed but it is not.

Ms O'Byrne - I did not have that misunderstanding. It was a simple question about whether it was extending to public housing.

Mr BARNETT - I am not suggesting it was coming from Ms O'Byrne or anyone.

Ms O'Byrne - You said you were addressing my question and then answered a completely different question.

Mr BARNETT - I am making the point that there was a question raised during the debate as to whether it is currently allowed and I am saying it is not currently allowed but this amendment will make it possible to be paid by instalments. If I can conclude this point, it enables organisations such as those registered as a community housing provider under national law to accept those security deposits in whole or by instalment. Currently the security deposit can only be paid to the Rental Deposit Authority or a property agent.

There is another point I want to clarify for the record. It does not directly respond to Ms O'Byrne's comments but I want to put it on the record with respect to whether there is a deemed increase in rent. I want to make this very clear. The amendment clarifies that where the Director of Housing provides a subsidy, an increase in contribution to rent by an eligible person does not constitute a rent increase under section 20 of the Residential Tenancy Act.

I will give you an example. Say the rent for a property is \$400 per week but the Director of Housing subsidises the rent resulting in the tenant contributing \$100 towards the rent. In the situation where the tenant improves their situation, for example, secures better employment and their subsidy is subsequently reviewed and adjusted resulting in the tenant paying \$150 towards the rent, the amendment clarifies that the increase in the tenant's contribution is not considered a rent increase. I want to put that on the record and make it clear. Requirements for review of the subsidy have not changed. This is still a process by Housing Tasmania and it is not regulated under the Residential Tenancy Act.

Ms O'Byrne - It says that in the clause notes.

Mr BARNETT - I am making that point because it has not been made and I wanted to clarify that matter.

Ms O'Byrne also asked about the date to be proclaimed and the answer to that is as soon as practicable following royal assent. In terms of the education program she asked about, and marketing, advertising and education, the short answer is that the Residential Tenancy Commissioner will engage with all the key stakeholders and the social service providers will be consulted. I have mentioned some of those - Shelter Tasmania, Tenants' Union, TasCOSS, REIT and other key stakeholders - in the development of the bill. They will all be consulted and education and information will flow out accordingly.

Ms O'Byrne - Does that require any additional funding or is it within their existing budget?

Mr BARNETT - My understanding is that will continue under current arrangements and the Residential Tenancy Commissioner will roll that out in the lead-up to or following royal assent.

I want to address this question from the member for Bass, Ms O'Byrne, of discrimination by landlords for victims of family violence. If required, an educational campaign conducted by the Residential Tenancy Commissioner can occur if deemed appropriate. The Property Agents Board could also roll it out.

I want to make some key points on discrimination. First, concerns were allayed that some property agents may avoid letting properties to parties with a history of involvement in family violence matters following advice from the executive officer of the Property Agents Board. The Property Agents Board has not received any complaints with regard to property agents screening tenants for involvement in family violence matters. If they did become aware of such behaviour, they would investigate any complaint as a breach of the code of conduct by the property agent. If this was to become common practice, the Property Agents Board would consult with other industry bodies such as the Real Estate Institute of Tasmania and embark on an education program for property agents to ensure there was no discrimination.

Ms O'Byrne - Anecdotally, it is already occurring but the process of making some kind of complaint is quite difficult. If we find that it is something that does come up, you would not rule out looking at some kind of penalty, if it was deemed to be -

Mr BARNETT - I will respond as the relevant minister to the issues of the day to ensure a fair and reasonable process applies to ensure there is no discrimination. The question was to discrimination.

Ms O'Byrne - The question was about whether you would consider penalties, should the anecdotal discrimination that has already been reported by the sector be proven, if it gets worse.

Mr BARNETT - You are asking hypothetical questions as to what I would do in a certain situation in the future. My answer to the hypothetical question is that I would act in a professional manner in the best interests of the tenants, the landlords and the community to ensure a clear arrangement applies and that inappropriate discrimination is not allowed. I would ensure that there would be adequate consultation with the key stakeholders. I would welcome feedback from any of the key stakeholders. I appreciate the opportunity to meet with them from time to time. I am advised that REIT did not identify any significant concerns with the draft amendments. We want a system that is going to work and that is going to ensure a balanced approach that is fair and reasonable. We have the balance in this legislation before us. I want to assure members of the House accordingly.

I will address the member for Denison, Ms O'Connor, and Leader for the Greens' questions regarding the standard lease form, and why has this not been introduced to make sure expiration of the lease is not being used by the landlord to evict tenants. I am paraphrasing, but I think that was the question.

Ms O'Connor - Two separate questions.

Mr BARNETT - Yes, two separate questions. I am paraphrasing it into two parts. First, the standard lease form is not part of the Residential Tenancy Act. It is being progressed by industry, the Real Estate Institute and the Law Society of Tasmania. It came up in debate about a year ago. For social housing leases, which are perhaps a particular concern to the member, Housing Tasmania is meeting with its legal team to further develop standard lease agreements. That is the advice I have received with respect to further develop standard lease agreements. We can hear more.

Ms O'Connor - Was no time frame given by Housing Tasmania?

Mr BARNETT - I do not have a time frame but I am advised those discussions are taking place with the legal team to further develop standard lease agreements. It is a fair question. We can try to find out more for the member, see how that is progressing, see if we can assist further and advise the member and others accordingly.

With respect to bonds by instalments -

Ms O'Connor - No, the second question was evictions as a result of lease expiries and how we protect tenants from that.

Mr BARNETT - I will come to that in a minute. Regarding bonds by instalments, I answered that in my earlier contribution on security deposits. There is a requirement for a registered organisation with appropriate accounting and accountability mechanisms, for example, with a local council, registered community housing providers and the Director of Housing. They are relevant entities. Requirements are outlined, such as the need to lodge a bond in the event of a tenancy ending and/or a dispute arising. Regarding security deposits, I have addressed that in the increase in rent. I have made it clear security deposits can be paid in instalments. They are not currently being paid by instalments because that is currently not allowed. This bill will make that happen.

As to unreasonable rent increases, under the current legislation an application can be made by owners and others to the Residential Tenancy Commissioner. When an application has been made the commission cannot make an order, currently, to ensure unreasonable rent increases do not happen. If there is an unreasonable rent increase or a perceived one and an application has been made, it can be restricted to a percentage but it can also have a negative impact by way of more frequent increases. Those applications need to be considered carefully. Under the current arrangements, it is not in this bill but it is in the residential tenancy legislation, the legislation does allow for an application to the Residential Tenancy Commissioner to make that application, to receive a response and a determination accordingly.

With respect to the social housing provider, a question asked by the member for Denison, I want to make that definition clear. That definition is already in legislation. That was changed in 2016 and that legislation is in place. It includes either not-for-profit or a profit organisation or a private owner. It is only if the provision is for a person in need, relating to premises that are social housing premises. That is the current response to that matter.

Let us deal with the matter of pets. I agree it is important to a host of Tasmanians and the percentage the member referred to was high - 62 per cent of Tasmanians have dogs and cats. My wife and I have a dog called Jack. He is now 16 years old and he is loved dearly as a member of our family. There are no plans to change the law. We acknowledge it is important and the role pets play in family life and for individuals, old and young. We want to acknowledge that and we do not want to impose any onerous responsibilities on landowners or property owners or others. It needs to be fair and reasonable and it is possible so long as there is a mutual agreement and understanding between the two parties.

The bill as a whole is designed to give effect to the commitments we have made as a government at the housing summit and previously. The Premier led with Mrs Petrusma as minister and now is continuing with Mr Jaensch with respect to providing housing affordability and the injection of funding has been very significant in previous budgets, not just in this year's Budget, and that will continue. We are vigorous in supporting all Tasmanians. There was a reference earlier in today's debate about the cost of living and power charges and I am delighted as Minister for Energy to indicate that we have capped power charges to great success. Just a month or so ago, in terms of the cost of living, we now have the lowest regulated power prices in all of Australia for residential customers and business. That is terrific news for Tasmanians. Sometimes the Tasmanians I meet do not believe it or think that is the case, but they are the facts. I realise there is still more work to do and we will continue to do more work in that regard.

I am very pleased to say that cost of living is one of our top priorities as a Hodgman Liberal Government and we are addressing that particular matter. In terms of providing affordable housing and keeping the cost of living down, this initiative before us in terms of the legislation and these amendments will make a difference. We are making a positive difference in the lives of vulnerable Tasmanians and those who need help and support.

I have mentioned before in this place that once a month or thereabouts for the last 10 years I have worked in an operation providing support for the homeless. Every Saturday night the City Baptist Church in Launceston does that, and I used to sleep through the night and provide support there with those in need and now provide a meal, support, conversation and relationship to the guests that come on a Saturday night. It happens every Saturday night for those in need in and around Launceston who are vulnerable and need that support. Many of them are affected by drug, alcohol, family violence, for whatever reasons, and mental health issues. There is a whole range of

issues involved with why they are there. They fall through the gaps but they need to be supported and cared for. It is a matter of reaching out. Everybody can have a role to play and I have learnt a great deal in my time. I have built some good relationships with some wonderful people, and but for the grace of God go I. It could be each or any one of us in that situation. I am very thankful for the opportunity to participate once a month or so to provide that support, also to learn what it is like and try to be more caring, thoughtful and responsible as a member of my local community.

In terms of the residential tenancy legislation I have covered the key points relating to the Family Violence Act amendments. As I have indicated, the Premier has been very proactive in this space, as was Mrs Petrusma and now Mr Jaensch, and likewise in terms of the security deposits by instalment and incremental bonds that is a key feature of our legislation. Currently tenants of rental properties are required to pay their bonds in full and upfront with no option to pay bonds in instalments. This requirement can create a financial burden for some members of the community and at times restrict their access to housing. In addition, the act currently precludes property owners including Housing Tasmania and other social housing providers from receiving bonds. The bill addresses those issues. It allows security deposits to be paid in instalments, expanding the categories of organisations which may receive a security deposit and extending the time frame within which a security deposit must be paid to the Rental Deposit Authority in these circumstances. This will allow social housing providers to collect and retain the bond money until the full amount has been received before depositing it with the Rental Deposit Authority, a clear benefit to social housing tenants and a reduction in red tape for the administration of bonds.

I have outlined the many other amendments and responded to the pets issue. As I indicated to the member for Denison but for all members here, pets provide many Tasmanians with companionship and a sense of responsibility. I have a dog called Jack and love him dearly. I am aware in recent times there have been calls to change the current requirements around pets and rental properties but Tasmania's Residential Tenancy Act 1997 already allows tenants to have pets in rental properties if the owner agrees and the Government is not considering any changes to those provisions in the act. We remain committed to ensuring that the rights and responsibilities of tenants and landlords are balanced.

I have addressed the issue of unreasonable rent increases and responded to that. I have referred to the third-party support and broad consultation the bill has had from all key stakeholders including the Tenants' Union, Shelter Tasmania, TasCOSS, the Director of Housing and REIT. I have referred to Shelter Tasmania's support.

One other area I have not addressed is rents in flood-affected properties. The recent floods in southern Tasmania impacted on many homeowners and tenants. That is why the Government has worked hard with the federal government to provide disaster assistance to people in southern Tasmania affected by the extreme weather and flooding through the jointly funded Natural Disaster Relief and Recovery Arrangements. That has been particularly important in the Derwent Valley. I am a member of the Lyons electorate and have been actively working with the local council trying to address some of those concerns. It has not been easy. The Premier has recently announced the provision of additional support to individuals, non-profit organisations and small businesses to assist those in urgent and genuine need of assistance. The grants are means tested and not a replacement for insurance or compensation for losses.

I am advised there is a question from Ms O'Connor which I did not fully address earlier which I will address now in terms of Ken the landlord's use of expiration of a lease to evict tenants. The answer is yes, you are currently able to under the act but you must meet notice requirements in

delivering vacant possession and the notice is at least 42 days. There was some question about the period earlier in the debate but it is at least 42 days after the notice is served but not before the expiry of the residential tenancy agreement.

Ms O'Connor - You should get some advice from the Tenants' Union on that.

Mr BARNETT - That is another question answered from the Government to the members opposite, the member for Bass and member for Denison - very comprehensive.

I thank all members for their support and contributions on this important bill. Specifically and personally, I thank members of the department for their contribution on the bill and working with the key stakeholders in the lead up to the bill and consultation on the bill. It takes time and effort. This is not a thankless task and I put on the record the Government's encouragement and thankfulness for the work that was undertaken. I have worked closely for a number of years with the department and CBOS in particular, the Director of Building Control and all members of the staff. I have been to their Christmas parties and barbecues last year and the year before and they do a great job. Much of it is work behind the scenes and many people are not aware of the work they do all around Tasmania and in the head office across the river at Rosny. Across the state, it is an important contribution that they make.

I also thank those in my office for the support they provide me and allow the opportunity for the Government to progress with the initiatives that we have.

In conclusion, I put on the record again our thanks on behalf of the Government for this opportunity to progress the Residential Tenancy Amendment Bill. I know it will do a lot of good in terms of affordable housing, making it easier to get things done, streamlining the process to get a result. I thank the House for the opportunity of leading this debate, responding to the queries and putting on the record the Government's thanks for that support.

Bill read the second time.

Bill read the third time.

AUSTRALIAN CRIME COMMISSION LEGISLATION (MISCELLANEOUS AMENDMENTS) BILL 2018 (No. 31)

Second Reading

[5.01 p.m.]

Mr FERGUSON (Bass - Minister for Police, Fire and Emergency Management - 2R) - Madam Speaker, I move -

That the bill be now read the second time.

The purpose of the bill is to make a number of amendments to Tasmanian acts that authorise, or facilitate, the release of information to CrimTrac. Up until 1 July 2016 CrimTrac was the national information-sharing service for Australia's police, law enforcement and national security agencies. The agency was established in 2000 under an intergovernmental agreement as a commonwealth executive agency and collaborative partnership between the Commonwealth, states and territories.

In 2002, to combat serious and organised crime in Australia, the Australian Crime Commission was established under the Australian Crime Commission Act 2002. The functions of the Australian Crime Commission include collecting and analysing criminal intelligence, setting national criminal intelligence priorities, providing and maintaining criminal intelligence systems, investigating federally relevant criminal activity, and undertaking taskforces in conjunction with state and territory police.

In February 2014 a national commission of audit recommended CrimTrac be merged with the Australian Crime Commission to better harness their collective resources. This recommendation was supported by all Australian governments and on 1 July 2016 commonwealth legislation took effect, merging CrimTrac into the Australian Crime Commission.

The Australian Crime Commission now performs all the previous functions of CrimTrac, including providing national police information systems to police agencies and nationally coordinated criminal history checks to accredited agencies. It should be noted that the merged organisation is still referred to as the Australian Crime Commission by the commonwealth ACC Act and this remains its name for any legislative purposes.

Four Tasmanian acts authorise the release of information to CrimTrac. Those four acts are:

- the Annulled Convictions Act 2003;
- the Firearms Act 1996;
- the Forensic Procedures Act 2000; and
- the Health Practitioner Regulation National Law (Tasmania) Act 2010.

This bill amends these acts, removing references to CrimTrac and, where required, replacing them with references to the Australian Crime Commission. This will allow the information that would have once been sent to CrimTrac to instead be sent to the Australian Crime Commission.

Finally, the bill also adds a transitional clause into the Forensic Procedures Act 2000. This ensures that any agreements made between Tasmanian government agencies and CrimTrac are in effect ported across to the Australian Crime Commission and thus deemed to be an equivalent agreement with the Australian Crime Commission.

This bill will take effect on the day it receives the royal assent. I commend it to the House.

[5.04 p.m.]

Dr BROAD (Braddon) - Madam Speaker, this is a fairly straightforward bill and basically performs a name change. As the minister has outlined, that the National Commission of Audit recommends that CrimTrac be merged with the Australian Crime Commission to better harness their collective resources. That is a commonsense approach.

The legislation is quite specific and refers to CrimTrac rather than the newly merged organisation. The clause notes of the legislation outline what needs to happen. In most cases it is simply replacing 'CrimTrac' with the words 'Australian Crime Commission'. We are not changing the veracity of the collection of data. We are not changing how that data is used. All we are doing is updating our legislation to reflect changes that have been agreed to by all governments across the country. This came into effect in 2016 with the Commonwealth legislation, which merged CrimTrac with the ACC. Why has it taken more than two years for this legislation to be updated? The Tasmanian acts already authorise and facilitate the release of information to CrimTrac, so we

are not changing the way that information is released. We are simply changing the name of the organisation that receives that information. Labor will be supporting this.

[5.07 p.m.]

Dr WOODRUFF (Franklin) - Madam Speaker, the Australian Crime Commission legislation went through the Australian Parliament in 2016. It was the second bill to merge the activities of an entity into the Australian Crime Commission. The first entity to be merged was the Australian Institute of Criminology. The bill before us is the result of 2014 National Commission of Audit recommendations that CrimTrac be merged with the ACC to 'better harness their collective resources and better support law enforcement operations by the Australian Federal Police and other Commonwealth and state agencies'.

The bill before us today enables the Australian Crime Commission legislation to take force within our jurisdiction. Other reviews that considered whether CrimTrac and the ACC should merge did not recommend that this occur. CrimTrac, which was established in 2000 under an inter-governmental agreement between Commonwealth and state and territory governments, was established to collect law enforcement information from around the country and make it accessible to all Australian police and other law enforcement agencies. The services that CrimTrac provides include police reference and information services, national fingerprint matching, national DNA matching, national child offender services, a national cyber crime reporting network, a missing persons and victims system, national police checks, a ballistics identification network and the national domestic violence order information sharing system.

CrimTrac has been self-funding, receiving its income from criminal history checks. That income accrues in the national policing information system national account. Tens of millions of dollars are held by CrimTrac in that account, which was earmarked for future technology upgrades for CrimTrac.

The federal government merged CrimTrac out of existence. There is a view that other legislative mechanisms could have formalised its oversight and information-sharing provisions that would have retained the integrity of CrimTrac and satisfied some of the concerns about the merger. Those concerns relate to the privacy of Australians and consequently this bill has significant implications to the privacy of Tasmanians.

The Office of the Australian Information Commissioner made a submission to the Legal and Constitutional Affairs Legislation Committee on the first proposal of the merger between CrimTrac and the Australian Crime Commission. It said:

It is not apparent to me why it is necessary to remove the information currently held by CrimTrac from the protections, oversight and enforcement arrangements in the Privacy Act.

Given the volume and sensitivity of the information currently held by CrimTrac, I am of the view that there would need to be cogent reasons for exempting that information, and the activities associated with it, from the Privacy Act entirely.

I consider that the objectives of the regime could be met, while at the same time retaining the protections and oversight offered by the Privacy Act.

The Australian Crime Commission Act exempts massive amounts of sensitive information from the Privacy Act. These include missing persons' data, criminal records, DNA profiles of victims and offenders and the fingerprint and palm images collected by police for a variety of reasons.

Reassurances that there will still be oversight by the Commonwealth Ombudsman and the Australian Ombudsman for law enforcement and integrity clearly do not go far enough.

The then Acting Australian Information Commissioner, Timothy Pilgrim, pointed out in his submission that the proposed privacy safeguards are not enforceable and could be changed without needing to go through parliament. Mr Pilgrim also noted that the Crime Commission would not be forced to grant access to or correct an individual's personal information and data. He notes that the provisions through existing state and territory police forces do exist in some jurisdictions but rightly points out jurisdictions have inconsistent privacy legislation.

Can the minister please provide advice about the relationship between the Privacy Act in Tasmania and its jurisdictional reach with regard to the issues raised by the Australian Information Commissioner about privacy, especially whether there will be a step-down in protection of privacy for Tasmanian citizens with the merger of CrimTrac and the Australian Crime Commission? The issues I have raised before are about people's ability to change their personal information and data that will now be held by the Australian Crime Commission. Importantly, the possibility of data being disclosed in missing persons' cases where someone has exercised their right to go missing for legitimate and sometimes personal safety reasons. It is important for adults to have the right, their own free choice, not to associate with family and friends. There are many reasons people may choose to do this but it is particularly likely when an individual may have been subjected to a violent or harmful environment and they seek to remove themselves from the influence of those people. The Australian Information Commissioner said in the submission that if the bill is enacted, the Privacy (Persons Reported as Missing) Rule 2014 would no longer apply to the personal information currently held by CrimTrac; national policing information. The Australian Crime Commission would not be obliged by the rule to respect any known wishes of persons reported as missing when using or disclosing information about them. I ask the minister to provide some advice specifically in relation to the issue of missing persons and their ability to stay missing if that is their choice.

The Greens have been on the record for years with our concern around the mission creep of the Australian Crime Commission. These concerns are those of the Australian Greens and the Tasmanian Greens, and the Information Commissioner has echoed the concerns raised by numbers of civil liberty groups around the country, amongst others. The Australian Institute of Criminology and the Australian Crime Commission merger that occurred is a subsequent merger of CrimTrac into the Australian Crime Commission. Our concerns are that it represents more of takeover than a merger in which the interests of both parties are not being equally met. The interest of the Australian Crime Commission to keep hold of people's private and personal information without them being able to access it or change incorrect information is deeply concerning. We would like to hear the minister's response to those concerns.

Given this is a bill that has passed the federal Parliament and is now in the process of being rolled out in the jurisdictions, we will support the basis for this amendment bill here today. We are very concerned and would like an answer to the question of privacy, particularly around things like fingerprints and facial recognition information. That is an exploding area of technology and an

equally exploding area of valid concerns for citizens who want to retain their privacy, their personal information, and have control over it.

Quorum formed.

[5.20 p.m.]

Mr HIDDING (Lyons) - Madam Speaker, I recognise the contributions being made on this bill and I will make a couple of points. This is something that mostly occurred while I had the great honour to be in the position of minister in charge of this bill.

CrimTrac was a separate policing agency that was really coming into its own. It was developing the protocols for facial recognition technology, which has swept the world in terms of identifying wanted criminals and people of concern for terrorism reasons. CrimTrac was well-advanced in all of those matters, and in the gathering and holding of information from all the states of files and data that could be of interest to the Australian Criminal Intelligence Commission, known as the Australian Crime Commission. The ACIC is still known as the Australian Crime Commission for legal purposes because it has been referred to as such in so much documentation and legislation.

CrimTrac was also the repository of the details of every registered firearm owner in Australia, of the registered firearms in their possession and any other information pertinent to those matters. That was only one of the data files that they had. It was pointed out to me by a leading figure in the firearm-owning community in Tasmania that she felt not at all happy her information was held. She was perfectly happy for it to be held by a national agency such as this. After all, it was good for a nation to know just where all the legal firearms were, who held them and under what circumstances, what the firearms were and relating matters. However, the repository of that data was called CrimTrac and, by definition or by association, this person felt offended that her and her family's details were held on a database called CrimTrac.

I raised that with CrimTrac, as they used to meet as an organisation along with a couple of other related organisations during police minister's conferences, and the minister might tell me whether they still do, with the Justice community. Is the ministerial council still together with Justice or has it been separated? You would know about it because you would go along with the Attorney-General.

Mr Ferguson - I don't think so.

Mr HIDDING - All the time I was there it was the justice and law ministerial council of Australia. The proposal came that CrimTrac and Australian Crime Commission be merged and there was a deal of pushback from certain quarters. It became apparent why, because one of the organisations had a lot of money in their bank and one of the organisations did not. Therefore, bringing the two together was of more interest to one than the other. As ministers of police, the states' ministers all deemed that to be irrelevant and the merging of these two bodies took place.

I raised in the ministerial council of police the issue of firearms' owners having their data stored on something called CrimTrac and that was just one of the reasons why it was proper to drop the name 'CrimTrac' completely and make that simply one of the functions of the ACIC. Now if a firearms owner asks me who has my records in the national body, I would say that the old Australian Crime Commission, now formally the Australian Criminal Intelligence Commission, has collated your data to prevent crime and to deal with crime. If somebody is known to have firearms and they

are not on the database, clearly that is a problem that law enforcement officers need to know about. The biggest defence any law enforcement officer has is accurate knowledge and data as to who has what when they commence an investigation and any law enforcement functions.

This new body was eventually established with a good deal of goodwill around the place and the transitional arrangements now ensure that any agreements made between the Tasmanian government agencies and CrimTrac are also deemed to be equivalent agreements with the Australian Crime Commission. While these amendments are administrative in nature, the function the ACIC performs is extremely important in the national context.

The ACIC is Australia's national criminal intelligence agency and has a vision for a safer Australia that is better connected, informed and capable of responding to crime. I do not know about these things these days, but it is axiomatic that the push for organised crime activity management in Australia amongst the states is strongly of interest to the ACIC because as we have been talking about in this place, while the management, command and control of an outlaw motorcycle gang may be based in Melbourne and Sydney, the lieutenants and the other operators within that organisation are spread around Australia and are crucial to making the whole structure of that organised crime activity work. This is where a national body needs to be as good as it can be and bringing together these two agencies has been a very positive matter indeed.

The ACIC has very strong coercive powers which gives it a unique intelligent collection capability and allows it to inform and provide critical contributions to national strategies to combat serious and organised crime, cybercrime and national security threats. We have elsewhere in the Australian government sector our national security agencies - I have just reminded myself how many there actually are - and this is mirrored by most of the developed nations in the world. We have the Office of National Assessments; ASIO, the Australian Security Intelligence Organisation; ASIS, the Australian Secret Intelligence Service; DIA, the Defence Intelligence Organisation; ASD, the Australian Signals Directorate; and the AGIO, the Australian Geospatial Intelligence Organisation, which is one I had not heard of until I was looking this up recently and it is the latest version of a national security agency. When you think about it, geospatial intelligence is of crucial interest to many police agencies and other security agencies around Australia.

The ACIC is the conduit for sharing criminal information and intelligence between all state, territory and Commonwealth law enforcement agencies. It provides national criminal information and intelligence services to more than 70 000 police officers and other accredited users on a daily basis to keep them and the Australian community safe. That is something we, as one of the smaller states, need to celebrate with our 1200-something going to 1300-something police officers. What is the new number we will be going to? I knew the numbers when I was minister. We increased to 113 FTEs which were five FTEs from the Family Violence Unit which we made extra above the 108 that David O'Byrne signed out of the service. We are going to increase that by a further 125 in this term of government.

I make the observation that we announced in the morning of a certain day that we would commit if re-elected to 125 new police officers because that was the thing to do. All we had done was only replace the Tasmania Police Service back to what it was four years before. It took that long to do that, so it was the right thing to do to go up by another 125 for contemporary policing presence and structure in a growing and successful state like Tasmania. On the same day we announced that, Labor burst out of the blocks and announced 33 new police officers. There was never any explanation where that came from. Who cooked that number up? As it happens, it is almost exactly a quarter of what we promised. Why would you promise anything if you were not going to promise

125? Why would you come up with 33? I would be fascinated to hear from the Leader of the Opposition what the thinking was as to why there were 33 police officers. If you could not accept that 125 was a number simply to keep them on the growth target they should have been on prior to them being plundered by the Labor Government, 33 is a strange number indeed, but who knows, perhaps one of these days it will be revealed to us as to what that was all about.

Mr Ferguson - In David Llewellyn's book.

Mr HIDDING - It will be in David Llewellyn's book, which will be interesting. I hope he writes a book but it will be long and he will not know when to finish. No, that is not true. If he reads this he will see the funny side of it because he had a penchant in this House for not ever being able to finish a speech within time. He would always say, 'Is my time up already?' and he would be only half-way through. He is a busy community member in St Helens and it is great to have him in my electorate doing good work, not only in the Anglican Church but in the community generally. It is good to see him around and know he is out there.

We have a plan to make Tasmania the safest state of the nation and have set a target to have the lowest serious crime rate. We recently delivered the prohibited insignia act to provide Tasmania Police with an essential legislative tool to disrupt organised crime groups in this state and keep the community safe from organised crime. Did ACIC have any briefings in Tasmania?

Mr Ferguson - They did. They briefed media and MPs.

Mr HIDDING - I am not sure what level they felt they were able to share with other members of parliament but from my recollection there were some hair-raising examples. The Australian Crime Commission did not make stuff up. They told us what was seriously going on in these organisations and there was no question we had to act.

In parliament this week we will continue to deliver on our long-term plan to improve the lives of all Tasmanians with a real focus on keeping people safe. The minister has announced we will be introducing legislation to modernise Tasmanian consorting laws. This will be another essential tool to break up existing criminal gangs the Australian Crime Commission is desperately worried about - we have to pull our weight - and also to hinder the expansion of national and international organised crime into Tasmania. We have become a weak spot in the nation. It was felt by certain outlawed motorcycle gangs that they could set up in Tasmania with some impunity because the same laws did not exist somewhere else. All other states have updated their consorting laws in recent years to recognise that interrupting the criminal networks that traffic drugs, firearms and even people, for goodness' sake, are a much bigger concern than people who have a common reputation for stealing things.

This bill recognises times have changed since 1935 and the current consorting offence is madly out of date in comparison with what is required by Tasmania Police, intelligence agencies and the national agencies such as the Australian Criminal Intelligence Commission. They talk of states such as Tasmania and say, please, make these changes. Please lift your weight in Australia. Every other state has. Let us work together as jurisdictions around Australia to make sure organised crime gangs such as this do not flourish in this state where they cannot elsewhere.

The Australian Crime Commission Legislation (Miscellaneous Amendments) Bill 2018 reflects years of hard work by Tasmania Police in their role in the national body, the national group of police commissioners, who work very closely together with each other and the Australian Crime

Commission. Mr Ferguson would be aware of the status the Commissioner of Police in Tasmania, Darren Hine, has in a national sense. He is highly respected and he is respected for his commitment to bringing to Government bills and proposals to lift our weight against organised crime in Australia.

I pay my respects to the Commissioner of Police, the deputy and assistant commissioners, all Tasmania Police management and service, right down into the ranks, for the outstanding job they do in Tasmania. I was and remain extraordinarily proud of them and believe them to be finest police service in Australia. They have played a good, strong role in bringing together this new Australian Criminal Intelligence Commission, which we will continue to refer to as both the Australian Crime Commission and the ACIC.

I commend the bill to the House.

[5.38 p.m.]

Mr FERGUSON (Bass - Minister for Health) - Madam Speaker, thank you to each of my parliamentary colleagues who have spoken on this bill. I will address the questions posed and further contribute to this debate.

This bill is a modernisation of the Tasmanian legislation to reflect the changes that have already taken place in the federal legislation. It is now some two years hence since the Australian Criminal Intelligence Commission was legally formed around the amendment to the national laws. This is catch-up legislation. It is not urgent legislation, hence the time it has taken to be dealt with during this parliamentary term. It is important that it does pass through our parliament and ensure Tasmanian laws are more reflective of the current arrangements in the federal law.

The Acts Interpretation Act is currently adequate to enable the laws to correspond as they should. This same bill was presented and passed through this House during the last parliamentary term but did not pass the other House due to the timing of the election, hence the reason for it being reintroduced now. It also needed to go through the usual Cabinet and OPC processes as a matter of good process. That was in answer to Dr Broad's question.

In answer to Dr Woodruff's questions, the Australian Crime Commission is subject to legislative disclosure requirements that protect the information it holds. As to the information submitted through what used to be called CrimTrac, now the Australian Criminal Intelligence Commission, ownership of that information is retained by the contributing jurisdiction or the respective agency. In the case of information supplied by Tasmania Police, access to information is provided for under the Personal Information Protection Act through Tasmania Police with the same arrangements as regard to the ability to access that information; it remains with the home agency. Although the Australia Crime Commission, which I will refer to from time to time as the ACC or as the ACIC, is exempt from the Commonwealth Privacy Act, its role is to act as an information exchange to pass information between various Australian law enforcement agencies.

I come back to the point I hope addresses the question you raised, that the information is owned by each respective agency. In the case of information supplied by Tasmania Police, access to information is provided for through Tasmanian legislation.

I listened carefully to what you had to say in regard to missing persons, Dr Woodruff, and it is very difficult to relate to a circumstance in which a person may wish to go missing. I agree with you that we have to respect that does happen.

Dr Woodruff - You would accept that they would have suffered some pretty severe situations to have made a decision like that.

Mr FERGUSON - That is right and that is why it is hard to relate. Listening to you was a case of wondering what it would be like in those shoes.

Dr Woodruff - I guess we are lucky.

Mr FERGUSON - We are lucky. We are blessed, those of us in this Chamber, that we do not have to live that experience. I listened to what you had to say and I have advice in response. In regard to missing persons, people do have the right to absent themselves from their usual family or social circumstances. Police are constantly worrying about the welfare of people who are missing. Visit any Tasmania Police station and you will inevitably be confronted with a missing persons photo board. It is very sad in many, if not all, of those cases.

Police do not ever disclose any missing person's location they have located without their authority. The practice of all Australian police agencies is to investigate missing persons reports, to locate those people and to consult with them about what information might be released after they have been located. Without their specific authority, police would only tell the reporting person that the missing person is safe. I am pleased to hear that advice. A person may have the right to go missing, start a new life elsewhere and remain under the cover of anonymity and secrecy but it seems right and proper to me that, whatever the circumstances, the people who are concerned for their welfare are, at least, entitled to know the person is safe. That is the extent of the information that would be passed back to a reporting person without the missing person's specific authority.

The role of the Australian Criminal Intelligence Commission through all this is about facilitating the sharing between police agencies and does not ever deal directly with the public. Its role is not as an operational face reporting back to an individual member of the public. Coming back to the point around the gathering of intelligence, resourcing and law enforcement around Australia and at the federal level, with important information about how to tackle crime, to the point of view of sharing this kind of sensitive personal information, I hope those comments are useful.

I will pick up on some of Mr Hidding's comments and thank him for his work as police minister. Much of what I am now delivering is the policy commitments he had commenced. I am pleased with our engagement between our Government and Tasmania Police. Our commissioner and his team do a fantastic job for our state and it is terrific that I can stand here today and hear everybody agreeing that we are very well served in Tasmania by Commissioner Hine and his team. They are very committed people to our state and are committed to keeping Tasmanians safe and dealing with over-the-horizon crime trends and being able to proactively deal with that from a preventative point of view is fantastic.

One of the best illustrations of that is the fact that the parliament has now passed, and Her Excellency has now given royal assent, to the Police Offences Amendment (Prohibited Insignia) Act. That is a very important step for our state. It is not just about being tough on crime. It is with the intent to break down and disrupt organised crime in Tasmania. We have been told from very reliable sources - informed, qualified sources - that Tasmania was and is at threat of being a safe haven for organised crime, specifically the OMCGs. As we have said in previous debates here, I have also illustrated that there are organised crime groups we want to deal with that do not involve motorcycles themselves. It is very important legislation and I am pleased it has been passed. That is stage one on police advice.

On that same police advice, we will shortly have briefings and opportunities for members of this House and the Legislative Council to have the benefit of qualified, informed people to tell us about the importance of the consorting legislation, which is an essential second step so we can deal with organised crime and outlaw gangs so that they cannot any longer intimidate and threaten Tasmanians without being tackled appropriately as the organised groups that they are. We want to give Tasmania Police what they have told us is an essential tool for them to be able to break up existing criminal gangs and stop the expansion into Tasmania of national and international organised crime. It is unfortunate but true and an unavoidable reality that these groups have seen Tasmania as a pretty good place to set up their shop, given that they have been driven out or disrupted in other states.

On consorting, all other states have now updated their consorting laws. As I said in question time this morning, we already have consorting laws; it is just that they are terribly out of date. They actually apply to me and every member of this House right now. Right now it is against the law to consort with reputed thieves, so it is antiquated language.

Dr Broad - So what is a reputed thief, then?

Mr FERGUSON - Exactly, Dr Broad, you are right, there is a definitional question. It is antiquated language that does not hold a lot of water in being able to lay charges. I can only agree with your question, what is a reputed thief? It is quite a subjective term. We want to modernise the existing law of consorting. I hope that members of this House listening to these words will see fit to vote for this legislation because it is behind the times but it holds a place that police can, from a preventative point of view, deal with and disrupt known criminal associates from being able to consort with each other to plan crimes. That legislation is vitally important. It is not my brainwave. It is not even Mr Hidding's brainwave. It is what police and the Australian Criminal Intelligence Commission is telling us we need because we are exposed.

There will be commendations hopefully for the Labor Party if they will support this legislation when the time comes. I know the Labor Party wants to see judicial review and it is in there. I know that is important to the Labor Party. We will respectfully disagree on the role of judicial review in a different bill we have dealt with and is now in the past, but we accept that judicial review has a vital role for this legislation that we will later debate. I will not rehearse the old arguments about the role of judicial review. There is also the role of review of a more senior officer which is in the bill I tabled this morning.

Everything in the bill I tabled this morning and that we will debate at a later time is consistent with the position paper that was published by Tasmania Police earlier this year. I am pleased to also inform members that it is constitutionally solid and based on interstate legislation that has survived a High Court challenge, so there is every good reason, Dr Broad, for the Labor Party to come good on this legislation and repair some of the damage you caused by voting with the outlaw gangs on the last bill.

I thank members for their contributions and commend this important legislation to the House today.

Bill read the second time.

Bill read the third time.

ADJOURNMENT

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

That the House do now adjourn.

East Devonport Primary School - Community Garden

[5.52 p.m.]

Mr ROCKLIFF (Braddon - Minister for Education and Training) - Madam Speaker, it was a great pleasure last week to visit the wonderful community garden that has been established at East Devonport Primary School in collaboration with the East Devonport Child and Family Centre. Even though the weather was particularly unpleasant, it was terrific to spend some time with the students, families and staff of the garden to see the wonderful vegetable crop coming along very nicely and a range of vegetables as well. A great sense of pride was evident about the garden amongst the school community and it was particularly pleasing to see on a day when the youngest in the school community from the Child and Family Centre were there in their overalls, wet weather outfits with their gumboots jumping in the muddy puddles, which had a special hill designed for that very purpose, which was fantastic to see.

The garden is used by students, staff and families in the school community at the East Devonport Primary School, as well as the East Devonport Child and Family Centre to plant and care for during the year. They grow vegetables and also have fruit trees that students plant and care for. Food from the garden is used in cooking and also used by parents to take home and consume. The garden, like many school-based gardens around the state, provides a plethora of wonderful opportunities for students to reconnect with the natural world. It teaches our children valuable gardening and agricultural concepts and skills that integrate with several subjects such as maths, science, art, health and physical education and social studies. It is also great for teaching our young kids to ensure that they are patient and focus on the task at hand, as well as cooperation, teamwork and social skills as well. As was clearly evident, it also promotes health and fitness, which is another terrific opportunity. As a farmer myself, I can relate to this.

It was very impressive to see the very good link between the East Devonport Primary School and the child and family centre and the wider community. This helps to establish very important connections between the community, parents, the child and family centre and the school.

I would like to show my appreciation and thank Brett Youd, the principal of East Devonport and the advanced skills teacher Deb Youd, as well as Jenny Mountney and Sue Houghton from the Child and Family Centre, Mick Thow from Aboriginal Education and the wonderful students from the East Devonport student council who were terrific tour guides. They were given a sneak peak of some of the redeveloped educational facilities at East Devonport Primary School, including a very impressive new early learning space. The school community looks forward to that being open. It should not be too far away.

I sincerely thank all those at the East Devonport community for what is a wonderful asset.

We saw phase one of the garden projects. Everyone is really excited about phase two, which incorporates a pizza oven and other amenities that will enhance the experience for the local community.

Gender Notification on Tasmanian Birth Certificates

[5.55 p.m.]

Mr O'BYRNE (Franklin) - Madam Speaker, I rise to speak about an issue that is very important to a number of people in our community. I was recently approached by a very old friend who is not prone to political activism and not prone to being involved in public debates, but when something significantly impacts on her and her family it gave rise to their activity and their lobbying and their talking to me. They have asked me to read their story into *Hansard* tonight. We have taken out names to protect them and to ensure the story stands alone. With the indulgence of the House, I will read into *Hansard* a letter from the constituent, an old friend, and a family that requires this parliament to act on their behalf.

I would say we are pretty much like any other family in Tasmania. My husband and I met about 15 years ago and we were married a few years later. Now we have two children, a son nearly 10, and a daughter, aged 6.

My son plays basketball, cricket and footy. He loves his mates, Hawthorn, Minecraft and dinosaurs. When he grows up he wants to be an NBL player on weekends and an electrical engineer through the week.

My daughter does gymnastics, dancing and soccer. She loves school, reading and playing with her many friends. When she grows up, she wants to be a teacher.

My son is kind, fun, intelligent, a leader and fun to be around. My daughter is strong, intelligent, caring and loves her family.

We have the same stuff going on that other families have, driving to sport on the weekends, getting our children to eat their vegies, nagging children to do their homework, the many great discussions on why we will not allow Fortnite to be played in house and the never ending barrage of, 'Can I have a play date with my friends?'

Our son also happens to be transgender. From the age of two, we knew there was something endearingly different about our eldest child. He loved cars, Lego, and would never ever wear a dress.

As parents we hoped that these were just phases. During school holidays we would each spend a day with each child and do something special. When I asked my eldest what he would like to do one school holidays, he asked if he could get his hair cut like a boy, which we did.

My son always had a special smile on his face whenever he was mistaken for a boy. My son began to withdraw a bit in grade 1 and one night in bed our son said, 'Mum, you know I'm a boy', and then began to cry. We knew that we had to get on board and over two years ago our first born began living as a boy. We

obviously did not take this decision lightly. We have done a lot of research and talked to a lot of people including psychologists and psychiatrists in Tasmania and Melbourne.

We learnt from these professionals that our brain, not our body parts, determine our gender. After nearly five years of our child telling us that he is a boy, not a girl, you have to start listening and eventually it became a 'no-brainer'.

It was such a difficult decision as parents. We did not sleep a lot for the first few days and weeks. We worried about what his future would look like; most of the people close to us had been so supportive and had already guessed this might be the case for our son.

Two years on, it is difficult to remember what all the worry was about. Our son is so happy, annoyingly so at 6 a.m. You would never pick that this was our story and most of the time we also forget.

There are a lot of families in Tasmania that are in exactly the same situation as us. We walk around and nobody is the wiser. We stay quiet and get on with our lives, not only to protect our little ones, but also because our lives are really very normal.

Being transgender is a lot less of an issue for people my son's age and beginning the transition journey prior to puberty allows him to live and develop as a boy without having to endure the lingering physical attributes of going through puberty in the wrong gender. Our son will commence puberty blockers within the next year and he will take these until he is between the ages of 16 and 18. As the name suggests, the medication simply blocks puberty. This medication has been proved to not affect children's growth or health, and if he chooses to stop taking the medication, the effects are totally reversible.

For us as parents this was really important because then any irreversible interventions can be decisions made by our son when he is an adult. We also now understand that surgical intervention is not crucial to feeling your correct gender.

We have changed all the things we can for our son to live a normal life. The most significant of these was to change schools and we made the decision to enrol him as a boy. The principal of his new school was extremely supportive of our situation and we decided that only a necessary few at the school would know his story. He would simply be another boy at the school.

It has been a wonderful and affirming environment, completely free of any prejudice, which we believe he truly deserves at such a young age.

Our son's birth certificate has a correct male name and his Medicare card and Australian passport display his male name and male gender. The main worry for us is of him having to show his birth certificate with his gender as female for so many things required in his future, such as getting a job and his driver's licence.

In the past, our Tasmanian birth certificates used to display religion and race, so now that the marriage laws have changed, we no longer require gender to be listed on birth certificates. These changes are encouraged by the World Health Organisation and many countries and regions across the world have already made this legislative change, including Bolivia, Germany and New Zealand.

We ask that you please do all you can to support changing the birth, deaths and marriage legislation in Tasmania to remove gender from birth certificates to allow our incredible son and others to no longer have to live with this discrimination.

This House will be dealing with this matter later in the year and I urge members to look in their conscience, to look at this matter seriously for the sake of not only this boy, but the many children going through this.

Ms O'Connor - Hear, hear.

Lorraine Mary McGee - Tribute

[6.01 p.m.]

Ms BUTLER (Lyons) - Madam Speaker, I rise this evening to advise the House of the passing of Lorraine Mary McGee, born in Launceston on 29 August 1948, who suddenly passed away on 4 September 2018 at her home at South Launceston.

Lorraine was the daughter of Raymond James McGee and Sheila Evelyn McGee, both deceased, dearly loved sister of Pauline, Peter and Marguerite and adored by all her nieces and nephews. She was educated at Sacred Heart College, Launceston and last Friday 14 September had her funeral service at the magnificent Church of the Apostles at Sacred Heart which was filled to capacity as a mark of respect for this remarkable woman.

During the funeral, the sound of school children enjoying playing and running in the church surrounds permeated through the sadness of the service. It really was what Lorraine would have loved - the sound of healthy, happy, vibrant young people, the hope of the future.

Lorraine completed her general nursing at St Vincent's Hospital and the Launceston General Hospital and subsequently completed her midwifery at Calvary Hospital in Lenah Valley. Lorraine worked as a dedicated health professional, staying in Tasmania for 50 years in a variety of locations. She spent a number of years based at St Helens where she worked for Child Health and Parenting Services. In this position she covered a large area, including St Marys, Fingal, Bicheno, Swansea and their surrounding areas.

This is where I first met Lorraine 18 years ago when I visited her with my four-month-old daughter, Madeleine. I was amazed at the wall of photos of hundreds of babies that Lorraine cared for in her role. Lorraine wrote a note in Madeleine's baby health book which said 'magnificent Madeleine. My, what a wonderful life you will lead'. This essence, this zest and ability to focus on each child as significant and extraordinary is a true gift which Lorraine possessed. She had the knack of noticing the light in all of us, the essence that makes us unique, the potential in all children.

I am advised that Lorraine maintained her general nursing and midwifery registrations following her retirement. She was devoted to her profession. I can only guess at the number of

babies she delivered and/or otherwise cared for and the number of mothers that she assisted generally. The number must be well into the thousands.

Lorraine retired in February 2015 and had only been retired for three and a half years when she passed away on Tuesday 4 September. It was not quite a week after her 70th birthday.

Lorraine was a fearless advocate for the health of babies and children. She was not afraid to stand up for herself and often faced people perpetrating violence without any fear. According to Lorraine's family she had a lot of respect for Tasmania Police. She said that they were always prepared to accompany her to a property if she asked them, which was more frequently than you or I would imagine.

Lorraine was a talented artist and her family feel she probably would have been an artist if she had not chosen to be a nurse. She was also a fabulous art collector and has left behind a wonderful legacy and a very extensive art collection.

In 2016 Lorraine and her family visited Europe together pursuing a lifelong ambition to a visit a number of famous galleries including the Van Gogh Museum, the Louvre and the Uffizi Gallery in Florence. She was also very interested in photography and apparently drove her family crazy at family events because she had to try to get as many family photos as possible and apparently now those photographs are very treasured.

On a lighter note, Lorraine was an accomplished possum trapper at the family home in South Launceston and she then took her captives over the river at Deloraine and released them into the bush. According to her brother, Peter, despite her best efforts there was always one possum she could not catch and this was a source of much amusement to the family and of great frustration to her.

Lorraine was generous to a fault with family and friends. She enjoyed her retirement, completed her own three-week follow-up European tour in 2017 and she also visited and spent some time in the Northern Territory where she gained some additional understanding of her Australian culture.

She particularly enjoyed going to the weddings of the babies she had delivered or otherwise cared for and the subsequently christening that followed these unions.

Lorraine was a woman who did it her way. She was loved and admired by many. The family are particularly proud of her legacy, especially to see how she touched the lives of so many. A life well lived, a good person - she will be sadly missed.

China - Interest in Antarctica

[6.07 p.m.]

Ms O'CONNOR (Denison - Leader of the Greens) - Madam Speaker, I rise to speak on the adjournment tonight about a matter we have raised in this place a number of times and I am going to do it again. I know it makes people uncomfortable in here but our job is to speak truth to power.

On Friday morning my mobile phone rang and it was a senior, respected Tasmanian who would be known to every person in this place. He picked up the *Australian*, turned to page 13 and said,

'Cassy, you wouldn't bloody believe it! He's over there in Beijing and he's sold us out again.' What this senior, respected Tasmanian was talking about was an article that appeared in the *Australian* on Friday in which the Premier, who is missing from parliament this week because he is leading a delegation of Tasmanian business leaders, said in response to questions from the *Australian*, that allegations that Beijing's interests in the region of Antarctica could have military overtones, 'don't stack up.' He said:

It is not the view of our Government or the national government. On the contrary, China's engagement with Australia and Tasmania as the national gateway to Antarctica has always been a positive experience.

As a Tasmanian, I was embarrassed by the Premier's ignorance. On Friday I described him as a fool, naïve, a coward or all of the above. It was cowardice because, as we know, the Premier was at a function at which he was being feted by the Chinese Communist Party. Adam Ni, who is a respected China researcher at the Australian National University Strategic and Defence Studies Centre, tweeted immediately in response:

What an ignorant statement from Will Hodgman. China has space ground stations in Antarctica. These stations are key in the network of stations that come under an entity that reports directly to China's space force, the strategic support force of the People's Liberation Army.

In the *Mercury* on Saturday we had a response from the executive director of the Australian Strategic Policy Institute, Peter Jennings, who said, 'Researchers are in fact concerned about China's expansion in the Antarctic.' He suggested Mr Hodgman request a briefing from federal intelligence agencies on the issue, saying:

A lot of this is designed in the benign language of scientific cooperation but I think there are people who are concerned, and I am one of them, that China is scoping out the continent for resources.

Madam Speaker, I will seek the leave of the House to table this excellent world-leading research paper from the University of Canterbury's Professor Anne-Marie Brady titled *China's Expanding Antarctic Interests: Implications for New Zealand*. I would like to read out some of the evidence that is now before governments in Australia, Tasmania and the Asia-Pacific region about the CCP's aggressive moves on the Antarctic continent. This paper makes it clear that some of China's interests and activities in Antarctica appear to breach the terms of the Antarctic Treaty. It says:

China's core agenda and activities in Antarctica have a direct connection to China's maritime interests and expanding forward defence capabilities in the Indo-Asia Pacific.

To raise these concerns is not conjecture or, as Mr Gutwein said in this House this morning, xenophobic. It is based on solid evidence, the result of 10 years of research into official Chinese sources and extensive interviews. The paper that the Premier should have read before he opened his mouth in Beijing says:

Antarctic geopolitics are shifting rapidly and the clash between those states who promote environmental protection in Antarctica and those who are focused on

accessing available resources there is becoming more acute. China has undeclared military activities in Antarctica, is building up a case for territorial claim and is engaging in mineral exploration there.

I want it on the record of *Hansard* that Mr Jaensch and Mr Hidding have been having a good old chuckle making fun of me while I have been raising these issues in this place. These are the same people who bandy around the word 'xenophobia' without actually knowing what it means.

The paper goes on further to say:

Chinese President Xi Jinping first publicly referred to China as a polar great power when he visited Australia in November 2014 but his officials raised the term in public in 2005. In the Chinese political system polar affairs are part of maritime affairs, thus becoming a great polar power is a key component of China's maritime strategy.

It goes on to talk about detailed evidence of China's military activities in Antarctica, its efforts to build up a case for territorial claim and its extensive mineral exploration activities. For those members of the House who are not versed in any detail of the Antarctic Treaty, it expires in 2048. The purpose of the Antarctic Treaty was to clarify to the greatest extent possible the question of sovereignty over the Antarctic and to make sure that it was a continent based on peace and science activities, but now China is building its fifth base in Antarctica. It will be completed in 2022 and, no surprises, the five bases it has built are in the areas of reportedly greatest mineral prospectivity.

This is the sort of information the Premier should have availed himself of before he went on a junket to China because he has actually compromised national security by standing there in front of a CCP and saying to them, 'Bring your ships to Hobart. There is no national security issue or concern with Chinese activity in the Antarctic.'. He is deluded because the evidence is there for him. He has been offered a briefing, he has researchers who know about this calling him ignorant, and yet we get the sort of garbage I got from Mr Gutwein and we get from Mr Jaensch and Mr Hidding in here in response to legitimate, serious, evidence-based concerns about the activities of the CCP in Antarctica.

Madam Speaker, just last week apparently the Tasmanian Government, through Will Hodgman on behalf of the state of Tasmania, signed a memorandum of understanding with the Strategic Oceans Institute of Antarctica. This paper talks about the People's Liberation Army Navy which works in close partnership with the state oceanic administration to coordinate China's evolving polar strategy. The state oceanic administration is the state-owned and controlled entity that Will Hodgman signed an MOU with last week that has not yet been made public.

The State Oceanic Administration and the People's Liberation Army and Navy rotate some of their leading personnel, so polar expertise will overlap between the two agencies. SOA vessels -

Members interjecting.

Ms O'CONNOR - I will be back every single night until this message is clear.

Time expired.

World Suicide Prevention Day

[6.15 p.m.]

Mr JAENSCH (Braddon - Minister for Human Services) - Madam Speaker, Monday 10 September was World Suicide Prevention Day. The World Health Organisation estimates that over 800 000 people die by suicide in the world each year. That is about one person every 40 seconds. ABS data from 2015, our most recent data, tells us that over 3000 Australians took their own lives in that year, which is over 12 per 100 000 Australians, the highest rate at that time in over 10 years. It is a number that is growing and it is a tragedy.

Last Friday night, 14 September, I participated again in the sixth annual Lifeline Out of the Shadows Walk for suicide awareness in Burnie. It was organised by Debbie King, a local business owner with a personal experience of suicide, who gathers around her a team of people to put this on every year. This is the sixth time it has been held. It started in 2013, with a small gathering of people on a wintery night, who gathered together, shared stories and walked in memory of people lost to suicide.

In 2014, they planted a tree in the Burnie Park as a memorial symbol. In 2015, they installed a seat near that tree where people could sit and reflect on people lost to suicide. In 2016, they adopted the symbol of the semicolon as a symbol of an author who could have finished a sentence but chose to go on. Local business, Bangarang Body Art, a tattoo parlour, gave out vouchers for people to have a tattoo of a semicolon to symbolise their support for that principle, moving on, and to remember people lost to suicide. In 2017, they built a garden bed in the shape of the semicolon near the seat, near the tree so that people could go there to reflect. This year, I had the honour of opening a pathway that joined that seat, the tree, the garden to the footpaths around Burnie Park, so that people with mobility issues, with wheelchairs, et cetera, could also enjoy that reflective corner of Burnie Park.

There were around 500 people on a beautiful calm, clear, crisp, spring night this year. We arrived, were welcomed by the MC, the wonderful Giovanna Simpson, who introduced a series of speakers: Bridget Palmer from the Standby Support After Suicide response service, and Jackie Ruthof from Sudden Loss and Suicide Support Group. The Rapid Relief Team was cooking sausages and a number of service providers were there, talking about what they offer in our community to assist people who may have considered suicide, families dealing with a family member or close friend with suicidal thoughts, or those who may be grieving the loss of someone to suicide.

We each had a little candle and we walked from the Burnie Park around to the Burnie waterfront where a great, young Burnie boy, Robert Cruikshank, as a lone piper, played for us before we walked back. The police closed the Bass Highway for 500 people to cross. We returned to the park, we opened the path, we had a minute's silence and then dispersed.

During the night we heard from a very inspirational speaker, Sharon Jones, an intersex person who I have known for many years now, who grew up in outback Queensland; a tough place to grow up as an intersex person. Sharon experienced a range of abuse, exclusion and her own grief as she worked through gender, sexuality and suicidal thoughts as a young person, who found, remarkably, her solace, mateship and support in the shearing sheds of outback Queensland. Sharon was a gun shearer and amongst a group of people there found a community of support that helped her through.

Sharon now lives on the north-west coast and heads up the community-based program Community Response to Eliminate Suicide based in Sheffield, which helps members of local communities to know how to intervene when they know a person who may be suicidal. Sharon is now working across Tasmania assisting people in the circumstances that Sharon was in and the communities around them to work out how to respond and how to turn these incredibly sad numbers around.

The event raised \$2600. About \$1000 of that will go to expenses. Debbie King and her crew raised that money. On the night, I gave the undertaking to go through the appropriate channels of government to find a way for the cost of this pathway they had built to receive a grant of some kind, so the money raised could be put back into suicide prevention activities rather than being spent on bitumen and gravel. The highlight of the night for me was that Sharon Jones introduced me to Jo. Sharon and Jo were recently engaged to be married. I wish them every happiness in their long lives together.

Climate Leaders Conference

[6.22 p.m.]

Dr WOODRUFF (Franklin) - Madam Speaker, it is my great pleasure to share with the House a fantastic climate leaders conference I went to last week, which was intended to equip students across Tasmania with the skills to become climate leaders in their own schools and communities. The students have been involved for some time now creating projects in their own schools that are all about making a difference for themselves, for the community and for the planet.

The conference was part of a broader Asia-Pacific youth sustainable development goals challenge, which has focused on climate action and life below water. Toby Thorpe is from Huonville High School and he is the youth facilitator at Education for Sustainability Tasmania and is the event co-ordinator for the climate leaders conference in Tasmania. That conference was supported by the Education for Sustainability Tasmania network, which has been recognised by the United Nations Regional Centre of Expertise.

The day involved students from a range of schools across Tasmania - it was held at the Sustainability Learning Centre in Mt Nelson in Hobart - but events were also occurring in the north and the north-west. There were video links connecting students from those venues, which was an exciting and novel way to bring as many people and voices together across the state. It was wonderful to share with students via video link and hear from them the projects they were involved with.

There were students there from second grade to year 12. There were a great many primary school students and what I was so struck with was that all the projects they provided information about to their peers were all student-led, student-directed projects. They involved students making up their own ideas about how they could respond to the extreme changes occurring in the climate and what they could do to bring down the levels of waste, which is still finding its way, increasingly, into our oceans and damaging the very fabric of ocean life we all depend on as part of the global circulatory system that transfers oxygen and carbon dioxide and other gases and all the essential elements for human life and for animal life and plant life on the planet. Those oceans are under threat because of the increasing warming in the atmosphere.

The wonderful thing about this day for me was that children as young as second graders were passionately clear about what they were going to do. They were not stuck on problems; they were finding solutions. They were joining together with other children and with people like Toby Thorpe, who will be our Tasmanian representative at the United Nations Framework Convention on Climate Change, a side conference of the party's meeting later this year in Europe. Toby Thorpe and other students, I think four other students from Tasmania, will be travelling to that conference of the parties. They will be making their contributions as the voices of the future. That was the most uplifting thing for somebody like me who feels as though I am speaking into a snow storm on climate change in this place, where people are not listening.

It was so wonderful to hear the voices of children who know this is the future that will behold them. Extreme climate change is happening. It will continue to speed up. We all have the opportunity to do what we can to reduce the most severe impacts of extreme climate change. To do what we can was the message that children have for themselves and for each other. How can we get rid of plastics at the school canteen? How can we have a paperless school? How can we have no plastic cutlery and bottles in the school playground? How can we use art to provide a message about climate change in a way that people will hear the stories? There are so many opportunities for people to connect and I want to pay my great respect to Nel Smit from Huonville High School.

Ms O'Connor - Hear, hear.

Dr WOODRUFF - She embodies what the actions of one single person can do. There are so many people now on board with this mission in Tasmania to help support the climate leaders of the future in our schools. She started that. She has brought other people along with her. It has the momentum and pace behind it now that is self-sustaining. It is the mentors, the teachers who give up their time in the schools, the parents and ultimately the students who are doing what they can to reduce their impact, to reduce the waste that they produce in their school and to take action on climate change so that we can all live in the best possible world given the circumstances that we are faced with today.

I will forever feel uplifted with the conversations I had with a young boy from fourth grade in southern Tasmania who had a gleam in his eye when he was talking about the worm farm he was producing. It was fantastic.

Time expired.

John Loone - Tribute

[6.29 p.m.]

Mr BARNETT (Lyons - Minister for Resources) - I stand tonight to pay tribute to the late John Loone who passed away peacefully recently after a long battle with illness, aged 87 years. I would like to share some reflections of his life as a member of the Legislative Council and as a member for the former seat of Tamar, but also as a member of the Deloraine community and the Meander Valley. I am a Hagley boy, born and bred, and went to the Hagley Farm Primary School and have my electorate office in Deloraine. I share the reflections of many in the community of great admiration for John who was remembered as a passionate family man. He was a down-to-earth politician, kind, friendly, likeable and affable. He always wanted to achieve the best and to help other people.

He had many achievements and always came up with ways of being positive and progressing the interests of his local community in Deloraine and the Meander Valley and across the state of Tasmania.

He was a successful businessman. He established Deloraine's first newsagency with his father and later a school and charter bus business. In his 20s he became a Justice of the Peace and he was a volunteer firefighter for 28 years.

The fire brigade in Deloraine is an important part of the local community. In that area not a day goes by during the summer season that those volunteer fire fighters are not out there doing their work. John Loone was one of those. He was always giving, caring and going the extra mile to help people and support his local community.

He was a big supporter of young people. He tried to encourage them to do their best and give them opportunities. He helped them develop their life skills. He was a keen football player, playing 234 games for the Deloraine Football Club. The Deloraine Football Club has their annual dinner this Friday night. It is a very special night because the mighty Richmond Tigers are playing the Colli-wobbles at the MCG. Being a Tigerman, I am very excited about that. They do a great job around Deloraine and are somewhat the life-blood of the Deloraine community. At various times, he held positions as senior and reserves coach, as president, treasurer, patron and legend of the club. My colleague Mark Shelton and I spend a bit of time at the Deloraine Football club, giving them support. I want to recognise their role in the local community and thank them for giving John Loone the opportunity to share his wonderful, positive outlook on life with those football players and their families.

He was treasurer of the Deloraine High School Parents and Friends for 28 years. People know how much time and effort goes in to supporting those local communities and those local school communities. That is a fantastic contribution.

He was dedicated to his electorate, the division of Tamar in the Legislative Council. He served that for about 12 years. I got to know John when I was a consultant, working in Hobart as Guy Barnett & Associates, and had a bit to do with John. We started with nothing, sitting on a couple of phone books and ended up employing 15 people. We won a number of awards, including Telstra Small Business Award for Tasmania for 2000.

Ms White - There was that beautiful book you wrote that Scott Bacon read from.

Mr BARNETT - Yes, *Make a Difference: A Practical Guide to Lobbying*. I had quite a bit to do with the late John Loone as an MLC at the time. He was a strong supporter of his local community and the productive industries in Tasmania.

He had a great sense of community and generosity and was immensely popular. He commanded an extraordinary vote of nearly 75 per cent at the 1995 election for Tamar. A politician only ever achieves a vote of that magnitude through hard work and consistently close ties with his local constituency. He lobbied tirelessly for support for Giant Steps in Deloraine, a wonderful organisation, school and therapeutic centre for children on the autism spectrum and they are still doing a terrific job. Their contribution is greatly appreciated. John did a lot for that organisation. After two and half years of preparation, planning and seeking funding, Giant Steps was established in 1995 and it was fitting that John Loone was the initial chairman of the steering committee and later as a board member.

His other achievements as an MLC in the Deloraine area included championing the upgrades of the Ashley Detention Centre, the Deloraine hospital, cleaning up Deloraine's river banks on the beautiful Meander River, where I was born and raised at Hagley. That is one of the great assets of Deloraine and everybody would agree with that.

Throughout his parliamentary career he took a keen interest in the racing industry and lobbied hard on behalf of the industry. He promoted the greatest support for the unemployed community, coming up with a Deloraine voluntary work program where he persuaded local service clubs and Deloraine councillors at the time to come up with ways to assist the youth of the region to gain employment and increase their self-esteem.

John Loone was a doer, not a talker. His actions spoke louder than words of many of his contemporaries. He was a rare breed in the political world of theatre and brinkmanship and the Parliament is a poorer entity without his softly spoken ideas and his abundant energy and the community is the poorer as well without his tireless and selfless work for Tasmanians.

Time expired.

Regional Arts Programs - Funding

[6.36 p.m.]

Ms WHITE (Lyons - Leader of the Opposition) - Mr Deputy Speaker, I rise tonight to make a contribution about the need to properly fund regional arts programs across Tasmania. I have had conversations with regional arts organisations, most recently with Arts Deloraine, because they are concerned about the cut made to Tasmanian Regional Arts that has left them in quite a perilous situation along with a number of other organisations around the state. I will take members through the history of it because it is significant.

Tasmanian Regional Arts was a 70-year-old organisation that had a pivotal role in shaping our society and nurturing the cultural fabric of Tasmanians and Tasmania as we know and cherish it today. I am sure a number of members in this House have had engagement with their Tasmanian Regional Arts organisations around the state because they are valuable in bringing people together and providing opportunities for people to enjoy art and engage in all sorts of different art as well as appreciate different cultural activities.

On 17 August 2016, Tasmanian Regional Arts received a notification regarding their core arts funding for the 2017 year. On 17 August they were informed by Arts Tasmania that their application for 2017 service organisation funding was ranked in the 'able to be funded' category. However there was not enough money in the round for the application to be successful. That meant they lost their operational funding.

On 28 February 2017 they provided another communiqué to all the bodies that were supported by Tasmanian Regional Arts, and it said:

In August 2016 Tasmanian Regional Arts lost funding support from the Tasmanian Government through Arts Tasmania as a result of an unsuccessful funding application for core operational costs for the 2017 calendar year.

The TRA state executive committee unsuccessfully lobbied the Tasmanian Minister for the Arts to provide sustainable funding support for TRA in a similar ongoing partnership model to equivalent regional arts organisations around Australia.

On 12 December a proposed support package from the state Government through Arts Tasmania was presented to a delegation from the TRA SEC as a result of the SEC's approach to the Minister for the Arts.

I can report to the House, and I am sure it is evident to people now, given that TRA is no longer operational, that none of those proposals from the state Government were acceptable in that they did not provide the operational funding or support to continue the activities for TRA. The three options that were offered at that stage were deemed unacceptable because two of those options were assistance packages that were deemed untenable from a governance and staffing perspective, as the Director of Arts Tasmania was unable to articulate how these partially formulated offers could work within the TRA constituency or contemporary governance principles. A third offer comprising a cash assistance to TRA was totally inadequate to enable the organisation to continue in any sustainable form or remain solvent during 2017.

On 21 April 2017 there was a letter from the chair of TRA, Annette Downs, to all of the TRA members detailing the history and indicating that with no prospect for operational funding for 2017 onwards the member-elected SEC notified the membership one week before publicly announcing the loss of funding and TRA's inability to trade beyond mid-2017 that they would be holding a special general meeting considering particular motions, including that Tasmania Regional Arts Inc. be wound up and its incorporation cancelled by 30 June 2017.

That meeting was held and the membership concluded to wind up TRA, given that they had insufficient funding to continue operating in a solvent manner. On 9 May 2017 Annette Downs wrote to members, affiliates and supporters and in that letter she said the executive committee was notifying that because a special resolution for the closure of TRA was passed by a majority of 80 per cent of members on Sunday 7 May, TRA would no longer operate. She indicated this would have implications for all branches around the state, as I am sure members would know if they have been engaged with their regional arts organisations, including things such as how they manage their insurance, whether they should incorporate or not and how regional arts funding will be disbursed in the future, which brings me to the issue before us now. At that meeting the outgoing SEC secured a commitment from Regional Arts Australia and Arts Tasmania to commence regional consultation with the TRA membership and the broader arts community to envision a new strategy for regional arts support in Tasmania, based on the fact that they are extremely disappointed that the Tasmanian Government has not been prepared to resource TRA to the level required to service a statewide membership.

Beyond this commitment there really has been little progress to uphold this promise that was made to the membership of TRA to ensure that they had funding and certainty around how regional arts would be supported in the future. There was an EOI process undertaken earlier this year calling for non-government organisations based in Tasmania to deliver the regional arts fund in Tasmania. That process began in April. I am led to believe through conversations I have had with regional arts organisations that because of a lack of interest it was rolled over and the process continued for another month. I have not been able to find any announcement from the Government about whether anybody has been successfully appointed to administer the regional program for Tasmania and the disbursement of funds from Regional Arts Australia.

The expressions of interest process was supposed to conclude on 31 August and there has been no announcement from the Government to date. I ask the minister to provide an update, because regional arts organisations around the state are very worried about how they will continue to provide support for the arts in our state and it is a really important cultural pursuit.

Time expired.

Rural Youth - Annual General Meeting

[6.44 p.m.]

Ms COURTNEY (Bass - Minister for Primary Industries and Water) - Mr Deputy Speaker, I rise this evening to praise the great work of Rural Youth in Tasmania. I had the privilege of attending Rural Youth's Annual General Meeting on Saturday and, as always with these events each year for Rural Youth, was very impressed with the overall enthusiasm of this very dynamic group of young people. Saturday's event was the 68th AGM for the organisation, so clearly members enjoy a strong heritage of participation and leadership.

The organisation is moving with the times and has gone through a restructure in recent years. I want to take this opportunity to congratulate the leadership team for its ability to adapt and change. It demonstrates a clear commitment to future generations. Outgoing president Ashley Evans has overseen the transition to this new organisational structure during her two-year term. Ashley noted in her outgoing message as president that:

The organisation took on an ambitious task to bring it into the modern world and not only have we achieved this, we continue to kick goals each day. Clubs are once again building numbers through getting out and about in the community and providing members with fun activities. This renewed sense of confidence in the organisation is encouraging members to take on strategic and operational roles and members are coming up with great ideas.

Ashley proudly identifies how Rural Youth has seen the establishment of a Young Agricultural Professionals Network and the inclusion of the Discover Agriculture program, among the many benefits of Rural Youth membership. I want to take this opportunity to congratulate Ashley on her term and to also welcome the incoming President, Dale Hayers. Dale joined Rural Youth in 2007 and he credits Rural Youth for being able to develop his skills in areas including public speaking, time and project management and finances. Dale has a strong vision for Rural Youth, including further increasing the organisation's profile with new ways of branding. I am sure we all agree here today that Rural Youth is on a clear path to achieving for its members and for its community.

We see this every year, with Rural Youth's role organising Agfest. Agfest is Australia's most outstanding field day. It attracts around 700 exhibitors and more than 65 000 patrons across its three days. I would like to take this opportunity to congratulate Agfest committee Chairman, Owen Woolley, on being reappointed for another year and congratulate Owen on such a successful event in 2018. I cannot help but admire the way Rural Youth members undertake the logistical operation of running Agfest and the thousands and thousands of volunteer hours needed to achieve its success.

The Hodgman Government is a strong supporter of Rural Youth. We recognise the important role that young people play in maintaining and strengthening Tasmania's rural communities and in turn growing our agricultural sector. Rural communities play a vital role in Tasmania and provide

the essential framework for the state's agricultural sector, economically and socially. State Government funding for Rural Youth has increased to \$70 000 over four years, which will be used to further develop young people through rural leadership programs. These leadership programs help community members to set directions and priorities, to coordinate their activities in groups that function well, to maintain enthusiasm and purpose and to put action on the ground. Some members have been able to attend the prestigious Marcus Oldham Rural Leadership Program, which benefits the individual, their employer and Rural Youth itself.

I thank all Rural Youth members for their great work toward continuing their future and have to put on the record my admiration for what members of Rural Youth, both individually and collectively, achieve for their communities.

Australian National Anthem - Harper Nielson

[6.48 p.m.]

Ms O'BYRNE (Bass) - Mr Deputy Speaker, in talking about the wonderful work of young people, I wanted to talk about Harper Nielson, who is a nine-year-old child, a year four student from a school in Brisbane who has made international and local news after she was chastised for refusing to stand for the National Anthem in her school assembly during this last term.

Harper said she felt we should acknowledge indigenous people and their culture and she thought that Advance Australia Fair, which meant advance white Australia when it was originally written, was concerning. She thought it says we are young but we are not young if we count the indigenous Australians who were here for over 50 000 years before the British colonised Australia.

What an amazing student, who has done exactly what the education system requires her to do. The education system requires her to think critically, to analyse and to engage in persuasive writing, persuasive engagement, and she has done exactly that.

Ms Neilson, who is only nine years old, got the following kind of response from our nation's leaders: 'Shame on her ... Suspension should follow if she continues to act like a brat,' said Jarrod Bleijie MP. Pauline Hanson said, 'Here we have a kid who's been brainwashed. I would give her a kick up the backside.' She said we should physically assault a child for doing what we want her to do, which is looking at something, thinking deeply and having a view. Alan Jones and Mark Latham, in their great wisdom, decided to weigh in; she should go somewhere else, they said, 'she should go to a special school, they said, because she did exactly what our education system would like our children to do. For those who claim to be the backers of free speech, for those who regularly say that their rights are impinged by the more progressive elements of our society, for those people to try to silence a child is outrageous and genuinely frightening.

Harper is grade 4 child and she is nine years old. She has thought deeply and she has acted. What is the reaction? Adults in our country bully her and she is only nine years old. I look at my own children and members of this parliament would look at their own children as well and say that, as a parent, you are never more proud than when your child leads their own investigation into something, when they understand it and form a view. Critical thinking is what we want in our young children and exactly what our education system should value. If our nation and our anthem is so weak and so vulnerable that it can be undone by the actions of a nine-year-old child, then there are only two realities into people's thinking if they have acted this way. One is that we are frightened of free speech and we do not think that a nine-year-old child should say anything she believes. The

other is that we think she might be right and we are threatened about such a frightening thing. What is going on if our anthem is so flawed that it can be undone by a child? Even if either of those things are true, if the anthem is flawed or we are frightened of free speech, what is more terrifying is that our reaction was to bully a child, to yell and be horrible in the mainstream media to a nine-year-old child. It is not okay.

In saying that to her, we said it to other children. We said to other children, 'Don't think critically, don't come out and say something you believe in because this is the kind of reaction that you are going to get. This is how we are going to respond to your thoughtful ideas, with bullying and shaming. We don't want a creative, engaged, analytical, resourceful, innovative future', except that is what we do want. We want children to think, to speak and to act. We should not be so gutless as to pick on a child.

Time expired.

The House adjourned at 6.51 p.m.